

THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume III, 1930

(21st March to 31st March, 1930)

SIXTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1930



DELHI
GOVERNMENT OF INDIA PRESS
1930

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Legislative Assembly.

President :

THE HONOURABLE MR. V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

Panel of Chairmen :

PANDIT MADAN MOHAN MALAVIYA, M.L.A.

MR. M. A. JINNAH, M.L.A.

SIR DARCY LINDSAY, KT., C.B.E., M.L.A.

SIR ZULFIQAR ALI KHAN, KT., C.S.I., M.L.A.

Secretary :

MR. S. C. GUPTA, BAR.-AT-LAW.

Assistant of the Secretary :

RAI SAHIB D. DUTT.

Marshal :

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

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LEGISLATIVE ASSEMBLY.

Friday, 21st March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

RACIAL DISCRIMINATION IN RECREATION PROVIDED FOR APPRENTICES OF THE KHARAGPUR RAILWAY WORKSHOPS.

690. ***Mr. S. C. Mitra:** Is it a fact that the Bengal Nagpur Railway Administration have made provisions in the rules for all their Anglo-Indian and European apprentices in the Kharagpur Railway Workshops, for all sorts of recreations, sports, amusements and easements and that no such provisions exist in the rules for their Indian apprentices there? If so, what is the reason for this differential treatment?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the affirmative.

In regard to the second part I have called for information from the Railway Administration and will communicate with the Honourable Member when it is received.

NUMBERS OF EUROPEAN AND INDIAN APPRENTICES IN THE KHARAGPUR RAILWAY WORKSHOPS.

691. ***Mr. S. C. Mitra:** (a) Will Government please state the number of European (excluding the Anglo-Indian) and Indian apprentices now under training in the Kharagpur Railway Workshops and how many of them are attached to the Loco., Carriage, Wagon and other shops, respectively?

(b) What is the total number of apprentices in the Kharagpur Railway Workshops?

Mr. A. A. L. Parsons: With your permission Sir, I propose to answer this and the following question together. I have called for information and will communicate with the Honourable Member when it is received.

GRIEVANCES OF APPRENTICES IN THE KHARAGPUR RAILWAY WORKSHOPS.

†692. ***Mr. S. C. Mitra:** (a) Is it a fact that there has been a Committee at Kharagpur known as the "Cunningham Committee" appointed by the Bengal Nagpur Railway authorities to consider the various grievances of the employees in the Kharagpur Railway Workshops? If so, has the "Cunningham Committee" taken into consideration the grievances of the Indian apprentices who are now under training in the Kharagpur Railway Workshops?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to place on the table an extract from the Cunningham Committee's Report so far as it relates to the Indian "A" Grade apprentices?

†For answer to this question, see answer to question No. 691.

FREE PASSES AND CONCESSIONS FOR APPRENTICES OF THE KHARAGPUR RAILWAY WORKSHOPS.

693. ***Mr. S. C. Mitra:** (a) Will Government please state, in what class the railway free passes and tickets at concession rates are allowed on the home railway to the apprentices in the Bengal Nagpur Railway Workshops at Kharagpur; and when the apprentices become eligible for the free passes and tickets at concessional rates over the foreign lines?

(b) Are there any separate rules for the Indian apprentices, and especially for the "A" Grade apprentices for granting them the free passes and tickets at concessional rates? If so, why?

Mr. A. A. L. Parsons: (a) Intermediate or third class passes and concession tickets are allowed in accordance with the pass rules of the Bengal Nagpur Railway to these apprentices over the home line. They become eligible for free passes and tickets at concession rates over foreign railways after two years' service.

(b) No.

RECRUITMENT OF CLERKS FOR THE POST OFFICE.

694. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the Director General of Posts and Telegraphs has restricted the recruitment to the Post Office of candidates for the clerical cadre to the respective Revenue Divisions to which the candidates belong? If so, will they please lay a copy of the order on the table?

(b) Is it also a fact that the Superintendents of Post Offices are required to obtain the previous sanction of the Heads of Circles if they want to deviate from the above orders and entertain candidates not belonging to the Revenue Divisions in which they seek employment?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. A copy of Part I of the Director General's (Post Office) Circular No. 29, dated the 2nd September, 1926, is laid on the table.

(b) Yes.

POSTS AND TELEGRAPHS.

(POST OFFICE).

Director General's Circular No. 29.
Thursday, 2nd September, 1926.

I.—Local recruitment for subordinate postal appointments.

GENERAL FILE.

On the recommendation of the Postal Conference of 1926 it has been decided by the Director General that with effect from the 1st September, 1926, future candidates joining the subordinate postal service must belong to the Revenue Division in which they enlist. In the cases of cities like Bombay and Calcutta candidates belonging to the adjacent Revenue Divisions will also be eligible for appointment in such cities.

2. Any exception to the instruction given in paragraph 1 above must be referred to the Head of the Circle—Postal or Railway Mail Service—for orders.

G. P. ROY,

Director General of Posts and Telegraphs.

RECRUITMENT OF CLERKS FOR THE POST OFFICE.

695. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state the number of candidates of the clerical cadre belonging to the other Revenue Divisions entertained in the Nilgiri Division by Mr. M. K. Raman, Superintendent of Post Offices, after he took charge of that division in 1928 and the names of the Revenue Divisions from which those candidates were drawn?

(b) Did the Superintendent obtain the sanction of the Postmaster-General, Madras Circle, before their entertainment? If not, why not; and what action do Government propose to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: With your permission, Sir, I propose to answer this and the following question together.

The information asked for is being collected and will be supplied to the Honourable Member in due course.

RECRUITMENT OF CLERKS FOR THE POST OFFICE.

†696. ***Mr. S. C. Mitra:** (a) Has the Postmaster-General, Madras, issued instructions to the Superintendent of Post Offices, Nilgiri Division, to stop recruitment of Brahmins for the clerical cadre in his division?

(b) Were any Brahmins entertained by Mr. M. K. Raman, the Superintendent of Post Offices, Nilgiri Division, after the receipt of the Postmaster-General's instructions? If so, how many?

INSPECTION OF BOOKS AND RECORDS OF SUB-POST OFFICES.

697. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if the rules of the Postal Department prohibit the Supervising Officers from taking away the order books and records of a Post Office for inspection outside the office?

(b) How long has Mr. M. K. Raman, Superintendent of Post Offices, Nilgiri Division, been working as a Superintendent?

(c) Is it a fact that the B. O. receipt books of the Pykara and Mulanur branch offices were taken by him to his office, where they were checked by the staff?

(d) Is it also a fact that registered and parcel lists and the B. O. daily accounts of the Dharapuram and Valparai Sub-Post Offices were brought by him to the office and were inspected by the staff of the Superintendent?

(e) How many days did he take to inspect each of the Branch and Sub-Post Offices mentioned in parts (c) and (d) above; and why did he not inspect the records in the respective offices?

(f) What action do Government propose to take in the matter?

Mr. H. A. Sams: Sir, with your permission, I will reply to questions Nos. 697 and 698 together.

The information is being collected and will be communicated to the Honourable Member in due course.

†For answer to this question, see answer to question No. 695.

INSPECTION OF BOOKS AND RECORDS OF SUB-POST OFFICES.

†698. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that Mr. M. K. Raman, Superintendent of Post Offices, Nilgiri Division, utilised the services of Inspectors of Post Offices of the Palghat and Coimbatore Sub-Divisions to check the registered and parcel lists of the Kollengode and Podanur Post Offices at the time of his inspection?

(b) How many days did the two Inspectors remain with the Superintendent in the above stations, and in what places should they have remained according to their tour programmes?

(c) Are Superintendents allowed to take the assistance of Inspectors and cannot they inspect offices without the help of Inspectors of Post Offices?

OFFICE AND RESIDENTIAL ACCOMMODATION OF THE SUPERINTENDENT OF POST OFFICES, OOTACAMUND.

699. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the office of the Superintendent of Post Offices is located in Ootacamund in two dark, ill-ventilated rooms in the backyard of the Superintendent's quarters and that Mr. M. K. Raman, the Superintendent is occupying the major portion of the building?

(b) Is it a fact that the proportionate rent of the quarters is less than that for the office portion?

(c) Were Government satisfied that better and suitable accommodation was not available in Ootacamund for the office, and if so, will they please state if any inquiries were made by any officer of the department other than the Superintendent about the availability or otherwise of the accommodation?

(d) Is it compulsory that the Superintendent's office and quarters should be in one and the same building? If the answer be in the negative do Government propose to consider the desirability of providing better accommodation for the office of the Superintendent of Post Offices, Nilgiris?

Mr. H. A. Sams: (a), (b) and (c). I am making inquiries and will communicate the result to the Honourable Member on receipt.

(d) The answer to the first part of the question is in the negative. In respect of the second part, Government will take such action regarding the accommodation of the office of the Superintendent of Post Office, Nilgiri Division, as the investigations promised in respect of parts (a), (b) and (c) of the Honourable Member's question show to be necessary.

PAY OF CERTAIN CLERKS IN THE POST OFFICE.

700. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that graduates and under-graduates entertained in the Post Office after the revision of pay in March 1927 are getting a higher pay than such men who joined the service two years before the revision?

(b) Do Government propose to take action to remove the anomaly? If so, how and when?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes in some cases owing to the operation of the Fundamental Rules.

(b) The reply to the first part of the question is in the negative and the second part does not arise.

†For answer to this question, see answer to question No. 697.

ALLEGATIONS AGAINST BABU NUT BEHARI CHATTERJEE.

701. ***Mr. S. C. Mitra:** (a) Is it a fact that the Government received a copy of the resolution of a mass meeting of the Press Employees of Calcutta held under the presidency of Mr. Satyendra Chandra Mitra, M. L. A., on the 14th December, 1929, regarding the serious allegations on the conduct of Babu Nut Behari Chatterjee, Assistant Foreman of the East Indian Railway Press?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action has been taken in the matter? If not, why not?

Mr. A. A. L. Parsons: (a) A letter was received from the Organising Secretary, Press Employees' Association communicating certain Resolutions purporting to have been passed at a meeting of Press employees at Calcutta.

(b) Government do not feel called upon to take any action on the communication.

MEMORIAL FROM EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

702. ***Mr. S. C. Mitra:** (a) Is it a fact that the Honourable Member in charge of Railways and Commerce received a memorial dated the 2nd January, 1930, from the compositors, distributors and binders of the East Indian Railway Press of Howrah and Calcutta?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to lay on the table a copy of the said memorial?

(c) Will the Honourable Member in charge of Railways and Commerce be pleased to state what action has been taken or is intended to be taken in the matter?

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

(b) A copy of the memorial has been placed in the Library of the House.

(c) The Agent of the Railway has been asked to deal with the memorial as expeditiously as possible.

ALLEGED MISCONDUCT ON THE PART OF THE SUPERINTENDENT, EAST INDIAN RAILWAY PRESS.

703. ***Mr. S. C. Mitra:** (a) Is it a fact that the President, Press Employees' Association, Calcutta telegraphed to the Honourable Member in charge of Railways and Commerce on the 26th December, 1929, alleging serious misconduct on the part of the Superintendent, East Indian Railway Press?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to lay on the table a copy of the said telegram?

(c) Will Government be pleased to state what steps Government have taken or intend taking in the matter?

Mr. A. A. L. Parsons: (a) No such communication can be traced.

(b) and (c). Do not arise.

STATUS OF EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

704. ***Mr. S. C. Mitra:** (a) Is it a fact that the compositors, binders, distributors, galley proof pressmen, forme proof pressmen, machinemen and ink men of the Government of India Press are in superior service while those of the East Indian Railway Press are in the inferior service?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons therefor, and whether they intend taking any action to place the East Indian Railway pressmen on the same status with the men of the Government of India Press?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer questions Nos. 704, 706, 707 and 708 together.

I have not yet got the information.

Information has been called for and I will communicate with the Honourable Member on its receipt.

COMPLAINT AGAINST THE BINDING JAMADAR OF THE EAST INDIAN RAILWAY PRESS.

705. ***Mr. S. C. Mitra:** (a) Is it a fact that, according to the Civil Service Rules and Regulations and Government Servants' Conduct Rules, as well as according to the publication in the weekly Gazette of the East Indian Railway, issued on the 15th January, 1930, an employee is liable to be dismissed for serious misconduct?

(b) Is the Honourable Member in charge of Railways and Commerce aware that the binding jamadar of the East Indian Railway Press, Calcutta, abused and kicked Abdul Wahid Khan, Mujibur Rahman Chaudhuri and Harmoj Ali Chaudhuri and is in the habit of insulting other employees?

(c) If the answers to parts (a) and (b) be in the affirmative, will the Honourable Member be pleased to state what action has been taken or is intended to be taken against the said binding jamadar?

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

(b) No.

(c) Government do not propose to take any action.

EARNINGS OF CERTAIN EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

†706. ***Mr. S. C. Mitra:** (a) Is it fact that the earnings of the compositors, distributors, and binders, pressmen, machinemen and ink men of the East Indian Railway Press are diminishing gradually while those of the foreman, section-holders and readers are increasing?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons for the same?

(c) Will the Honourable Member in charge of Railways and Commerce be pleased to lay on the table a comparative statement of earnings of any five readers, section-holders, compositors and binders with their names, for the months of June, July, August and September of the years 1924, 1925 and 1929?

†For answer to this question, see answer to question No. 704.

DISCRIMINATION IN THE PAYMENT OF CALCUTTA ALLOWANCE TO EMPLOYEES IN THE EAST INDIAN RAILWAY PRESS.

†707. ***Mr. S. C. Mitra:** (a) Is it a fact that the clerks of the East Indian Railway Press are allowed to draw Calcutta allowance, while the compositors, distributors, binders, pressmen, machinemen and ink men are not allowed the same?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons thereof?

HAND-COMPOSING WITH MONO-TYPE IN THE EAST INDIAN RAILWAY PRESS.

†708. ***Mr. S. C. Mitra:** (a) Is it a fact that the compositors of the East Indian Railway Press are required to hand-compose with mono-types?

(b) Are Government aware that hand-composing with mono-type is nowhere prevalent in the world?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government be pleased to state the reasons for forcing the compositors to do such work?

RATES PAID TO COMPOSITORS IN CERTAIN PRESSES.

709. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a comparative statement of the class rates of the compositors in the Government of India Presses, Bengal Government Press, and the East Indian Railway Press?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to reply to questions Nos. 709—719 together.

I would refer the Honourable Member to the replies given to his questions Nos. 257—266 and 268 asked by him in January, 1929, which were in identical terms.

INCOME OF DIFFERENT CLASSES OF PRESS EMPLOYEES.

†710. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a statement showing, side by side, the income of overseers, head computers, any three computers, foreman, head clerk and any three clerks on the one hand and any five compositors, any five distributors and any five binders on the other, noting the name of each, in 1906 and 1927?

PROMOTION IN THE EAST INDIAN RAILWAY PRESS.

†711. ***Mr. S. C. Mitra:** (a) Is it a fact that, in the East Indian Railway Press, it is not infrequent that a raw junior with a few months' service to his credit is promoted over the heads of seniors?

(b) Is it a fact that, in the said Press, it is always the few who regularly get promoted, while others are left to vegetate for years in the same place?

(c) Will Government be pleased to lay on the table a statement showing the number of compositors in the East Indian Railway Presses at Calcutta and Howrah with, (i) Names, (ii) Dates of appointments, and (iii) Dates of promotions?

†For answer to this question, see answer to question No. 704.

†For answer to this question, see answer to question No. 709.

(d) If the replies to (a) and (b) be in the affirmative, will Government be pleased to state what action Government intend taking in the matter?

COMPARATIVE COST OF COMPOSING BY HAND AND WITH LINOTYPE AND MONOTYPE MACHINES.

†712. *Mr. S. C. Mitra: (a) Is it a fact that three lino. and two mono. machines were purchased in the East Indian Railway Press immediately after the East Indian Railway became a State Railway?

(b) Is it a fact that the mono. machines cause to Government a loss of 40 per cent., and that the lino. machines cause only 20 per cent. loss to Government?

(c) Is it a fact that matter composed on mono. or lino. machines has to be melted away after printing and that such melting can go on for five times only?

(d) Is it a fact that hand-composed matter lasts 90 lakhs of impressions?

(e) Is it a fact that hand-compositors are entitled to remuneration after the first reading, second reading, third reading, revised corrections and rule dress-up are finished?

(f) Will Government be pleased to lay on the table a comparative statement showing the cost of composing by hand 44×72 Em nonpareil type 15 column statement, and that of having it in a mono-machine, noting specifically the charge of (1) operator, (2) caster, (3) arranging, (4) first reading corrections, (5) second reading corrections, (6) third reading corrections, (7) revise corrections, (8) rule dress-up, (9) gas, (10) electricity, (11) water, and (12) metal?

(g) If the reply to (a) and (b) be in the affirmative, will Government be pleased to state why Government are replacing hand-composition by lino. and mono. machines?

PAY OF COMPOSITORS AND CLERKS IN THE EAST INDIAN RAILWAY PRESS.

†713. *Mr. S. C. Mitra: (a) Is it a fact that, in May 1920, the Agent, East Indian Railway, passed orders to the effect that the compositors would be placed on a par with the clerks?

(b) Is it a fact that they have been enjoying this privilege from that time up to 1926?

(c) If the reply to parts (a) and (b) be in the affirmative, will Government be pleased to explain the reasons thereof?

PAY ON HALF HOLIDAYS IN THE EAST INDIAN RAILWAY PRESS.

†714. *Mr. S. C. Mitra: (a) Is it a fact that, in 1920, the Agent, East Indian Railway, passed orders that the Press people (compositors, distributors, pressmen, binders, etc.), would be allowed a full day's pay on half holidays in general?

(b) Is it a fact that they have been enjoying this privilege from after that time up to 1926?

†For answer to this question, see answer to question No. 709.

(c) Is it a fact that it has been stopped since the Railway came under Government control?

(d) If the replies to (a), (b) and (c) be in the affirmative, will Government be pleased to state the reasons thereof?

RAILWAY CONCESSIONS OF EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

†715. *Mr. S. C. Mitra: (a) Is it a fact that the Press employees are not allowed concession rates on railways other than the East Indian Railway, when even the day-labourers in the Lilloah Workshops enjoy this privilege?

(b) Is it a fact that the Agent's circular is to the effect that every employee of the East Indian Railway is entitled to these "concessions"?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government kindly inform the House why such discrimination is observed in the case of the Press employees?

RAILWAY CONCESSIONS OF EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

†716. *Mr. S. C. Mitra: (a) Will Government be pleased to state the rules applicable to the Press employees and clerical staff in the East Indian Railway Press with regard to passes and the class of train in which they are entitled to travel?

(b) Is it a fact that, since 1920, compositors drawing below Rs. 75 per mensem have not been allowed intermediate class passes, and that this rule is not applicable to the clerks?

(c) Will Government kindly state why these discriminations, if any, are observed between the Press employees and the clerical hands?

REVERSION TO TEMPORARY APPOINTMENTS OF CERTAIN COMPOSITORS IN THE EAST INDIAN RAILWAY PRESS, CALCUTTA.

†717. *Mr. S. C. Mitra: (a) Is it a fact that permanent hands cannot be reverted to temporary hands?

(b) Is there any rule to that effect?

(c) If so, will Government be pleased to state that rule?

(d) Is it a fact that permanent compositors of the Oudh and Rohilkhand Railway Press on transfer from Lucknow to the East Indian Railway Press, Calcutta, have been made temporary?

(e) If the replies to parts (a) and (d) be in the affirmative, will Government be pleased to state the reasons thereof?

GRANT OF CALCUTTA ALLOWANCE TO EMPLOYEES OF THE OUDH AND ROHILKHAND RAILWAY PRESS TRANSFERRED TO CALCUTTA.

†718. *Mr. S. C. Mitra: (a) Is it a fact that the Press employees of the Oudh and Rohilkhand Railway Press, Lucknow, when transferred to Calcutta, were promised Rs. 5 as Calcutta allowance?

†For answer to this question, see answer to question No. 709.

(b) Is it a fact that this promise has not been acted upon?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government be pleased to state the reasons thereof?

NUMBER OF CERTAIN EMPLOYEES IN THE EAST INDIAN RAILWAY PRESSES,
HOWRAH AND CALCUTTA.

†719. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a statement showing therein the number of (1) Deputy Superintendents, (2) overseers, (3) computers, (4) checkers, (5) clerks, (6) compositors, (7) distributors, (8) pressmen, (9) inkmen, (10) machinemen, and (11) binders, employed in the East Indian Railway Presses, Howrah and Calcutta, from 1920 to 1927, year by year?

PROVISION OF A PROVIDENT FUND FOR EMPLOYEES OF THE GOVERNMENT
OF INDIA PRESSES.

720. ***Mr. S. C. Mitra:** (a) Is it a fact that the Resolution No. A-31, of the Government of India, dated the 15th July, 1920, provides that the employees in the Government of India Presses should have a Provident Fund similar to that in the State Railways?

(b) Is it a fact that nothing has yet been done to carry out that provision?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government be pleased to state:

(i) the causes of this delay of Government in executing their own orders;

(ii) when they intend taking action on the matter;

(iii) what they intend to do with regard to the men who have retired since the order was made in 1920, and for the families of those who have died since then either in service or after retirement?

The Honourable Sir Bhupendra Nath Mitra: (a), (b), (c), (i) and (ii). The attention of the Honourable Member is invited to the reply given to parts (a), (b), (c) (i), and (ii) of his starred question No. 269 in the Legislative Assembly on the 30th January, 1929.

(c) (iii). The question is under consideration.

PAY OF PIECE-WORKERS IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

721. ***Mr. S. C. Mitra:** (a) Is it a fact that, in reply to my starred question No. 631, dated the 18th September, 1929, regarding the pay of piece-workers of the Government of India Press, Calcutta, the Honourable Sir Bhupendra Nath Mitra said that some of the memorials had been dealt with and that some were under his careful consideration?

(b) If the answer to part (a) be in the affirmative, will the Honourable Member in charge of Industries and Labour be pleased to state the steps that have since been taken? If not, why not?

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

(b) The memorials are still under the consideration of the Government of India.

†For answer to this question, see answer to question No. 709.

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

722. ***Mr. S. C. Mitra:** (a) Is it a fact that, in reply to my starred question No. 624, dated the 18th September, 1929, regarding a memorial received from the lino. and mono. operators of the Government of India Press, Calcutta, the Honourable Sir Bhupendra Nath Mitra stated that the matter was still under consideration?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action since then has been taken in the matter? If not, why not?

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

(b) The matter is still under consideration.

MEMORIAL FROM SECTION-HOLDERS OF THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

723. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state whether it is a fact that in August, 1929, the section-holders of the Government of India Press, Calcutta, submitted a memorial to the Government through the proper channels, stating their legitimate grievances?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to lay on the table a copy of the said memorial?

(c) Will Government be pleased to state what action, if any, they have taken or propose to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). No such memorial of August 1929 has been received by Government. But a memorial from section-holders dated the 6th August, 1928, was received by Government and rejected after due consideration. Government do not propose to lay a copy of the memorial on the table of the House.

RATES PAID TO CERTAIN CLASSES OF WORKERS IN THE GOVERNMENT OF
INDIA PRESS, CALCUTTA.

724. ***Mr. S. C. Mitra:** (a) Is it a fact that before the 21st June, 1928, the class rate of the compositors, distributors, binders and pressmen of the Government of India Press was on an equal basis while after the 21st June, 1928, the class rate has varied with different employees?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons thereof?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, except that different scales of rates were introduced from the 1st July, 1928, and that binders and pressmen were placed on the same scale.

(b) Different scales were prescribed on account of the difference in the average earnings of the different classes of piece-workers.

EARNINGS OF DISTRIBUTORS IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

725. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to my starred question No. 634, dated the 18th September, 1929, regarding the earnings of distributors of the Government of India Press, Calcutta, the Honourable Sir Bhupendra Nath Mitra stated that inquiries were being made and results would be communicated in due course?

(b) Will the Honourable Member in charge of the Department of Industries and Labour be pleased to state the result of the inquiries made, if any?

(c) If the answer to part (b) be in the negative, will the Honourable Member be pleased to state the reasons thereof?

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

(b) The result of the inquiry was communicated to the Honourable Member in a demi-official letter from the Department of Industries and Labour, No. A-332, dated the 15th January, 1930, copies of which were also placed in the Library of the Legislative Assembly.

(c) Does not arise.

EARNINGS OF EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

726. ***Mr. S. C. Mitra:** (a) Is it a fact that the earnings of the pressmen of the Government of India Press are diminishing day by day?

(b) Will Government be pleased to lay on the table a comparative statement showing the earnings of any five pressmen of the Government of India Press with their names, for the months of March, April and May, for the years of 1920 and 1929?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). Government have no information, but they are asking the Controller of Printing and Stationery to enquire into the matter.

PAY OF READERS AND REVISES IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

727. ***Mr. S. C. Mitra:** (a) Is it a fact that, in 1924, the junior readers of the Government of India Press were in the superior grade compared with the revisers?

(b) Is it a fact that by the revisions held in July 1928, the revisers of the Government of India Press have been placed in the same grade as that of a junior reader?

(c) Is it a fact that, in reply to my starred question No. 274, dated the 30th January, 1929, regarding the pay of readers and revisers in the Bengal Government Press, the Honourable Sir Bhupendra Nath Mitra stated that the duties of a reader are more responsible than those of a reviser?

(d) If the replies to parts (a), (b) and (c) be in the affirmative, do Government propose to consider the question of giving the junior readers a higher pay?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the reply given by me to his starred question No. 627 on the 18th September, 1929.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

728. ***Mr. S. C. Mitra:** (a) Is it a fact that the mono-casters of the Government of India Press, Calcutta, are allowed less pay than the mono-casters of East Indian Railway and Eastern Bengal Railway Presses?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state the reasons thereof?

(c) Is it a fact that Government is contemplating to place them on the same status? If not, why not?

(d) Will Government be pleased to lay on the table a comparative statement showing the pay drawn by the mono-casters of the Government of India Press, East Indian Railway Press and the Eastern Bengal Railway Press?

The Honourable Sir Bhupendra Nath Mitra: (a), (b), (c) and (d). Government have not before them any proposal to revise the pay of the mono-casters of the Government of India Press, Calcutta, on the basis of the scale obtaining in the Presses of the East Indian and Eastern Bengal Railways. The information desired by the Honourable Member in parts (a) and (d) is being obtained and will be supplied to him in due course.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

729. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to unstarred question No. 84, put by Mr. K. C. Neogy on the 31st August, 1926, regarding the earnings of certain employees of the Government of India Press, Calcutta, the Honourable Sir Bhupendra Nath Mitra replied that the salaries at present paid to the lino-operators of the Government of India Press, Calcutta, were Rs. 100—5—125?

(b) Will Government be pleased to lay on the table a statement showing the names of the lino-operators with their salaries drawn on the pay sheets and the increments allowed to them for the months of June to December 1929?

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

(b) The statement desired by the Honourable Member will be supplied to him in due course.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

730. ***Mr. S. C. Mitra:** (a) Is it a fact that before July 1928, the galley proof pressmen, forme-carriers and the labourers of the Government of India Press were on the same grade?

(b) Is it a fact that after July 1929 the pay of the galley proof pressmen, and forme-carriers were increased while that of the labourers remained the same?

(c) If the replies to parts (a) and (b) be in the same, will Government be pleased to state the reasons thereof?

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

(b) No, but certain increases in pay were granted to galley and forme proof pressmen and to forme carriers from July 1928.

(c) Does not arise.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

731. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state whether it is a fact that the readers of Government of India Press, Calcutta, submitted a memorial to the Government through the proper channel stating their legitimate grievances in October 1929?

(b) If the answer be in the affirmative, will Government be pleased to lay on the table a copy of the said memorial?

(c) Will Government be pleased to state what action, if any, they have taken or have proposed to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: (a) Six memorials in identical terms bearing the date, 29th November, 1929, were received from certain readers in the Government of India Press, Calcutta.

(b) Government do not propose to lay a copy of the memorial on the table of the House.

(c) The memorials have been rejected.

MEMORIAL FROM VILLAGERS SERVED BY THE NALDHI POST OFFICE.

732. ***Mr. S. C. Mitra:** (a) Is it a fact that the villagers of Sankarpore, under the Naldhi Post Office in the district of Jessore submitted five memorials to the Government through the Divisional Superintendent in the months of April, May, June, July and August 1929, praying for the daily bit in their village?

(b) Is it a fact that no reply was given to any of these memorials?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government be pleased to state the reasons why no reply was given to any of these memorials?

The Honourable Sir Bhupendra Nath Mitra: (a) The representations referred to by the Honourable Member have not reached Government. Presumably, they refer to the introduction of a daily delivery instead of an intermittent one at the village of Sankarpore. This is a matter for examination by the Postmaster-General, Bengal and Assam, to whom a copy of the Honourable Member's question is being forwarded.

(b) and (c). The absence of a reply is explained by the answer given to part (a) above.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

733. ***Mr. S. C. Mitra:** (a) Is it a fact that the Director of the Railway Board wrote a letter to me on the 28th March, 1929, stating that the introduction of the graded scale of pay for the employees of the Eastern Bengal Railway Press is under consideration?

(b) If the answer to part (a) be in the affirmative, will the Honourable Member in charge of Railways and Commerce be pleased to state the reasons for the delay in giving effect to the proposal?

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

(b) The question requires careful investigation. It is hoped that a decision will be arrived at shortly.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

734. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to my starred question No. 635 of the 18th September, 1929, regarding a memorial of certain employees of the Eastern Bengal Railway Press, Mr. P. R. Rau said that the Agent, Eastern Bengal Railway, had been requested to deal with the memorial of the compositors, distributors and binders of the Eastern Bengal Railway Press of the 23rd May, 1929, expeditiously?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action they have taken in the matter?

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

(b) I would refer the Honourable Member to the reply given to question No. 69 asked by Khan Bahadur Sarfaraz Hussain Khan on the 20th January, 1930. The question of the revision of rates of pay of the Press employees of the Eastern Bengal Railway is still under consideration.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

735. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to my questions dated the 1st September, 1929, the Deputy Director, Railway Board, informed me that the lowest income of the binders of the Eastern Bengal Railway Press decreased from Rs. 9-4-0 in 1927 to Rs. 4-2-8 in 1928, due to the falling off of output?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action they have taken to increase the output?

(c) Will the Honourable Member in charge of Railways and Commerce be pleased to lay on the table a statement showing the attendance of the binders of the Eastern Bengal Railway Press and the wages received during the years 1927 and 1928?

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

(b) Government do not propose to take any steps to increase the output of binding work in the Eastern Bengal Railway Press beyond what is necessary to meet the requirements of the Railway.

(c) Government regret they are not prepared to call for the information as it cannot be procured without an expenditure of time and labour that would be entirely incommensurate with the value of the results obtained.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

736. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state whether the distributors, binders, pressmen, machinemen, forme-carriers, galley-proof pressmen in the Eastern Bengal Railway Press are in inferior service and whether their brethren in the Government of India Press are not?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether they contemplate to put the distributors, etc., of the Eastern Bengal Railway Press on the same status with their brethren of other Government Presses? If not, why not?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to reply to questions Nos. 736, 737 and 739 together.

I am calling for the information and will communicate with the Honourable Member on its receipt.

HOLIDAYS ALLOWED IN THE EASTERN BENGAL RAILWAY PRESS.

†737. ***Mr. S. C. Mitra:** (a) Are Government aware that the employees of the Eastern Bengal Railway enjoyed gazetted holidays till 1929, while in 1930 the sanctioned holidays are only those under the Negotiable Instrument Act?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state under whose authority this change has been given effect to?

(c) Is it a fact that the employees of the Eastern Bengal Railway Press had to work during the Durgah Puja and Christmas holidays?

(d) If it is so, will Government be pleased to state whether the said employees received any extra wages for working during those periods? If not, why not?

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

738. ***Mr. S. C. Mitra:** (a) Is it a fact that the binders of the Eastern Bengal Railway Press are not paid at the same rate as the binders of the Government of India Press?

(b) Will Government be pleased to lay on the table a comparative statement showing the rate at which the binders of the Government of India Press and Eastern Bengal Railway Press are paid for binding 100 foolscap size with leather?

(c) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons therefor though both the presses are situated in Calcutta?

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

(b) I am calling for the information and will communicate with the Honourable Member on its receipt.

(c) Some of the binders in the Government of India Press are employed on high class leather work and some are capable of making and are called upon to make artistic bindings, whereas the binders of the Eastern Bengal Railway Press are required to do merely the commonest and cheapest forms of work.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

†739 ***Mr. S. C. Mitra:** (a) Is it a fact that the clerks and readers of the East Indian Railway Press are allowed to draw Calcutta allowances and that the readers of the Eastern Bengal Railway Press are not allowed the same?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reason thereof?

COMPLETION OF THE BATALA-BEAS RAILWAY.

740. ***Sardar Gulab Singh:** (a) Is it a fact that Government have recognised the desirability of completing the Batala-Beas Railway at an early opportunity?

(b) Is it a fact that since the temporary suspension of the construction work, the inhabitants of the said locality have submitted a number of petitions to the Government praying for the early completion of the line?

(c) If the reply to these questions be in the affirmative, do Government propose to effect the earliest construction of the unfinished portion of the line in keeping with their policy to push schemes already in hand to completion?

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

(b) Yes.

(c) Yes, as soon as the more important lines have received their full allotment of funds.

APPOINTMENT OF SIKHS IN THE RAILWAY SUBORDINATE ACCOUNTS SERVICE.

741. ***Sardar Gulab Singh:** (a) Will Government please state the percentage of Sikhs in the Railway Subordinate Accounts Service as compared with the total number and the minority communities?

(b) Is it a fact that an examination was recently held to fill up certain vacancies in that service?

(c) If so, how many vacancies are there in all to be filled up?

(d) Do Government propose to reserve some of these vacancies for the minority communities?

(e) If so, will Government please state how many of these will be given to the Sikhs?

Mr. A. A. L. Parsons: (a) Government regret that they are not prepared to undertake the labour of compiling the figures.

(b) Yes. A competitive examination was held in October, 1929, for the recruitment of clerks.

(c) and (d). The number of posts offered for competition was 80 of which 27 were reserved for members of the minority communities. Only 13 members of those communities, however, reached the minimum standard necessary for the offer of an appointment.

(e) Seven appointments were offered to Sikhs.

†For answer to this question, see answer to question No. 736.

†For answer to this question, see answer to question No. 736.

AGE LIMIT FOR EXAMINATIONS OF THE PUBLIC SERVICE COMMISSION.

742. ***Sardar Gulab Singh:** (a) Will Government be pleased to state the age limit fixed for the candidates who sat for the examination of the Public Services Commission in November, 1929, for the Ministerial Selection Branch?

(b) Will the departmental candidates be allowed to appear in the future competitive examinations irrespective of their age provided they are educationally qualified? If not, what will be the age limit prescribed for them?

The Honourable Sir James Crerar: I would refer the Honourable Member to my reply on the 19th March to starred question No. 660.

†743*.

SPECIAL RECRUITMENT OF MR. A. J. CUNNINGHAM TO THE EAST INDIAN RAILWAY OFFICE.

744. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that one, Mr. A. J. Cunningham was recruited in the East Indian Railway office in 1927-28 as an accountant on an initial pay of Rs. 270 per mensem? If so, what are the special circumstances for this recruitment?

(b) Has Mr. Cunningham, who is an inexperienced man, since been made an officer? Is he related to the first Controller, Railway Accounts?

(c) Is it not a fact that special posts were created to keep Mr. Cunningham on as an officer without reversion?

(d) Will Government please state if this officer is to be sent to England shortly at Government expense for learning methods of accounting?

Mr. A. A. L. Parsons: (a) Mr. A. J. Cunningham was appointed as an accountant on the East Indian Railway in 1926 on an initial pay of Rs. 210 per mensem in view of his educational qualifications and banking experience.

(b) The first part contains an assumption that is not correct. Mr. Cunningham is at present officiating as an Assistant Accounts Officer. The answer to the second part of the question is in the negative.

(c) No.

(d) No.

FRAUD IN THE NORTH WESTERN RAILWAY WORKSHOP ACCOUNTS OFFICE AND UNFAIR PROMOTIONS BY MR. I. S. PURI, SPECIAL OFFICER, DIRECTOR OF RAILWAY AUDIT OFFICE.

745. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state whether it is a fact that a serious fraud, running to several lakhs of rupees, has recently been unearthed in the North Western Railway Workshop Accounts Office?

(b) If so, have they taken immediate steps to transfer the men concerned to other places to enable them to investigate the matter fully?

†This question was withdrawn by the questioner.

(c) What steps have been taken to conduct an impartial and independent inquiry into the matter other than by the present Chief Accounts Officer?

(d) Is it a fact that a number of clerks involved in the fraud are related to Mr. I. S. Puri, Special Officer, Director of Railway Audit Office?

(e) Is it a fact that Mr. I. S. Puri was responsible for what is known as training reserve clerks on the North Western Railway, and that he promoted them later, giving them five years' additional service, which adversely affected qualified hands who had less than five years service? If so, will Government please state the number of men so affected, and what steps they propose to take to compensate these men?

(f) Is it a fact that Mr. I. S. Puri is being transferred to the office of the Chief Controller, Railway Accounts? If so, in what capacity will he work in that office?

Mr. A. A. L. Parsons: (a) Facts have come to knowledge, which suggest a somewhat serious defalcation of Government money in the North Western Railway Workshop Accounts Office in connection with Muster Rolls and Pay Sheets paid out by one particular clerk. The amount involved, so far as at present known, is about Rs. 55,000.

(b) No. One man has been placed under arrest and all the relevant records have either been handed over to the Police or are kept by the Chief Accounts Officer in his personal custody.

(c) In addition to the departmental inquiry, which is being made by the Chief Accounts Officer the Police are now conducting an investigation.

(d) No.

(e) The reply to the first part of the question is in the negative. The credit of services referred to was in accordance with a ruling of the Auditor General. In view of the reply to the first part of the question the second part does not arise.

(f) He is being placed in a month or so on Special Duty under the Controller of Railway Accounts to draft the Railway Account Code.

Mr. Vidya Sagar Pandya: What is the amount involved?

Mr. A. A. L. Parsons: My present information is that it is about Rs. 55,000, but it may be more. The fraud had been going on for some considerable time and I cannot therefore at present guarantee that this is the final figure.

†746*.

RENT FOR FANS SUPPLIED TO LOW-PAID CLERKS IN NEW DELHI.

747. ***Mr. Abdul Latif Sahib Farookhi:** (a) Are Government aware that a great hardship is being felt by the low-paid clerks of the attached and subordinate offices who are left over in New Delhi and who are occupying Public Works Department quarters?

(b) Is it a fact that like electric lamps and meters, the fans form part of electric fittings under the rules issued in the Department of Industries and Labour Notifications, dated the 30th March, 1930? If so, why is rent charged on them?

†This question was withdrawn by the questioner.

(c) Are Government prepared to settle the matter immediately as it has been pending since the 30th March, 1929? Do Government intend to refund the rent for fans already charged? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are not aware that any hardship is felt by the clerks in question.

(b) and (c). It is true that under the Notification referred to electric fans, like electric lamps and meters, form part of the electric fittings, and their cost is included in the capital cost of a residence for the purpose of assessment of rent. In the case of residences in Delhi, however, it has been decided not to treat fans as part of the fittings for the period prior to the 1st April, 1929. As regards the period from the 1st April, 1929, onwards, the matter is at present receiving consideration.

PAY OF MINISTERIAL ESTABLISHMENT OF THE CENTRAL BOARD OF REVENUE.

748. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that the members of the ministerial establishment on the attached office scale of the Central Board of Revenue have submitted a memorial for the grant of Secretariat scale of pay?

(b) Is it also a fact that more than a year has elapsed since the submission of the above memorial?

(c) Is it a fact that the Central Board of Revenue works just like a Department of the Government of India?

(d) If the replies to the above questions be in the affirmative, will the Honourable the Finance Member be pleased to state what action he has taken on this memorial?

The Honourable Sir George Schuster: (a) and (b). Yes. The memorial was forwarded to the Government of India by the Central Board of Revenue in November 1929, with their recommendations.

(c) The reply is in the negative.

(d) The memorial is under consideration along with a representation from the Government of India Subordinate and Attached Offices Association regarding an increase of pay in all the attached offices, and the Government of India hope to arrive at a decision after the close of the present session.

EXAMINATIONS FOR THE UPPER DIVISION OF THE SECRETARIAT.

749. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that some of the departmental candidates who appeared from Attached Offices in the clerical examination held by the late Staff Selection Board in 1922 and were declared qualified as Assistants (Attached Offices) merely because they were at that time employed in such offices?

(b) Is it a fact that a number of candidates referred to above obtained the minimum number of marks fixed for the Upper Division Secretariat and that they had stated in their applications for admission that they were to appear for the Upper Division Secretariat?

(c) Is it also a fact that some of the candidates referred to in part (b) above have since been declared qualified as Assistants of the Secretariat?

(d) If the reply to part (c) be in the affirmative, and in view of the reply given by the Honourable the Home Member to this House in 1927 that there was no distinction in the examinations for the Upper Division Secretariat and that of Attached Offices since and onwards from 1922, are Government prepared to ask the Public Service Commission to declare all such candidates who obtained the required minimum marks in 1922 as qualified for the Upper Division Secretariat? If not, why not?

The Honourable Sir James Crerar: (a) and (b). The main object of the examination so far as departmental candidates were concerned was to enable them to qualify for promotion in the offices in which they were employed. They were admitted to the Upper Division Secretariat grade if they obtained sufficient marks and were recommended therefor by the Head of the department.

(c) I have no information to this effect.

(d) Does not arise.

NUMBER OF MEMBERS OF EACH COMMUNITY IN THE DIFFERENT GRADES OF THE SECRETARIAT.

750. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to lay on the table a statement showing separately since the year 1915—1929 the number of Hindus, Muslims and Christians in each Department of the Government of India and the Departments subordinate to it located at Simla and Delhi in each grade, i.e., (i) Superintendents' grade, (ii) selection grade, (iii) first division, and (iv) second division?

The Honourable Sir James Crerar: Statements showing the communal strength of the clerical staff of the Departments of the Government of India and its attached and subordinate offices for the years 1911, 1925, 1926, 1927 and 1928, will be found in the Library of the House. I regret that I have not the further detailed information asked for by the Honourable Member. Its collection would involve an amount of time and labour which I am afraid I could not regard as reasonable.

Mr. Abdul Latif Sahib Farookhi: Is it not a fact that on the 1st of January every year, the Home Department of the Government of India prepares a list from information received from the various departments?

The Honourable Sir James Crerar: A statement is published annually showing the communal strength of each department.

NUMBER OF MEMBERS OF EACH COMMUNITY IN EACH GRADE OF THE OFFICE OF THE ACCOUNTANT GENERAL, MADRAS.

751. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state the number of Hindus, Muslims and Christians, permanent and acting, with their pay, in each grade in the Office of the Accountant General Madras?

The Honourable Sir George Schuster: A statement giving the information required by the Honourable Member is laid on the table.

Grade	Scale of pay.	Hindus.		Muslims.		Christians.	
		Permanent.	Acting.	Permanent.	Acting.	Permanent.	Acting.
Senior Accountants	Ra. 300—20—500—50-5—550.	4	..	..	..	..	..
P. W. Divl. Accountants	100—10—270—30-5—300	7	..	..	..	..	..
S. A. S. Accountants	(a) 190—20—450 (b) 190—20—310—15—400	31	1	..	..	2	..
Clerks	40—7—75—6—135—5—175	314	82	12	2	14 4*	4 2*
Typists	40—10—24—65—3/2—80.	8	1	1	..	..	..
Comptometer	Ditto	1	..	1	..	..	..
Telephone Operator	Ditto	1	..	..	..	..	..
Shroff	30—2—50—2—70	1	..	..	..	..	..
Record Clerks	25—1—50	27	13	4	3	2 1*	1
Note Verifiers	(i) 80—5—130 (ii) 40—5—90	13	5	2	1	..	..

(a) For those who were in the cadre before 1st March, 1925.

(b) For those who entered the cadre on and after 1st March, 1925.

(c) For Quantity Checkers.

(ii) For Quantity Checkers.

Figures marked with an asterisk indicate the numbers of Anglo-Indians.

APPOINTMENT OF A MUSLIM AS HEADMASTER OF THE GOVERNMENT HIGH SCHOOL, DELHI.

752. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government please state whether any Muslim has ever been appointed as Headmaster in the Government High School, Delhi, during the last 25 years?

(b) If the reply to part (a) be in the affirmative, will Government please state the name of the Headmaster, and the period for which he acted?

(c) If the reply to part (a) be in the negative, will Government please state whether they ever asked the Punjab Education Department to transfer any Muslim to hold the post of the Headmaster, Government High School, Delhi?

Sir Frank Noyce: (a) No.

(b) Does not arise.

(c) I regret that information on this point is not readily available.

STAFF OF THE GOVERNMENT HIGH SCHOOL, DELHI.

753. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government place on the table a statement of the present staff of the Government High School, Delhi, showing names, designations, pay, length of service, and their periods of service in the Government High School, Delhi?

(b) Are there any teachers who have been teachers on the staff of the said school for more than ten years? If so, do Government propose to arrange their transfer elsewhere to break the existing monopoly, keeping in view the long standing grievances of Muslims?

(c) Is it a fact that the five top posts among Anglo-Vernacular teachers of the Government High School, Delhi, are occupied by non-Muslims and have been so occupied for a long period?

Sir Frank Noyce: (a) A statement is laid on the table.

(b) Yes. The question will be considered, but it may be remarked that no monopoly exists.

(c) Yes.

Name.	Designation.	Pay.		Length of service.		Period of service in this school.	
		Rs.	Months.	Years.	Months.	Years.	Months.
1. Pt. Hari Kishan Kaul, B.A., P.E.S.	Headmaster	525	3	25	3	11	11
2. L. Daulat Singh, B.A., S.A.V.	2nd master	230	2	25	2	0	0
3. L. Raghubir Chand, B.A., S.A.V.	3rd master	190	7	25	7	8	0
4. L. Suraj Bhan, B.A., B.T.	4th master	170	2	16	2	11	9
5. L. Ramcharan Das, B.A., S.A.V.	5th master	140	2	21	2	4	7
6. L. Maha Narain, S.A.V., S.C.C., E.E.	2nd clerical and commercial master	135	8	19	8	15	0
7. M. Inayat-ur-Rahman, B.A., S.A.V.	6th master	135	2	5	2	1	10
8. L. Ram Rakha Mal, B.A., B.T.	7th master	125	9	5	9	5	0
9. L. Karhya Lal, M.F., S.V.	Oriental master	120	11	26	11	4	1
10. M. Badrul-Islam, S.D.M.	Drawing master	120	3	23	3	23	3
11. M. Misbaul Haq, B.A., B.T.	Sr. Eng. master	115	5	1	5	1	3
12. L. Zorawar Chand, E.E., S.A.V.	8th master	110	1	23	1	9	3
13. L. Kidar Nath, E.E., S.A.V.	9th master	100	7	24	7	14	2
14. L. Kunj Bihari Lal, B.A., B.T.	10th master	100	6	13	6	13	4
15. M. Marghoob Ahmad, E.E., J.A.V.	Eng. master	96	7	23	7	18	6
16. P. Damodar Lal Shastri	Sanskrit teacher	92	9	21	9	21	5
17. M. Abdul Tavab, M.V., A.M.F.O.T.	Arabic teacher	88	8	19	8	4	5
18. M. Abdul Majid, J.V., S.D.M., J.D., M.A. V.M.	Drill instructor	84	2	28	2	24	8
19. Pt. Brahm Dutta, F.A., J.A.V.	Jr. Eng. teacher	70	11	8	11	3	3
20. M. Bashir Hussain, B.A., J.A.V.	Ditto	70	10	4	10	3	3
21. Pt. Shiv Nath Shastri	Hindi	61	9	20	9	6	9
22. M. Mohd. Farooq, E.E., J.A.V.	Vernacular master	38	10	2	10	1	5

STAFF OF THE GOVERNMENT HIGH SCHOOL, DELHI.

754. ***Mr. Abdul Latif Sahib Farookhi:** (a) How many teachers were employed in the advanced clerical classes attached to the Government High School, Delhi, and how many of them are non-Muslims, and what are their names?

(b) Has the staff of the advanced clerical classes been confirmed? If not, are Government prepared to consider the desirability of replacing any two of the present temporary staff by appointing qualified Muslims?

Sir Frank Noyce: (a) Four, all of whom are non-Muslims. Their names are—

Hans Raj Kawlra,
Dina Nath Handa,
Shiv Chand, and
Babu Lal Bhargava.

(b) The answer to the first part of the question is in the negative. As regards the second part, the question will be considered when a vacancy occurs.

QUALIFICATIONS OF THE HEADMASTER, GOVERNMENT INDUSTRIAL SCHOOL, DELHI.

755. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government kindly state the academic technical, and industrial qualifications of the Headmaster, Government Industrial School, Delhi?

(b) Are Government aware that men of his technical and industrial qualifications are not considered suitable and capable for appointment as Headmasters of Industrial Schools of the middle standard in the two neighbouring provinces of the Punjab, and the United Provinces?

(c) In the interest of technical education, do Government propose to consider the desirability of appointing a duly qualified Headmaster for the said school? If not, why not?

(d) Are Government aware that on the provincialisation of the M. B. Industrial School, Delhi, the entire staff of the School with the single exception of the Headmaster was taken into Government service on probation, while the Headmaster was taken permanently from the date of provincialisation?

(e) Will Government please state the reasons why the Headmaster was treated differently from other members of the staff?

The Honourable Sir Bhupendra Nath Mitra: (a) The Headmaster is a B.A., S.A.V. (1st Division), B.T. trained; he holds a drawing master's certificate and has been employed in his present school from 1908. He has also visited schools of Art. Industrial schools and other places of educational value in England, France, Switzerland, etc.

(b) Government have no information.

(c) Government consider the Headmaster fully qualified for the post he holds.

(d) Yes.

(e) As the Inspector of Industrial Schools, Punjab, reported that the Headmaster's work was of outstanding excellence for years, it was not considered necessary to place him on probation.

APPOINTMENT OF MUSLIM TEACHERS IN THE GOVERNMENT INDUSTRIAL SCHOOL, DELHI.

756. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government kindly state the numerical strength of (i) Muslim pupils, (ii) non-Muslim pupils, (iii) Muslim teachers, and (iv) Non-Muslim teachers of the general side of instruction of the Industrial School, Delhi?

(b) In case there is an overwhelming majority of Muslim pupils, and a disproportionate majority of non-Muslim teachers of the general side, are Government prepared to consider the desirability of increasing the proportion of Muslim teachers in the school?

(c) Is it a fact that when the only Muslim teacher of the general side of the school proceeded on leave, a non-Muslim was appointed in his place?

(d) If the reply to part (c) be in the affirmative, will Government please state whether any efforts were made to secure the services of a Muslim candidate? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) (i) 219.

(ii) 72.

(iii) 1.

(iv) 4.

(b) Government will give due consideration to the suggestion when a vacancy occurs.

(c) and (d). The facts are that when the permanent incumbent (a Muslim) went on leave another Muslim was appointed to officiate in his place; subsequently this latter teacher proceeded to the Normal School for training and a Hindu was appointed to officiate in his place.

AFFECTION WITH PYORRHEA OF MR. MUZAFFAR AHMAD, AN ACCUSED IN THE MEERUT CONSPIRACY CASE.

757. *Maulvi Abdul Matin Chaudhury: (a) Will Government be pleased to state whether Mr. Muzaffar Ahmad, one of the accused in the Meerut Conspiracy Case has been, according to three Indian Medical Service officers of Meerut, suffering from a serious type of pyorrhea alveolaris?

(b) Is it a fact that Major Macrae, I.M.S., the Officer Commanding and Radiologist of the British Military Hospital at Meerut, after X-raying the gums and skull of Mr. Muzaffar Ahmad, deposed in the Court of the Additional District Magistrate of Meerut that if not properly attended to the pyorrhea might even endanger the life of Mr. Muzaffar Ahmad?

(c) Is it a fact that Mr. Muzaffar Ahmad demanded treatment by expert American dental surgeons of Calcutta and prayed for bail, leave or transfer to the Alipore Central Jail, Calcutta, to receive such treatment?

(d) Is it a fact that the Additional District Magistrate of Meerut never passed any order on the above mentioned prayer of Mr. Muzaffar Ahmad?

(d) Is it a fact that subsequently Mr. Muzaffar Ahmad's teeth were examined by the Military Dental Surgeon, Captain Burke, who suggested the extraction of seventeen teeth?

(f) Is it a fact that Mr. Muzaffar Ahmad applied to the effect that, before submitting to such a drastic treatment, a joint opinion of Dr. Ahmad, D. D. S. and Dr. S. C. Sen Gupta, D. D. S., the well-known dental surgeons of Calcutta, should be obtained, and for that purpose the X-ray photographs of Mr. Muzaffar Ahmad's gums and skull be sent to them together with the written opinion of Major Macrae and Captain Burke?

(g) Is it a fact that the Jail Superintendent inquired of Mr. Muzaffar Ahmad as to who would pay the consultation fees of the above mentioned dental surgeons of Calcutta, to which Mr. M. Ahmad replied that he being in prison, he was not in a position to pay the same?

(h) Is it a fact that on receipt of this reply from Mr. Muzaffar Ahmad, Lieut.-Colonel Rahman referred the matter to the Military Dental Surgeon, who opined that the seeking of opinion from Calcutta dental surgeons was not at all necessary on this matter?

(i) Is it a fact that Mr. M. Ahmad's not submitting himself to the treatment of Captain Burke without consultation of expert opinion, the treatment of his pyorrhea has been altogether dropped at this stage? If so, taking the seriousness of Mr. M. Ahmad's disease into consideration, do the Government propose to take any further steps in the matter?

The Honourable Sir James Crerar: I am making inquiries and will communicate with the Honourable Member in due course.

ILL-HEALTH OF MR. MUZAFFAR AHMAD, AN ACCUSED IN THE MEERUT CONSPIRACY CASE.

†758. *Maulvi Abdul Matin Chaudhury: (a) Will Government be pleased to state whether Mr. Muzaffar Ahmad was sentenced to four years' rigorous imprisonment in what was known as the Cawnpore Communist Conspiracy Case?

(b) Is it a fact that he was released from Jail before the expiry of his sentence under orders from the Government of India on the ground of ill-health?

(c) Is it a fact that this ill-health was nothing but pulmonary tuberculosis?

(d) Is it a fact that Rai Bahadur Dr. D. K. Mukherji, the Superintendent of Rae Bareilly District Jail, where Mr. M. Ahmad passed the major portion of his convict life, reported to the Government that Mr. M. Ahmad was attacked with pulmonary tuberculosis?

(e) Is it a fact that in the "Convicts History Ticket" the name of the disease of Mr. Muzaffar Ahmad was stated as tuberculosis?

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(f) Is it a fact that on inquiry from the District Magistrate of Meerut, Lieut.-Colonel Cooke, I.M.S., the Superintendent of Dehra Dun District Jail, reported that Mr. Muzaffar Ahmad was suffering from tubercles in his lung?

(g) Is it a fact that Dr. Bhopal Singh, M.B.B.S., of Meerut after examining Mr. M. Ahmad physically and taking the X-ray report of Major Macrae into consideration, opined that Mr. M. Ahmad was still suffering from an active tuberculosis?

(h) Is it a fact that when Mr. M. Ahmad applied to the Allahabad High Court to be released on bail on the ground of an attack of tuberculosis. Mr. R. H. Horton, the Deputy Inspector General of Police, United Provinces, and the complainant of the Meerut case on behalf of the Government of India, filed an affidavit saying that Mr. Muzaffar Ahmad was not attacked with tuberculosis in 1925 when he was released from Jail?

(i) Is it a fact that Mr. M. Ahmad fainted in Court on the 4th of December, 1929?

RAILWAY SALOONS FOR MEMBERS OF THE EXECUTIVE COUNCIL.

759. *Mr. Sarabhai Nemchand Haji: (a) Is it a fact that Government propose to construct four new saloons for Members of the Executive Council at a total cost of Rs. 3,61,704?

(b) Are the four saloons intended to replace the saloons built over 20 years ago?

(c) What was the original cost of these saloons and what would be the cost of building similar saloons today?

(d) Are Government aware that Cabinet Ministers in England are not in the habit of travelling in specially constructed saloons even when they travel long distances, for example, to Geneva?

(e) Do Executive Councillors accommodate their personal assistants in the same carriage that is occupied by them? If so, why?

(f) Why is it stated in the statement submitted to the Standing Finance Committee that "For these reasons it was not possible for Honourable Members to carry on their ordinary work while travelling in these saloons"?

The Honourable Sir George Schuster: (a) Yes. New saloons have been constructed as a normal replacement.

(b) Yes. To replace six saloons built over 25 years ago.

(c) The cost of the original six saloons was Rs. 1,68,000. They are out of date and it is difficult to estimate accurately the present cost of replacing saloons of that type, but it would be approximately double the original cost.

(d) The Government of India have no information.

(e) Yes. Their personal assistants who are also their stenographers may be required at any time to do work for Members in the course of a journey and it is therefore the most economical arrangement that they should be close at hand. It also may sometimes happen that Members' saloons are attached to trains on which no passenger accommodation is available.

(f) The old saloons were out of date and unserviceable for their purpose.

With reference to the general implication of these questions it should be pointed out that a system of pooling saloons has now been introduced for the first time. For this purpose the saloons retained for the use of Members of the Executive Council and of the Railway Board will be treated in future as a common pool. The requirements will be carefully watched with a view to reducing the number maintained to a minimum. It is hoped that this will ultimately result in a considerable economy.

Sir Hari Singh Gour: May I inquire for how many days in the year these saloons are used by the Honourable Members of the Executive Council?

The Honourable Sir George Schuster: I am afraid I must have noticed that question.

Mr. Vidya Sagar Pandya: May I inquire whether Cabinet Ministers in England travel by saloons?

The Honourable Sir George Schuster: I have already answered that question when I said that the Government of India have no information on the subject.

Mr. Vidya Sagar Pandya: Will the Government ascertain and let us know?

Mr. M. S. Aney: May I ask whether in the pooling of saloons those used by Members of Provincial Executive Councils also will be taken into consideration?

(No answer was given.)

Pandit Hirday Nath Kunzru: With reference to the answer to part (d) of the question, may I ask whether the Honourable the Finance Member himself can furnish any information to the Government of India?

The Honourable Sir George Schuster: I am very glad to give the Honourable Member an expression of my own opinion on the subject. As far as I know, it is a fact that no saloons are supplied to British Cabinet Ministers. But I submit, Sir, that the circumstances are entirely different. A British Cabinet Minister is not in the ordinary course of his duty called upon to undertake long tours when he may be living for several days or even weeks in a railway carriage, which often happens to Members of the Executive Council when they are making long tours in India. It might interest the Honourable Member to know that I have considerable personal experience of conditions in Africa where, I can tell him, that persons in the position of Members of the Executive Council are always provided with saloons in which they can travel about and do their work on tour; and I can tell him also that the standard of comfort in railway journeys to which I myself was entitled in the Sudan was in fact considerably higher than that which I have as a Member of the Executive Council in India.

Sir Hari Singh Gour: May I ask the Honourable the Finance Member whether the saloons provided in Africa are specially built at Government expense, or are the saloons hired for the purpose?

The Honourable Sir George Schuster: My own personal experience chiefly relates to the Sudan, where the Government Railway Service keeps saloons for the use of Members of Council and other high officials whenever they make tours in the country.

Mr. Lalchand Navalrai: Will the Honourable Member please say whether the Honourable the President of the Assembly is provided with a saloon?

Mr. President: Order, order.

Mr. K. C. Neogy: Sir, is it the intention of Government to build two more saloons in future, or to reduce the number of saloons for Members of the Executive Council to four as a matter of retrenchment?

The Honourable Sir George Schuster: I have already explained the position as regards that question. It is intended now, instead of each Member having his own saloon, that there shall be a pool of saloons, the object being to reduce the number that is maintained to the minimum which is found consistent with the needs of the situation. The first step has been to reduce the number of saloons from six to four. It may be possible to effect a still further reduction.

Mr. K. C. Neogy: What will then happen, Sir, during Christmas, when all the six Members of the Executive Council are supposed to be on tour?

The Honourable Sir George Schuster: I am glad to see—if I am correct in understanding from the Honourable Member's question—that he is solicitous about the comforts of Members of the Executive Council. I have no doubt that we shall be able to get over that difficulty by supplementing the saloons which are reserved for the special use of Members of the Executive Council by borrowing tourist cars for the purpose.

Mr. Sarabhai Nemchand Haji: May I know, Sir, if it will not be possible to provide reasonable amenities and comforts by allowing each Executive Councillor to travel in a reserved first class compartment, and by asking his personal assistant to travel in a second class reserved compartment, if necessary? Would that not cover the requirements of the case?

The Honourable Sir George Schuster: If the Honourable Member had any knowledge of what a Member of the Executive Council may have to do in the course of a long tour, I think, he would appreciate the fact that he could not carry out his duties if he was living for several days in a first class compartment; also I think it is very likely that no substantial economy would result from such an arrangement.

Mr. Vidya Sagar Pandya: May I ask, Sir, whether, with reference to the answer given by the Honourable Member to Mr. Haji's question, district engineers and chief engineers will not be provided with separate saloons?

(No answer was given.)

QUESTIONNAIRE OF THE INTERNATIONAL (MARITIME) LABOUR CONFERENCE

760 *Mr. Sarabhai Nemchand Haji: Have Government received copies of the questionnaire of the International Labour Office on the subjects provisionally dealt with by the 13th Session of the International (Maritime) Labour Conference? If so, are Government prepared to forward them to the Indian Associations interested in them?

The Honourable Sir Bhupendra Nath Mitra: Government have received for their own use a limited number of copies of the questionnaires adopted by the 13th (Maritime) Session of the International Labour Conference. The associations of employers and labour interested in these documents should apply for copies required by them to the Indian Branch of the International Labour Office, New Delhi.

APPOINTMENT OF INDIANS TO THE ROYAL INDIAN MARINE.

761. *Mr. Sarabhai Nemchand Haji: (a) Will Government be pleased to state if all the seven vacancies of Executive Officers and Engineer Officers in the Royal Indian Marine, which were advertised a few months ago, have been filled up? If so, how many Indians have been selected?

(b) Will Government be pleased to state how many candidates have been selected for the Royal Indian Marine appointments in the examination held in November last? How many of them were Indians?

(c) Do Government propose to throw open any of the vacancies in the Royal Indian Marine to cadets of the I.M.M.T.S. "Dufferin"? If so, how do they propose to select the cadets?

(d) Do Government propose to hold a competitive examination exclusively for the cadets of the "Dufferin" shortly? If so, will Government be pleased to explain the procedure they wish to adopt with regard to selecting the cadets of the "Dufferin" to the Royal Indian Marine?

(e) Is it intended to have an interview Board, in addition to the written examination, before the cadets are selected? If so, what will be the constitution of the Interview Board?

Mr. G. M. Young: (a) I assume that the Honourable Member is referring to the eight vacancies—not seven as stated in the question—which were declared open for competition at the Royal Indian Marine entrance examination held in Delhi in November 1929. Two Indian boys—both candidates for the engineer branch—were declared successful at the examination. The remaining vacancies have not yet been filled up.

(b) Three English boys passed the examination in England and two Indians passed the examination in India.

(c) First part—Yes, Sir.

(c) Second part and (d)—The three vacancies for Indians in the executive branch which were not filled at the open examination will be offered for competition among cadets of the "Dufferin", at a special examination to be held in Bombay next May. The cadets will also be required to pass the usual medical examination before they are permitted to appear at the examination. The Flag Officer Commanding will arrange for the examination, and the Public Service Commission has kindly undertaken to help.

(e) Government are considering the question whether there should be an interview test or not.

REPRESENTATION OF INDIAN COMMERCIAL INTERESTS ON THE RAILWAY RATES INQUIRY COMMITTEE.

762. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if the Railway Board have received a representation from the Indian Chamber of Commerce (The Desi Vyapara Mandal), Lahore, with regard to the representation of Indian commercial interests on the Railway Rates Inquiry Committee? If so, when was the representation received and what action have Government taken on the same?

(b) Has representation on the Railway Rates Inquiry Committee being granted to the Northern India Chamber of Commerce, which represents European interests? If so, do Government propose to consider the advisability of extending the same privilege to the Indian Chamber of Commerce, Lahore?

Mr. A. A. L. Parsons: (a) No doubt the Honourable Member's question refers to representation on the panel from which the commercial member of the Railway Rates Advisory Committee is selected and, if so, the answer to the first part of the question is in the affirmative. A representation from the Indian Chamber of Commerce, Lahore, was first received in December, 1927, and no decision was then come to.

A further representation was received in October, 1929, and the matter was referred to the Punjab Government and to the North Western Railway. A reply from the latter is awaited.

(b) The reply to the first query is in the affirmative, but Government are not aware that the Northern India Chamber of Commerce represents European interests exclusively.

Regarding the second part, the matter is already under the consideration of Government.

UNSTARRED QUESTIONS AND ANSWERS.

COST OF THE KANGRA VALLEY RAILWAY.

268. **Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state what was the original estimate for the construction of the Kangra Valley Railway? Has the construction been completed? If so, what has been the total cost? If not completed, what is the cost up to date and what is the estimate of the cost still to be incurred till completion?

(b) Is it a fact that the cost actually incurred far exceeds the estimate? Will Government please state what has occasioned this excess, and who is responsible for the same?

(c) Is it a fact that a big contractor has made a definite allegation that the excess is due to slackness and inefficiency of the railway officers concerned with the construction?

(d) Is it a fact that there are still several outstanding claims unsettled, and that legal action about the same has either been taken or is under contemplation, being at the stage of legal notice?

Mr. A. A. L. Parsons: (a) Rs. 134 lakhs. The line has been opened for traffic but construction has not yet been completed. The approximate outlay to the end of December is Rs. 284 lakhs and it is expected that the total cost will be about Rs. 310 lakhs.

(b), (c) and (d). The total cost will exceed the original estimate considerably. The matter is under inquiry and I regret therefore I cannot at present give a reply to these portions of the Honourable Member's question.

PROMOTION OF CLERKS IN THE SUPPLY AND TRANSPORT CORPS.

269. **Pandit Nilakantha Das:** (a) Is it a fact that the Government of India are contemplating the amalgamation of the different cadres of Mechanical Transport and the Supply and Transport clerks?

(b) Is it also a fact that since the formation of separate Mechanical Transport cadre, the promotion of the clerks in this cadre has been more rapid than that of those in the Supply and Transport cadre?

(c) If the reply to part (b) be in the affirmative, do Government propose to adopt measures to safeguard the interests (regarding seniority) of those clerks in the Supply and Transport cadre who were senior to the clerks in the Mechanical Transport cadre before the formation of the latter separate cadre, but are now receiving less pay on account of less rapid promotion in the Supply and Transport cadre?

Mr. G. M. Young: (a) No, but all new appointments are now made to single combined cadre of clerks belonging to the Supply, Animal Transport and Mechanical Transport branches. The two existing cadres will, therefore, disappear in course of time.

(b) Owing to the increased mechanization of the Army, promotion in the Mechanical Transport cadre is more rapid for the time being. Once the Mechanical Transport establishment is stabilised, the position will probably be reversed because the Supply and Transport establishment is larger and contains a higher proportion of senior men.

(c) To remedy the immediate slowness in promotion in the Supply and Transport cadre, it has been decided to reserve half the number of vacancies due to increased mechanization, and not to normal casualties, for Supply and Animal Transport clerks who are willing to transfer to the Mechanical Transport cadre.

LIQUIDATION OF THE INDARPRAST STORES, LIMITED, DELHI.

270. **Pandit Nilakantha Das:** (a) Is it a fact that Indarprast Stores, Limited, Delhi, has been under voluntary liquidation for the last 6 years?

(b) Is it a fact that the Store had operated for only 2 years before liquidation?

(c) Is it also a fact that the unusually long period taken for the liquidation of the Store formed the subject of interpellations in this House during the last Simla session and also on previous occasions?

(d) Do Government propose to take any steps to expedite the liquidation and to take steps against those responsible for the delay?

The Honourable Sir George Rainy: (a), (b) and (d). The Honourable Member is referred to the statement furnished to Mr. Siddheswar Prasad Sinha in reply to his question No. 719 in the Legislative Assembly on the 23rd September, 1929. A copy of the statement is in the Library.

(c) Yes.

INSTALLATION OF AN ADDITIONAL ELECTRIC POINT IN "C" AND "D" CLASS QUARTERS IN NEW DELHI.

271. Pandit Nilakantha Das: (a) Is it a fact that the Government of India have had under consideration for the last three years the question of installing an additional electric point in the godown rooms of "C" and "D" class quarters in New Delhi?

(b) If so, what decision has been arrived at in the matter?

The Honourable Sir Bhupendra Nath Mitra: (a) So far as "D" quarters are concerned, the question of installing an additional electric point has been under consideration for about a year. As regards "C" quarters, the question has only recently come under consideration.

(b) Government have decided that these additional points should be given in all clerks' quarters (not only "C" and "D" quarters) as soon as funds are available.

DELHI CAMP ALLOWANCE ADMISSIBLE FOR ATTACHED OFFICES.

272. Pandit Nilakantha Das: (a) What are the rates of Delhi Camp allowance admissible for Attached Offices and the Army Headquarters offices moving from Simla to New Delhi for the winter?

(b) Will Government be pleased to state the reasons for the difference in the scales of the allowance for the Army Headquarters and for the Attached Offices?

(c) Do Government propose to consider the question of granting a uniform scale for both?

The Honourable Sir James Crerar: (a).

Secretariat Attached Offices.				Army Headquarters Offices.			
Pay.	Rate of allowance.			Salary.	Rate of allowance.		
Rs.	R.	s.	p.	Rs.	R.	s.	p.
50 or less	16	10	8 per mensem.	50 or less	16	10	8 per mensem
50 to 75	20	0	0 „ „	50 to 80	20	0	0 „ „
75 to 100	26	10	8 „ „	80 to 120	33	5	4 „ „
100 to 150	40	0	0 „ „	120 to 180	40	0	0 „ „
150 to 200	50	0	0 „ „	180 to 200	50	0	0 „ „
200 to 250	53	5	4 „ „	200 to 300	60	0	0 „ „
Above 250	56	10	8 „ „	300 to 350	66	10	8 „ „
				350 to 500	83	5	4 „ „
				Above 500	100	0	0 „ „

(b) The allowances are in both cases given at the rate of two-thirds of the old Calcutta rates and the difference is due to the different scales of emoluments fixed for the two sets of offices.

(c) The reply is in the negative.

CLASSIFICATION OF CLERKS OF THE CENTRAL AND PUNJAB GOVERNMENTS FOR THE PURPOSE OF TRAVELLING ALLOWANCE.

273. Pandit Nilakantha Das: (a) Is it a fact that the classification of Government servants under the Central Government moving from Delhi to Simla in respect of travelling allowance is different from that of the Punjab Government employees moving from Lahore to Simla?

(b) Is it a fact that a Central Government clerk getting Rs. 180 monthly is treated as a third class officer while a Punjab Government clerk travelling on the same line and getting the same pay is treated as a second class officer?

(c) If the replies to the above be in the affirmative, when do the Government propose to remove the anomaly? If not, why not?

The Honourable Sir James Crerar: (a) I understand there is some difference.

(b) No.

(c) The grant of travelling allowance to Government servants moving to hill stations with the headquarters of Government is governed by special rules which Local Governments are empowered to make and some dissimilarity in rules so framed is to be expected. The Government of India do not consider that there is any anomaly.

HOUSE RENT ALLOWANCE FOR CLERKS NOT PROVIDED WITH GOVERNMENT QUARTERS IN NEW DELHI.

274. Pandit Nilakantha Das: (a) What are the rates of house rent allowance allowed to Government servants who have to make their own arrangement for residence in Delhi city for want of Government accommodation in New Delhi?

(b) Are Government aware that there is a general complaint regarding the insufficiency of the rate?

(c) When do Government propose to consider the question of revising the rate of house rent allowance or of providing a sufficient number of residential quarters?

The Honourable Sir James Crerar: (a) I am sending the Honourable Member a statement showing the rates of Delhi house rent allowance admissible in certain circumstances to clerks living in Delhi City.

(b) No.

(c) Government have decided that their policy must be to reduce and not to extend or enhance these allowances. The question of providing

additional residential accommodation in New Delhi is already under consideration. 150 quarters which were sanctioned last year are under construction and provision has been made for the construction of 36 more quarters in the coming financial year.

SHORTAGE OF QUARTERS AND SHOPS IN NEW DELHI.

275. **Pandit Nilakantha Das:** (a) Is it a fact that at the time of every annual allotment of quarters in New Delhi, the demand is far in excess of the number available?

(b) Is it also a fact that at the time of every allotment of municipal shops in Diaz Square and Baird Road in New Delhi, the demand is far in excess of the number available?

(c) If the replies to the above questions be in the affirmative, what steps have Government taken to construct more quarters and shops during the current year to meet the increasing demand? If not, why not?

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

(c) 150 quarters which were sanctioned last year are being constructed. These and 36 more quarters which have recently been sanctioned will, it is expected, be constructed before the next winter season.

As regards shops, the New Delhi Municipal Committee has applied for land for the construction of further shops; the question of the allotment of this land and the terms on which it should be allotted are now under consideration.

CLASSIFICATION OF QUARTERS IN NEW DELHI.

276. **Pandit Nilakantha Das:** (a) What was the classification of Government servants in respect of pay for the allotment of quarters in New Delhi in 1921 and 1929?

(b) Is it a fact that the classification has changed more than twice during these years?

(c) Is it a fact that the change is not due to any change in scales of pay but to comparative scarcity of higher class quarters for clerks?

(d) When do Government propose to revive the old scale? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Presumably the Honourable Member seeks information in regard to clerks' quarters in New Delhi. If so, I place on the table a statement giving the information required.

(b) Yes. on three occasions, viz., in 1922, 1926 and 1928.

(c) The changes in classification have been made (a) because the scales of pay were revised and increased subsequent to the fixation of the original classification, and (b) to equalise as far as possible, the percentage of quarters in each class.

(d) In view of the reply to part (c), the question of reviving the old classification hardly arises.

UNSTARRED QUESTIONS AND ANSWERS.

Statement showing the classification of clerks' quarters in New Delhi in 1921-22 and 1929-30.

Year.	Unorthodox clerks' quarters.				Orthodox clerks' quarters.				Remarks.
	A Class.	B Class.	C Class.	D Class.	A Class.	B Class.	C Class.	D Class.	E Class.
1921-22	Rs. 301—500	Rs. 201—300	Rs. 200 and below.	..	Rs. 301—500	Rs. 201—300	Rs. 101—200	Rs. 100 and below.	..
1929-30	501 & above.	350—500	225—349	*	501 & above.	350—500	225—349	224 & below.	*

* A certain number of quarters of these classes have been built and the question of fixing pay limits for them is under consideration.

SHORTAGE OF QUARTERS IN NEW DELHI.

277. **Pandit Nilakantha Das:** (a) Is it a fact that about 50 per cent. of the staff of the migratory and non-migratory offices in New Delhi have not been provided with Government quarters in the current season?

(b) What steps do Government propose to take to provide them with more quarters to obviate the necessity and hardship involved in their having to make arrangement for their residence in Delhi city at a distance of several miles from their offices?

The Honourable Sir Bhupendra Nath Mitra: (a) Rather more than 50 per cent. of the migratory and non-migratory staff have been given accommodation in New Delhi. (The actual figure is somewhere about 57 per cent.).

(b) Each year Government review the position and provide, as far as possible, funds for building additional accommodation.

DOCTORS PROVIDED FOR GOVERNMENT OF INDIA STAFF IN SIMLA AND NEW DELHI.

278. **Pandit Nilakantha Das:** (a) Will Government please state the names of the doctors appointed for the various grades of the Government of India staff for the last summer season in Simla and for the current season in New Delhi?

(b) Were their names, addresses and rules, etc., for consultation circulated in the offices for the information of those concerned? If so, when?

(c) If the reply to part (b) be in the negative, what steps do Government propose to take to avoid the repetition of this omission in future?

Sir Frank Noyce: (a) The information required by the Honourable Member is shown in the enclosed statements.

(b) and (c). The arrangements made at Simla in 1929 and at Delhi for the 1929-30 season for medical attendance on the staff and establishments of the Army and Royal Air Force Headquarters were communicated to the several heads of Offices for the information of those concerned. As regards other Government servants employed under the Government of India, the rules in regard to medical attendance at Simla are contained in the Department of Education, Health and Lands Resolution No. 780, dated the 12th December, 1922, while the names and addresses of Medical Officers specially deputed to attend the Government of India clerks who reside in the Delhi City are communicated each season to the several Departments of the Government of India for the information of those concerned. Government do not consider any further action is necessary.

UNSTARRED QUESTIONS AND ANSWERS.

Statement showing the names of medical officers deputed in 1929 to attend the employees of the Government of India in Simla (excluding Army and Royal Air Force Headquarters.)

Name of Medical Officer.	Pay of Government employee entitled to attendance by officer mentioned in column 1.
Major H. K. Rowntree, M. C., I. M. S., Civil Surgeon, Simla E.	Exceeding Rs. 500.
Lt.-Col. N. M. Wilson, I. M. S., Civil Surgeon, Simla W.	Ditto.
Dr. K. E. Robertson, I. M. D., in charge, Government of India Junior European Secretariat establishment.	From Rs. 150 to Rs. 499.
Dr. J. N. Mukerjee, P. C. M. S., in charge Government of India Junior Indian Secretariat establishment.	Ditto.
K. S. Dr. Muhammad Hussain, I. M. D., Sub-Charge, Civil and Military Dispensary.	Up to Rs. 150.

The duties of officers in medical charge of Army Headquarters Staff and Establishments and Royal Air Force Headquarters at Simla are divided as follows:—
An arbitrary line drawn across the Ridge from North to South through the Town Hall, divides Simla into an East and West area.

(a) (i) Officers of Army Headquarters and their families.	North side of Jakko Simla West (Exclusive of Elysium Hill).	Major H. C. D. Rankin, O.B.E., B. B.E., R.A.M.C.
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Hotels included in area:—

(ii) Clerks of Army Headquarters on salaries of Rs. 250 per mensem and over and their families.	Corstorphans. Grand. Cecil. Royal.	
(b) (i) Officers of Army Headquarters and their families.	Elysium Hill, Simla East (Exclusive of North side of Jakko).	Major W. C. Hartgill, M.C., R.A.M.C.

Hotels included in area:—

(ii) Clerks of Army Headquarters on salaries of Rs. 250 per mensem and over and their families.	Craig Dhu. Longwood. Harvington. Elysium. Clarke's. Central. Lawrie. U. S. Club. Wherever resident.	
(iii) Officers and clerks on salaries of Rs. 250 per mensem and over of Royal Air Force and their families.		
(c) Clerks of Army Headquarters on salaries of Rs. 75 to Rs. 249 and their families.		Ist. Class Assistant Surgeon, E. M. Cuzen, I.M.D.
(d) (i) Indian clerks of Royal Air Force Headquarters on salaries of Rs. 75 to Rs. 249 per mensem and their families.		Sub-Assistant Surgeon Subedar Major and Honorary Lieutenant Mohd. Raza Khan Bahadur, I.D.S.M. I.M.D.
(ii) Menials.		

Statement showing the names of Medical Officers deputed to attend the employees of the Government of India residing in Old Delhi.

Name and rank of Medical Officer.	Class of Government employees entitled to attendance of Medical Officers.
Lt.-Col. C. H. Reinhold, M.C., F.R.C.S. (Ed.), I.M.S., Civil Surgeon and Chief Medical Officer, Delhi.	Employees of Government drawing Rs. 500 per mensem or above as pay.
Dr. L. A. N. Greenway, I.M.D. (Military Assistant Surgeon.	All European and Anglo-Indian clerks of Army and Royal Air Force Headquarters drawing less than Rs. 250 per mensem.
Dr. Parmeshwari Das, Civil Assistant Surgeon.	1. Indian clerks of Army and Royal Air Force Headquarters drawing less than Rs. 250 per mensem and living in Timarpur and Kingsway. 2. All Government servants on Civil side drawing a salary of Rs. 150 to Rs. 499 living in Timarpur and Kingsway.
Dr. Jagan Nath, Civil Sub-Assistant Surgeon.	All Government servants drawing less than Rs. 150 and above Rs. 15 and living in Timarpur and Kingsway.
Dr. Amar Nath Khosla, Civil Sub-Assistant Surgeon.	All Indian clerks residing in old Delhi.

Note.—For officers of Army and Royal Air Force Headquarters drawing Rs. 250 or over Major H. C. D. Rankin, O.B.E., R.A.M.C., Surgeon to Commander-in-Chief, is the authorised Medical Officer. When he is out on tour or when he moves to New Delhi in January 1930, the Officer-in-Charge, Detention Hospital, the Fort, Delhi, will be the Medical attendant for them—For emergent cases, the services of Chief Medical Officer can be availed of.

Statement showing the names of Medical Officers deputed to attend the Government of India and Army Headquarters employees in New Delhi.

Name of Medical Officer.	Class of Government employees entitled to attendance.
Major H. H. Elliot, M.B.E., M.C., I.M.S., Civil Surgeon, New Delhi.	All European and Indian Government servants of Army and Royal Air Force Headquarters and their families whose pay is over Rs. 250 a month. All Government servants employed on the civil side drawing Rs. 500 and over.
Dr. Dwarka Doshi, Assistant Surgeon.	All European and Indian Government clerks of Army and Royal Air Force Headquarters and their families whose pay is less than Rs. 250 a month. Civilians drawing over Rs. 150 and less than 500.
Dr. Bhagat Ram, Sub-Assistant Surgeon.	Civilians drawing below Rs. 150
Dr. Randhir Singh, Sub-Assistant Surgeon	Ditto.

Note.—Major H. C. D. Rankin, O.B.E., M.B., R.A.M.C., Surgeon to His Excellency the Commander-in-Chief, when in New Delhi, from January 1930 will be available for officers of the Army and Royal Air Force Headquarters drawing over Rs. 250 per mensem for consultation daily at the Combined Hospital, New Delhi, between 10 A.M., and 11 A.M. except on Sundays and Gazetted Holidays.

PROVISION OF A MIGRATORY SCHOOL MOVING BETWEEN SIMLA AND NEW DELHI.

279. **Pandit Nilakantha Das:** (a) Is it a fact that the Government of India have had under consideration for more than a year the question of starting a migratory school moving between Simla and New Delhi?

(b) Will Government be pleased to state what decision has been arrived at in the matter?

Sir Frank Noyce: (a) The question of establishing a migratory school which would move between Simla and New Delhi has been under the consideration of the Government of India since September last.

(b) No decision in the matter has yet been reached.

EXAMINATIONS HELD BY THE PUBLIC SERVICE COMMISSION.

280. **Pandit Nilakantha Das:** Will Government be pleased to lay on the table a list of the examinations held by the Public Service Commission since its formation in 1926?

The Honourable Sir James Crerar: A statement has been laid on the table.

Statement showing the examinations held by the Public Service Commission since 1926.

Year.	Name of Examination.
1926	1. Indian Audit and Accounts Service. } 2. Imperial Customs Service. } 3. Military Accounts Department. } 4. Indian Police Service. 5. Indian Railway Service of Engineers. } 6. Transportation (Traffic) and Commercial Departments of State Railways. } 7. Ministerial Selection Branch.
1927	1. Indian Police Service. (Punjab). 2. Indian Forest Service. 3. Indian Police Service (General). 4. Indian Railway Service of Engineers. 5. Transportation (Traffic) and Commercial Departments of State Railways. } 6. Indian Audit and Accounts Service. } 7. Imperial Customs Service. } 8. Military Accounts Departments. }
1928	1. Indian Civil Service. 2. United Provinces Civil (Executive) Service. } 3. Indian Forest Service. 4. Indian Police Service. } 5. United Provinces Police Service. } 6. Indian Audit and Accounts Service. } 7. Imperial Customs Service. } 8. Military Accounts Departments. }
1929	1. Indian Civil Service. 2. United Provinces Civil (Executive) Service. } 3. Indian Railway Service of Engineers. } 4. Transportation (Traffic) and Commercial Departments of State Railways. } 5. Signal Engineering Departments, State Railways. } 6. Electrical Engineering Departments, State Railways. }

*These were combined examinations.

Statement showing the examinations held by the Public Service Commission since 1926—
contd.

Year.	Name of Examination.
1929—contd.	7. Indian Police Service. } 8. United Provinces Police Service. } *
	9. Indian Forest Service. } 10. Indian Audit and Accounts Service. } *
	11. Imperial Customs Service.* } 12. Military Accounts Department.* } 13. Ministerial Selection Branch (Qualifying).
1930	1. Indian Civil Service. } 2. United Provinces Civil (Executive) Service. } *
	3. Indian Railway Service of Engineers. } 4. Indian Service of Engineers. } 5. Superior Telegraph and Wireless Branches of } Posts and Telegraphs Department. } 6. Transportation (Traffic) and Commercial De- } partments, State Railways.

CENTRAL GOVERNMENT OFFICES LOCATED AT CALCUTTA.

281. **Pandit Nilakantha Das:** Will Government be pleased to state the names of the Central Government offices that are still at Calcutta and the reason why those offices are kept there when all other offices have been removed to Delhi?

The Honourable Sir James Crerar: The following subordinate offices of the Government of India are at present located at Calcutta. For administrative reasons Government did not consider it necessary to change their present location.

1. Commercial Intelligence Department.
2. Office of Metropolitan's Chaplain.
3. Office of the Presidency Senior Chaplain, Church of Scotland.
4. Registrar of the Diocese.
5. The office of the Principal officer, Mercantile Marine Department, Calcutta District.
6. Central Stationery Office.
7. The Central Forms Store.
8. Central Publication Branch.
9. Government of India Press (Calcutta).
10. Office of Geological Survey of India.
11. Office of the Controller of Patents and Designs.
12. Office of the Chief Inspector of Explosives.
13. Office of the Superintendent, Government Test House, Alipore.
14. Office of the Controller of Inspection, Calcutta Circle.
15. Office of the Controller of Purchase, Calcutta Circle.
16. The Meteorological Office, Calcutta.
17. Office of the Director, Zoological Survey of India.
18. Office of the Director, Botanical Survey of India.

*These were combined examinations.

19. Office of the Surveyor General of India.

20. Office of the Keeper of Records of the Government of India. A portion of this office has already been removed to New Delhi and the remainder will be removed in due course.

21. Office of the Librarian, Imperial Library.

STANDARD OF THE LAST PUBLIC SERVICE COMMISSION EXAMINATION FOR THE FIRST DIVISION IN THE SECRETARIAT.

282. **Pandit Nilakantha Das:** (a) How many candidates appeared at the last examination of the Public Service Commission for the First Division and what percentage of them have been declared successful?

(b) Is it a fact that this was a qualifying test?

(c) What percentage of candidates were passed in similar qualifying tests held in the previous years by the Commission and the Staff Selection Board, and why is the percentage of passed candidates so low at the last examination?

(d) What was the pass percentage of marks at the previous qualifying tests, and what was it at the last test? Has the standard been raised this time? If so, why?

The Honourable Sir James Crerar: (a) 292 candidates appeared for the Upper Division of whom seventeen qualified.

(b) Yes.

(c) A statement is being forwarded to the Honourable Member. The percentage of passes is low, because most of the candidates failed to reach the required standard.

(d) I have no information. I understand that a fairly high qualifying standard was adopted by the Public Service Commission on the advice of the Departmental Conference which reported on the subject in 1927.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEDJAZ.

Mr. President: The House will now proceed to elect five Muslim Members to the Standing Committee on Pilgrimage to the Hedjaz. There are eight candidates whose names are printed on the ballot papers which will now be supplied to the Honourable Members in the order in which I call them. Of these Maulvi Muhammad Yakub has since withdrawn his candidature.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I want to say something

Mr. President: Does the Honourable Member wish to withdraw his candidature? (Laughter.)

Pandit Nilakantha Das: I wanted to be a candidate, but I can't be one now, because the House is called upon to elect five Muslim Members. This matter somehow escaped notice of my friends, and it also escaped my notice

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LEGISLATIVE ASSEMBLY.

[21st MAR. 1930.]

Mr. President: Is there any point of order?

Pandit Nilakantha Das: I want to point out, Sir, that this is a vicious principle. If this principle were introduced as a matter of convention, none would have any objection, but that the House should be called upon to elect five Muslim Members to the Standing Committee is certainly open to objection. I should like to see that this objection may be recorded for future

Mr. President: I am afraid the Honourable Member and his friend to his left are always too late. They should have raised the point when the House was discussing the motion to elect five Muslim Members.

Pandit Nilakantha Das: We did not get the Report of the Haj Committee, nor did we give any proper consideration to the subject, when we, off-hand, decided on the election, but I merely suggest that this should be recorded for future guidance and from next year we should have it on the Agenda that five Members from the Assembly and not Muslim Members should be elected to this Committee. This is a matter of principle where no communal distinction should be tolerated. The President of the Committee too, here is not necessarily a Muslim.

(The ballot was then taken.)

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume further discussion of the amendment* of Sardar Gulab Singh to clause 7 of the Finance Bill.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I rise to oppose the amendment of my Honourable friend, Sardar Gulab Singh, and hope to be able to convince the House that the apprehensions on which my Honourable friend's amendment is based are not warranted. I believe, Sir, there were two more speeches from the European Group Benches, in support of the amendment of my Honourable friend. My Honourable friend, Sir Darcy Lindsay, spoke on this amendment with considerable reserve, but what struck me about his speech was its nervousness. If I may put it in colloquial language, he appeared to have got cold feet at this move of the Government of India, and did not try to understand how the huge oil combine works in India. I propose to read for his benefit the opinion of a person in the European commercial community who would have occupied the same position as my Honourable friend today occupies if there were a European Group in the Assembly in the year 1922. Sir Frank Carter, whose authority to speak on this question, I am sure, Sir Darcy Lindsay will not challenge, speaking in this House on the 7th March, 1922, said as follows:

"The import duty on foreign oil used to be 1½ annas per imperial gallon. It is now raised to 2½ annas per gallon. Government have also imposed an excise duty of 1 anna per gallon on kerosene oil produced in India. I do not myself see why this excise duty should not be the same as the import duty on foreign oil, namely 2½ annas per gallon. Most of the oil produced in India comes from Burma and we all know that oil companies are some of the largest and richest companies in the world. Is there any reason why the oil companies of Burma should be let off so cheaply? It is not as if all the profits they make are spent in India."

*"In clause 7. for the words 'one anna and six pies' the words 'one anna and three pies' be substituted."

That, Sir, was the opinion of a distinguished European merchant in this House in 1922, and it would be interesting to know if my Honourable friend, Sir Darcy Lindsay, spoke yesterday on behalf of his party, and, if so, what justified the European Group today in the Assembly changing the opinion, so clearly expressed by Sir Frank Carter, not very far back in 1922.

Sir Darcy Lindsay (Bengal: European): The reason why the European Group approved of the views I expressed is that the Burma Oil Company have, by retaining the price of the yellow oil, given a great benefit to India.

Sir Purshotamdas Thakurdas: I sympathise with my Honourable friend on what I may call his ignorance of the problem on which he speaks. As I proceed, I shall point out that my Honourable friend is unfortunately, in this case, not well versed with the facts, because the Report of the Tariff Board on Oil absolutely puts out of court this one ground which my Honourable friend urged yesterday and which I am sorry he repeats again today. However, I hope to be able to convince him that either he, or, those in the European Group, who have been advising him on this question, have not made the best use of the Report which I think is the basis of this increase in duty. The other Member who spoke on this is the Honourable Member from Burma, Mr. Lamb. Mr. Lamb frankly told us that he at one time was connected with the Burma Oil Company. Whether he is so connected today or not, I do not know.

Mr. W. S. Lamb (Burma: European): No, Sir.

Sir Purshotamdas Thakurdas: However, my friend cannot have forgotten what he must have learnt when he was connected with the Burma Oil Company. All I can say is that Mr. Lamb gave a wrong lead to the House by the speech which he made yesterday. I expect to be able to show that Mr. Lamb should have said something quite different from what he actually did say, but before I proceed with the merits of the case, let me take exception to the manner in which Mr. Lamb started by prejudicing the support to this Government measure from this side of the House and especially prejudicing the discussion by what he said about my Honourable friend Mr. Ghanshyam Das Birla. Mr. Lamb tried to make out that simply because Mr. Ghanshyam Das Birla's firm had lately been importing kerosene oil, Mr. Birla wanted the import duty to be reduced. No more unworthy remark could have been made on the floor of this House. If this is the manner in which the European Group wish to keep out Indians from enterprises in this country, I can give them plenty of similar remarks in future. There is a painful precedent in this connection. My friends on the European Benches will remember Sir James Simpson, a very esteemable person otherwise, who, when he found that he had no better argument to oppose the Coastal Reservation Bill of my friend Mr. Sarabhai Haji, started his speech on that Bill in an objectionable manner by mentioning to the House that my Honourable friend Mr. Sarabhai Haji was a paid servant of the Scindia Steam Navigation Company—a method of beginning observations on measures before this House, which may recoil on my friends on the European Benches. Sir, if we on this side of the House happen to be proprietors of commercial concerns and industries in this country, my friends on those Benches expose themselves to the retort that they are nothing more than glorified Head Clerks and Managers, mere hirelings pleading for their masters.

Sir Darcy Lindsay: On a point of explanation. I am not a hireling. I am not a Head Clerk nor am I a Manager. I am an independent person, who has served for very many years in India, and I am offering my services to India so long as my health enables me to do so.

Sir Purshotamdas Thakurdas: My friend, Sir Darcy Lindsay, will realise that I have not named him at all, and unless my Honourable friend, Sir Darcy Lindsay, can get Mr. Lamb, who belongs to his Group, to realise that he made an unworthy attack on my Honourable friend Mr. Birla, I fear that what I have said ought to stand for the European Group generally. As Mr. Lamb still persists in holding by the remarks which he made, let me tell the House of the effort which is being made by the vested European interests in kerosene oil to prejudice this first step of Indians in the direction of getting a part of their share in the import of kerosene oil. Mr. Birla's firm has been importing kerosene oil in a very small proportion for the last six months or a year. What do these vested interests do? As soon as the oil arrives here, a frantic telegram is sent to the principals of that oil company in America saying that Mr. Birla's firm is selling that oil as Gandhi oil and thus encouraging the political agitation and propaganda of which all Europeans in this country are so frightened. (Cries of "shame".) Will my Honourable friend Mr. Lamb either ascertain and confirm this, or dare he challenge this? Naturally, Sir, the only reply Mr. Birla's firm gave to this was that so unworthy would this be that they would not think of connecting Mahatma Gandhi's name with such a small thing as kerosene oil imported into India. This, however, indicates exactly what the mentality of my Honourable friend from Burma is when he speaks on this question. Mr. Birla yesterday told the House how, although various items of taxation may suit his business, he is opposing them in the national interest, and where these do not suit him, he is supporting them. Can Mr. Lamb say the same of any item of taxation that has been before the House ever since he joined this House? Enough, therefore, of this prejudice sought to be created; and I only hope that Sir Darcy Lindsay's Group will not give us further cause to complain in this matter as he is here to serve the best interests of India, a self-imposed task for which I respect him highly. I hope he will lead his Group in this Assembly in a manner which is dignified and which would be, if I may use the word, respectable and gentlemanly. Let them not start by prejudicing issues. If they have not a better case, why not admit it without much ado?

Now, Sir, with regard to the main question of excise duty, I would always oppose an excise duty on any local produce, on principle, the principle being that the local production should compete with the imported article. If the local production of kerosene oil competed in normal course with imports of kerosene oil, I would oppose this excise duty; in fact, I would even favour taking off the excise duty. But what are the facts? In this connection I would like to read from the Note of Dissent by the President of the Tariff Board, Sir Padamji Ginwala. On page 55 of the Tariff Board Report this is what he says:

"Both indigenous and foreign kerosene are sold by this group at the same price."

There is a combination; the importer and the local producer both work together. The obvious inference therefore is that the extent to which the

excise duty is lower than the import duty, to that extent the profit of the indigenous companies is increased. On page 84 again Sir Padamji Ginwala says:

"Difference between prices of inferior and superior kerosene not necessarily beneficial to poor consumer only."

That is the heading of the paragraph. I do not wish to take the time of the House by reading this paragraph, but I indicate the relevant paragraphs in order to bring home to those who have supported this motion that they are overlooking the most valuable material available to this House in the Tariff Board's Report, and particularly in the Minority Report of the President of the Tariff Board, Sir Padamji Ginwala.

Now, Sir Darcy Lindsay referred to the cheap yellow oil for the poor and Mr. Lamb said that, by supplying this cheap yellow kerosene oil for the poor at a certain rate, the Burma Oil Company was conferring a great boon on the Government of India and on the masses of India. Again, I say that either my friends do not know their facts, or, if they know them, they have not put them forward in the correct manner that they should be put forward. Page 66 of the Minority Report has these words:

Sir Darcy Lindsay: What about the Majority Report?

Sir Purshotamdas Thakurdas: You may refer to paragraphs 73 to 75 of the Majority Report. They do not support Mr. Lamb but I prefer the Minority Report to the Majority Report. Why should the references in the Minority Report be rejected summarily? Anybody who reads this Report with an impartial and open mind, will say that Sir Padamji Ginwala has gone into this problem more thoroughly and in a more business-like manner than the two dissenting members. I give him all the credit for it. In fact I suggest that this side of the House should express its great appreciation of the splendid efforts of Sir Padamji Ginwala to fight against these odds in his own country. Let the Honourable Member challenge what Sir Padamji Ginwala says in his able Report. Sir, to be in the minority is at times to be in the right. Sir Padamji says in paragraph 10 of his Minority Report on page 66:

"The result is to lower the average realised price. The reason given for this policy is the good of the consumer of inferior kerosene. The real object, however, is to eliminate competition and consolidate the monopoly of the Pool in the sale of inferior kerosene."

What a different picture from the one which Mr. Lamb would like this House to believe. Later on, Sir Padamji Ginwala develops how under the guise and pretence of giving this cheap kerosene oil at an apparently lower rate, this big combine maintained their monopolies in India. What is the good of saying that, because the combine give that, they are an asset to India? As a matter of fact, according to Sir Padamji Ginwala's Report, it is because they give this cheap oil, they are able to maintain and consolidate their monopoly here. Mr. Lamb harped on this and tried to bring out that during the war period the Burma Oil Company had not profiteered. Well, Sir, a commercial organization which does not profiteer is always entitled to the greatest respect. But he in the wide world who did not profiteer during the war period could either have been a saint or a fool.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Those words are synonyms. I think he is either a knave or a fool.

Sir Purshotamdas Thakurdas: I would retain the word "saint". My Honourable friend may apply the other word if he prefers it.

Now, let us see if the Burma Oil Company is either saintly or foolish in their business methods. On page 7 of the Majority Report, the Tariff Board give financial details about the Burma Oil Company.

Sir Hugh Cocke (Bombay: European): Are the figures of the Majority Report reliable in this connection?

Sir Purshotamdas Thakurdas: They are facts, and if Mr. Lamb tells me that they are inaccurate, I will accept his statement. It is no use my Honourable friend from Bombay trying to interrupt in this naive manner. Sir, on page 7 the Majority Report gives these facts:

"In addition, in 1903, £500,000 debentures were outstanding but these were all paid off by 1913. Of the ordinary capital of £6,868,256, £5,590,564 represents bonus shares." And after giving details about the dividends declared by the Burma Oil Company they conclude with this:

"It appears, therefore, that an original holder of £100 shares in this Company would now hold shares of the nominal value of £540, which at present market quotations would be worth over £2,400 and in the period 1902-1927 would also have received dividends of over £1,600."

Now I venture to ask the Honourable Member from Burma who had some connection with the Burma Oil Company, where did all this money come from to that Company? Where did they get the money to give bonus shares to their shareholders?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): By serving India.

Sir Purshotamdas Thakurdas: "By serving India" the Honourable Leader of my party suggests; possibly so in the eyes of the European Group. Not that I mind any increase in the prosperity of any commercial or industrial organization in India, but when it is a question of making out a case that that organization (the Burma Oil Company) has been a philanthropic body, solicitous of the welfare of the masses of India, it is the limit; and I suggest that either Mr. Lamb will get some Member from his party to explain the reasons of this phenomenal prosperity of the Burma Oil Company, or he will admit that there is something behind this cheap yellow kerosene oil on which both he and his Leader harp so much.

The Government of India, for the first time I think, had in 1928 an inquiry into the oil industry of India. There are many aspects of the way in which this inquiry was ordered and the way in which this inquiry was carried through, which are very exceptional. I think my Honourable friend, the Commerce Member, will bear me out if I say that the inquiry was ordered by the Government of India within a few weeks of the demand coming from the interests concerned.

The Honourable Sir George Rainy (Member for Commerce and Railways): No, Sir, nearly six months.

Sir Purshotamdas Thakurdas: Did they apply for an inquiry nearly six months before it was actually started?

The Honourable Sir George Rainy: It was first brought to the notice of the Government of India. I think at the end of September or beginning of October, 1927, and the inquiry, I think, was ordered towards the end of March 1928.

Sir Purshotamdas Thakurdas: I take it that the application of the oil companies, requesting the Government of India to hold an inquiry, and other papers connected with it, would be available to the House if I request the Honourable Member to place them on the table of the House?

The Honourable Sir George Rainy: I am afraid I could not possibly, without notice, give an answer to that just now.

Sir Purshotamdas Thakurdas: Will the Honourable Member give me a reply in the course of the debate tomorrow?

The Honourable Sir George Rainy: I think that is a request that cannot fairly be made.

Sir Purshotamdas Thakurdas: If the Honourable Member is not prepared to place on the table the relevant papers relating to this subject, then I take it that this particular inquiry was ordered by the Government of India within a few weeks after the application was made. Six months earlier, it may have been some other aspect for which an inquiry was required. If the Honourable Member wishes

The Honourable Sir George Rainy: May I take it that the Honourable Member is questioning my veracity?

Sir Purshotamdas Thakurdas: Not at all.

The Honourable Sir George Rainy: Surely the Honourable Member ought to realise how serious it is.

Sir Purshotamdas Thakurdas: I do not challenge the Honourable Member's veracity. What I wish to know is if the inquiry for which a request was made to the Government of India six months back was on exactly the same subject on which the inquiry was finally ordered by the Government of India. The Honourable Member should place those papers on the table of the House.

The Honourable Sir George Rainy: Perhaps if I supplement what I have said a little while ago, it will make the matter a little clearer. What I said was that the Government of India was first approached towards the end of September or the beginning of October. What I cannot recollect at the moment is whether that was a written representation or in the first instance a verbal representation. The immediate reply of the Government of India to that was, "you have got to submit a full statement before we can consider it". It is quite true that that full statement, which I think was included in the reference to the Tariff Board, was submitted—I cannot recall the exact date—towards the end of December or beginning of January. That is my recollection, but I am speaking from memory. What I should be very glad to do, after looking up the papers is to supply the Honourable Member privately—I do not mean confidentially—with the information he wants for any use he may make of it. But I do not think it would be right for me to promise that I would give a reply in the course of the debate, when there is no guarantee that any reply that I can give would be relevant to the matter under discussion at the moment.

Sir Purshotamdas Thakurdas: I think, Sir, the matter is much clearer now than it was a few minutes back. There is no question of my challenging the veracity of my Honourable friend, Sir George Rainy. If there is any one about whose veracity I would have the least suspicion, it is Sir George Rainy's.

Mr. President: Then the Honourable Member makes a distinction between Member and Member!

Sir Purshotamdas Thakurdas: Not necessarily, Sir. I am dealing at present with Sir George Rainy and I say that I would not, even in my dream, think of suspecting the veracity of any statement that he makes in this House. He will, however, himself see that his last reply is more full and therefore I am prepared to leave this question at this point. I have now got this information that the oil companies did apply six months earlier, but they applied then without the full details which the Government of India insist upon before considering an application for a Tariff Board inquiry. That is enough for my purpose.

Sir, the inquiry was a summary one. It was completed within seven to eight weeks. Now I would like to draw the attention of the House, and I am sure the Honourable the Commerce Member must have studied this Report fully, to the manner in which the inquiry was considered by the parties concerned. On page 61 of the Minority Report, Sir Padamji Ginwala says:

"In view of the events which preceded the launching of the rate war in September, 1927, and of the understanding existing between the main participants it is difficult not to find the principals of the applicant Companies—I except the Indo-Burma Petroleum Company to whom the Asiatic Petroleum Company's promise of compensation does not refer—guilty of a lack of candour amounting almost to deliberate *mala fides*."

I wonder, Sir, whether the Honourable the Commerce Member, during his career as President of the Tariff Board, or as the Commerce Member of the Government of India till now remembers any such remark having been made by a responsible member of the Tariff Board, accusing the parties who apply for an inquiry of something which almost borders on *mala fides*. Further on, on the same page, Sir Padamji Ginwala says:

"It appears therefore that the local representatives of the applicant Companies had no knowledge of this agreement, and the blame for the failure to place all the material facts of the case before the Government of India must rest upon their principals in London. To my mind their conduct as disclosed by these facts is indefensible. The machinery of this Board is intended to be used upon the instructions of the Government of India for the purpose of enquiring into *bona fide* applications by indigenous industries for protection against foreign competition. But it is difficult to regard the present as a *bona fide* application except perhaps in the case of the Indo-Burma Petroleum Company. The assistance of the Government of India has been invoked for a purpose which cannot be regarded as legitimate. Though compensation had been promised by the principal belligerent, an application for protection was put in as if the whole of the indigenous industry was suffering serious damage throughout the rate war. This failure to disclose material facts might alone have justified a summary dismissal of the application in the interest of public discipline."

On page 63, Sir Padamji Ginwala says, referring to the evidence of Gulf prices:

"It is clear from the above that the quotations cannot be taken as reliable proof of actual prices."

What is, Sir, the difference between the actual prices of which Sir Padamji Ginwala complains? The *Petroleum Times* reports f. o. b. Gulf port prices as 5.75 cents. per American gallon on 3rd September, 1927. Reuters reports same at 5. The Standard Oil Company reports at 4½ cents. to 7½ cents., and the figure taken by the pool for the calculation of world parity is 8 cents. Take 1926 or any other year. Whatever year you take, there is a difference of ½ to 1 cent. Now, Sir, the freight quotations that

the oil companies calculate are not correct. I refer to page 65, paragraph 8—"Evidence of Freight Unsatisfactory". I will content myself with referring only to the various heads under which Sir Padamji Ginwala has come to the conclusion that the evidence put before him has been unsatisfactory. The very data, facts and figures supplied to the Tariff Board are in the opinion of its President unsatisfactory.

Then regarding the difficulty of ascertaining current prices of indigenous kerosene, I refer to paragraph 9 of Sir Padamji Ginwala's Minority Report:

"It will be seen therefore that in the present condition there is no such thing as 'current' prices in the ordinary sense for they are what the Burmah Shell make them for the time being. In the entirely artificial atmosphere thus created by the deliberate action of the group, no correct valuation of current prices is possible. There is at present no economic relation between the foreign and internal prices and the level of current prices cannot seriously be regarded as evidence of dumping."

In paragraph 10 he deals with foreign competition in respect of inferior kerosene oil, and I have already quoted the real cause of this cheap kerosene oil according to Sir Padamji Ginwala.

Sir Padamji Ginwala has something very interesting to say regarding the difficulty of ascertaining the financial position of the oil companies. He deals with it on page 56 of the Report, and in paragraph 6 he deals with the Attock Oil Company, which is said to be the only company which is an indigenous company. This company has a sterling capital but I do not mind the sterling capital part of it. This is the remark which Sir Padamji makes about this Company:

"The method adopted, moreover, involves far too many hypotheses and assumptions to ensure even a reasonable degree of accuracy. By way of illustration I cite the following passage from paragraph 55 dealing with the Attock Oil Company to show the process of reasoning by which some of these results have been arrived at.

In 1926 the profit in India was £48,361. Owing to the increase in production, the expenditure per unit produced has very much declined. After examining the cost accounts which have been produced we are satisfied that had the expenditure in 1926 been at the same rate as in 1927, on the production of the former year expenditure would have decreased by about Rs. 11,00,000 excluding from account London expenses, interest charged, and depreciation. On the 1927 scale of expenditure per unit, profits in 1926 would thus have been increased by about £83,000, giving a total profit of £131,000.

Having obtained hypothetical figures in the way indicated above as regards profits or losses, various adjustments are made sometimes in accordance with actual facts and at other times on hypothetical grounds, and the financial results so derived form the basis of the main recommendation that no case has been made out for national assistance."

He concludes with this in paragraph 7:

"I am unable to agree with many of them without a good deal of more technical knowledge than I have been able to acquire in the space of seven or eight weeks. It appears to me that some of them, at any rate, may, if not found wholly inaccurate, on further examination require radical revision."

This, Sir, is the method in which these oil companies acquitted themselves when there was an actual Tariff Board inquiry ordered by the Government of India at the request of these companies. Their accounts were put before the Tariff Board on hypothetical grounds, and even then are submitted to them in confidence—and this is the remark of even the majority. They say:

"It has not been possible to set forth the financial position of the different companies after a critical examination of the costs of producing and refining crude oil. Nor indeed for the purpose of the summary inquiry does this appear necessary."

[Sir Purshotamdas Thakurdas.]

Now, I venture to ask whether it is justifiable for anybody, in view of what has been brought out in this Report, either by the majority or the minority, to say that Government are hitting the indigenous companies by levying an excise duty, or rather by increasing the excise duty. If the companies have a case, and if they feel that they are prepared to put all their cards on the table, by all means let them go before the Tariff Board, have a full inquiry made, and I will be the first to say after seeing the report of that full inquiry, that not only should the increase which we are considering today be reduced, but the whole of the excise duty should go in order that the indigenous industry may flourish and may not suffer any loss. But the material supplied in this Report either by the majority or by the minority sections—and I repeat here again that I do not put less reliance on the Minority Report of Sir Padamji Ginwala than on the Majority Report—the material submitted here absolutely puts any such pleading today out of court. Sir Padamji Ginwala has been a very distinguished and responsible member of the Tariff Board, and with the full weight of his responsibility he could not have made the remarks that he has made regarding the whole case without being able to meet any challenge that might be thrown out to him. Did the oil companies challenge Sir Padamji Ginwala's Report? Have they submitted anything to the Government of India against the various allegations and criticisms made by Sir Padamji Ginwala against them?

Sir Padamji Ginwala comes to a remarkable conclusion at the end of his able and full Minority Report. I will only again read the headings, which will be sufficient for the purpose of the picture which I wish to put before the House. The chapter is headed, "Exorbitant prices in India demand further exploration of subject". He starts with paragraph 46 touching upon "exorbitant prices" as he considers them to be. In paragraph 47 he deals with "Margin between prices of crude and of finished products"; and in paragraph 48 he examines the "Margin in America", which he makes out to be equivalent to one anna and six pies per Imperial gallon. In paragraph 49 he deals with "Margin in India" which he makes out to be a sum of two annas per gallon which is taken out of the consumer in India. What solicitude for the masses of India and for the consumer in India! In paragraph 50, Sir Padamji Ginwala refers to "Measure of Exploitation of Consumer". In paragraph 51 he deals with "Monopoly the Principal Cause", and in paragraph 52 he deals with the "Main Remedy; the Introduction of Competitive Conditions by Import of Crude". He finally concludes by suggesting an alternative remedy, namely, "Government Control of Prices".

I feel, Sir, that those who are interested in this subject should, before they criticise the Government of India's measure which is before the House, study Sir Padamji Ginwala's Report. Even though Sir Padamji Ginwala may have made an error of judgment, it was up to the oil companies to put all their cards before the Government of India to refute Sir Padamji Ginwala's attitude in this connection; and until they do so, we are quite justified in taking for granted that the difference between the excise duty and the import duty is a difference which goes into the pockets of the indigenous companies which work hand in hand with interests abroad. I have therefore come to the conclusion that the variation in excise and import duties as suggested by the Government of India is the right thing in the light of the information available up to now, but unless the oil

companies are prepared to submit to a full and searching inquiry by the Tariff Board, the Government of India will be justified in putting up the excise duty to the import duty. If the oil companies have a grievance, it is for them to ask for a full inquiry by the Tariff Board, when, if a case is made out that the excise duty is a hardship on the indigenous companies, or that the difference between the excise duty and the import duty does not go into the pockets of these companies, this House would be prepared to reduce not only the increase under consideration if passed but the whole of the excise duty.

I therefore, Sir, congratulate the Government of India on this first modest step which they have taken, and it is fully warranted by what is said in the Tariff Board's Report. I hope they will follow up the various suggestions of Sir Padamji Ginwala, who has indicated that the consumer of kerosene oil in India is being mulcted to the extent of Rs. 5 crores by this huge combine (paragraph 46 of Minority Report) and that the whole question of the kerosene oil supply of India requires a searching inquiry by the Government of India. Sir, I have great pleasure in supporting what the Government have proposed, and I oppose the amendment of my Honourable friend, Sardar Gulab Singh.

Mr. Arthur Moore (Bengal: European): Sir, I feel that my friend, Sir Purshotamdas Thakurdas, at the beginning of his speech, imported a little unnecessary heat.

Sir Purshotamdas Thakurdas: You started from your Benches yesterday.

Mr. Arthur Moore: That is just the point. Sir Darcy Lindsay and Mr. Lamb spoke yesterday and Mr. Lamb quite frankly spoke as a person who has a financial interest in oil.

Sir Purshotamdas Thakurdas: Making an insinuation.

Mr. Arthur Moore: Wait a minute.

Sir Purshotamdas Thakurdas: I am going to wait and follow you up.

Mr. Arthur Moore: First of all, he does not in the least object, as I understand him, to any one saying that he himself has interests in oil. He has interests in oil. We are accustomed in this House to people speaking quite frankly from the point of view of the industries in which they have a stake. Mr. Mody, as we all know, speaks here for the mill-owners, and it is right and proper that he should. Personally I do not consider that it was any very dreadful reflection upon my friend, Mr. Birla, who, we all know, has large financial interests though personally I have no knowledge as to in what way he is interested in this question. But I do not think that Mr. Lamb

Sir Purshotamdas Thakurdas: My Honourable friend forgets that Mr. Lamb insinuated that Mr. Birla supported the import duty because he wanted encouragement to the import of oil in which he is interested. Does he not see the insinuation?

Mr. W. S. Lamb: Sir, may I be allowed to make an explanation? As Mr. Moore has pointed out, it is well-known to Honourable Members—I have myself on two occasions said quite clearly—that I have an interest in oil, a very considerable interest in one of the smaller companies. No doubt Mr. Birla and others have discounted, and will always discount, anything I say about oil because of that fact. There is no reason whatever, I do not see any reason, to apologise for any remark that I have made.

Sir Purshotamdas Thakurdas: So he does not see the insinuation yet.

Mr. W. S. Lamb: And for the information of Sir Purshotamdas Thakurdas I might mention that Mr. Birla and I met last night and spoke in a friendly way. He said, “Mr. Lamb, we crossed lances today”. He took no exception whatever to anything that I said, and I think, if he did, he is quite capable of speaking for himself without borrowing the thunders of Sir Purshotamdas Thakurdas.

Mr. Arthur Moore: As to the further remark made by Sir Purshotamdas about “Gandhi” oil—again I have no personal knowledge at all in the matter, but a Member of the Group has just now told me that, as a matter of fact there does exist an almanac displaying Mr. Gandhi as an advertisement for the oil importing agency with which Mr. Birla is connected. Somebody may have objected, and Sir Purshotamdas Thakurdas may have heard of such a thing. But if a Member of this House thinks that is a good way of recommending his business, I personally do not complain, if such a thing exists at all.

Now, Sir, I hope that we can leave those personal points and deal with the humble matter of kerosene. I, like Sir Frank Carter, to whom Sir Purshotamdas referred, and in common with a great many others, was brought up as a free trader. But Sir Frank Carter spoke at a time when we were faced with a deficit budget in 1922. When Sir Frank Carter spoke of this oil duty, the Fiscal Commission had not reported. India was a free trade country. We had never heard of the Tariff Board or of tariff inquiries, and we certainly had never had such examinations as we have had since in the case of steel and cotton and later of oil. Regretfully we have accepted since frankly in the interests of Indian industry, and do loyally accept, the declared policy of Government, which is discriminating protection. The great argument which endeared free trade to us in the old days was that it kept down the price to the consumer, and that it was in the interests of the general public. We have, in the interests of Indian industry, made great sacrifices of that doctrine. We are agreeing in this very Budget to taxes which we know the poor will have to bear. But, Sir, when we find that Indian industry after Indian industry puts up its claims to the Tariff Board and that those claims are considered, and subsequently we have the Government coming to this House and asking us to agree to tariffs for the sake of that industry and the House accepting them, the tariffs passed and the price put up to the consumer,—and then suddenly you have an industry which asks for protection, and gets not protection at all but in the next Budget, or the next Budget but one, a proposal to decrease the import duty and increase the excise duty in order apparently to damage that indigenous industry; then, I think the plain man begins to smell a rat. I have no financial interest in it whatever.

and I cannot agree with Sir Purshotamdas Thakurdas when he said that no impartial person could read the Minority Report of the Tariff Board without coming to the conclusion that it was unanswerable. I wish to reply to him that I consider myself impartial in this matter, and when I read the Minority Report I formed entirely opposite views to those of Sir Purshotamdas Thakurdas. The author of the Report makes a statement about deliberate *mala fides* which in the public interest merited summary dismissal of the application, and then he proceeds to produce what we may suppose to be justification for those remarks. Frankly, Sir, the whole statement seems to me ludicrous, if not libellous, and I think that Sir Purshotamdas Thakurdas might have remembered that a very convincing reply was immediately issued. Sir, if I might paraphrase a classical example, I would say that, if anybody but the President of the Tariff Board had made these statements, I should call them a tissue of contradictions. In fact, I would go further and say that they are a tissue of contradictions, and I could very easily prove it. Curiously enough, one of the main charges appears to be that the indigenous oil companies keep down the price—a very extraordinary remark. On page 94 of the Report under “Summary of Conclusions and Recommendations”, it is stated that, “The price both of the indigenous and foreign oil marketed by this Company”, that is, the Burma Shell Oil Distributing Company of India, Ltd., “has been deliberately kept lower than economic conditions would have justified and is therefore unreal”. Therefore, it would appear that the gravamen of the charge against the oil companies is that they sell their stuff at too low a price to the consumer. Later on, on the next page, he says, “There is evidence which suggests that a great deal of petroleum products have been sold at exorbitant prices”. A totally contradictory statement. At the same time, on the same pages, he says, first of all, that it is utterly impossible to establish what the American parity price is, and secondly, that that American parity price is being undercut by the indigenous companies, and thirdly, that they are going above it. Thus he does not know what it is but says it is both being undercut and exceeded. In addition, he bases most of his suggestions, insinuations and innuendoes on the results of the first six months of 1927. He then goes on to say that he quite realises that you cannot establish everything from the results of those six months, but nevertheless proceeds to do so.

Mr. M. A. Jinnah: May I ask the Honourable Member one question? Does the Majority or the Minority Report of the Tariff Board consider, in the end, that any case has been made out for any protection for this industry?

Mr. Arthur Moore: I am very far from suggesting that a further measure of protection is required for this industry. That is not the point.

Mr. M. A. Jinnah: That is what we have been discussing.

Mr. Arthur Moore: That is not the point which we have been discussing. We are discussing the proposal in the Budget to reduce the existing protection, and we have also the very remarkable statement of the Finance Member that this is only a first step in that direction.

Sir Purshotamdas Thakurdas: We all hope it is so.

Mr. Arthur Moore: I am afraid you do, and that is the deplorable part of it. I was interested to hear and sympathise greatly with a statement which Sir Purshotamdas Thakurdas made the other day, in which he said that he looked forward to a time when this distinction between Indian and European business would disappear. This is a sentiment which I entirely share. I should like to see European business in this country entirely done on a rupee basis. I should like to see share registers kept and share markets existing in all the towns, so that the Indian would be a participator to the very greatest possible extent in the benefits that can be obtained through British enterprise and British capital in this country. I should like to see European and Indian business interlinked and interlocked as far as possible. But, Sir, the oil business is centered in Burma where it is certainly a great national industry, where it is giving employment to many thousands, where it is leading to every kind of public development, and where there is a share register and a share market and where shares are held by the people of the country to any extent which they like. For the Indian Members of this House to make an attack on that Burmese industry, merely because they think that it is largely a case of European capital, is, to my mind, unfortunate.

Sir Purshotamdas Thakurdas: Who said so? I never said anything like that at all.

Mr. Arthur Moore: I have not said that you said that. But I have read the Report, and I am perfectly certain that the Report is the motive behind the Government's proposal. I am very glad that Mr. Aney withdrew his amendment yesterday. Personally I should be sorry to share in responsibility for refusing the Finance Member the money that he requires in the present situation, but, that is all the more reason why I would urge upon the Finance Member, if he can possibly do so, the advisability of accepting this very modest proposal of Sardar Gulab Singh, which will give him revenue, but which will, I think, avoid the much more disastrous result of a rise in price. It is that rise in price which really interests me. When the Budget was introduced, Sir Zulfiqar Ali Khan made a plea, which I thought had a great deal of force and point in it, for the poor man's lamp. I am perfectly certain that the Burma Oil Company, which is the largest in the industry, can protect itself. I am perfectly certain that my Honourable friend the Commerce Member will not succeed in defeating that Company. I think it is a mistake, when you find a bird that lays golden eggs for you, to assume that it must be a goose. My own opinion of this oil company,—with which I am unfortunately not connected,—is that it is quite another kind of downy bird, and that it will succeed in passing this tax on to the consumer. That, Sir, is where I think the Government are failing in their duty. The Tariff Board may say what they like, and Honourable Members may say what they like, but it is one of the most remarkable economic facts in the history of the past twenty-five years, when both currency and prices have crashed in the great countries of the world and when the world itself has passed through an unparalleled upheaval, that for the whole of that period of twenty-five years, the low grade yellow oil which goes into the poor man's lamp in this country has been absolutely stabilised to the extent of practically 2,00,000 tons a year, and the price of that quota has never gone up. That, Sir, is a very remarkable achievement. The paradoxical thing is that protection has kept down the price in the low

grade,—and this has been done as a matter of loyal obligation in return for a measure of protection. The Commerce Member assured us yesterday that there was no convention, no understanding, no obligation on the part of the Company. I am sure that he is right, and I think that makes it all the more remarkable that for 25 years the poor man's lamp in India has been lit at the same price because of that undertaking. I understand that a letter was written to the Viceroy of the day saying the company would contribute this amount at the fixed price. My Honourable friend appears to attach no importance to it. He seems to think it does not matter and says "Do your worst". He seems to think that he will be able to defeat these great Corporations, but I doubt it. I think he is very light-heartedly risking the poor man's lamp. Sir, we who live in towns are a little apt to underrate the part that kerosene plays in the life of this country. It is the light of the country, and when we talk about kerosene, let us not forget the tin. We know what an enormous part the kerosene tin also plays in this country. I myself have lived in shelters made entirely from kerosene tins, filled with earth. I have had my bath from kerosene tins. Even in New Delhi in the hostels the Government provide for legislators, the hot water supply is dependent upon kerosene tins. Can the Government give the slightest guarantee that the low rate of kerosene, which is what matters to the people of this country, can be kept down to its present price if they refuse to accept my friend's amendment? I feel, Sir, that they are being driven by political motives, and that, through the Tariff Board and through the Commerce Department, a political demonstration is being made. This fills us with great uneasiness. We are not satisfied that the Government of India today are discharging their duty as trustees for the Indian people. It seems to us that they are much more interested in pleasing big business and big politics than in thinking of the Indian home; that they are thinking much more of the veneer and polish of their mahogany Round Table than that it shall be spread with the unleavened bread of sincerity and truth. When the Finance Member tells us about Mr. Gandhi and the adverse influences in London affecting Indian credit, we can also tell him that it is not entirely Mr. Gandhi. If he will investigate the Commerce Department a little more closely, and if he will consider the attitude of Government to confiscation by predatory measures, he will begin to understand that there are other reasons which make his task difficult in obtaining money. It is British capital itself which is one of the standbys in the present difficult times. I am convinced that, if you could study the records of the Exchange Banks, you would find that it is Indian capital which is going out quickest and that the British capital is still here. It is necessary for this country, and it is necessary for the poor man

Mr. M. A. Jinnah: Keep it here.

Mr. Arthur Moore: I am very glad to hear my friend say that, but I would like the Government to think long and hard before they refuse my friend's amendment today and pin themselves to this document which, as I say, is ludicrous. If that is their gospel, they will very soon find themselves in great difficulties.

The Assembly then adjourned for Lunch till Two of the Clock.

The Assembly re-assembled after Lunch at Two of the Clock, Mr. President in the Chair.

The Honourable Sir George Rainy: Sir, I should like to begin what I have to say today with a brief reference to one who has been very frequently mentioned during the course of the debate, I mean my very close personal friend, Sir Padamji Ginwala, the President of the Tariff Board. I do not suppose there is anybody in this House who knows Sir Padamji better than I do, or who has a greater respect and admiration for the admirable work he has done in the Tariff Board, or for his independent judgment, his courage and the energy and thoroughness with which he always carries out his work. Sir Padamji Ginwala is about to quit the presidency of the Tariff Board and I am very glad to have this opportunity of paying my testimony to all that he has done.

My Honourable friend, Mr. Moore, used a phrase in connection with the Minority Report on the oil industry, and the phrase was "a tissue of contradictions". He gave one particular instance in support of this charge. The particular instance he gave was this. He quoted from the summary in Chapter VII of the Minority Report the following sentence:

"The prices both of the indigenous and the foreign oil marketed by this Company has been deliberately kept lower than economic considerations alone would have justified and are therefore unreal."

He then pointed out that, in other places in the Report, Sir Padamji had expressed the view that the prices charged by the oil companies were exorbitant and had caused a great deal of loss to the consumer. Now, if you place these two statements against each other and assume, without investigation, that they refer to the same prices, there is undoubtedly a contradiction. But if my Honourable friend, whose study of the Minority Report must, I think, have begun only a short time ago, had taken care to verify the particular prices which were referred to, he would have found that the prices which Sir Padamji Ginwala considered had been deliberately kept lower than economic considerations allowed were the prices charged while the oil war was in progress, and the prices he considered exorbitant were the prices charged before the oil war began. I think it is a pity that, because there has been some slight increase of tension during the course of the debate this morning, charges of that kind should be made on insufficient evidence against one who is not a Member of this House, and is not in a position to make any reply. Those who remember Sir Padamji as a Member of this House, will have no doubt that he would have been perfectly capable of making a very effective reply on his own behalf.

I felt it necessary, Sir, particularly because I have had some connection with the Tariff Board myself, to make that clear about Sir Padamji Ginwala, but I must also make it clear that, in putting forward the proposals which are under consideration, the Government of India did not base their conclusions on the Minority Report but on the Majority Report in so far as they arose from the Tariff Board Report at all. Sir Padamji and I—I am not revealing any secrets—did not always agree, and when we disagreed, I, being an obstinate Scotchman, sometimes used to say to

him, "You think you are right but I know I am right" and Sir Padamji was sometimes inclined to take up the same attitude. Well, in this case, I do not, on a great many points, agree with the Minority Report, and it is right that I should say so quite frankly. That is not in any way disparaging Sir Padamji Ginwala, but in my view, and in the view of the Government of India, it is the opinions expressed in the Majority Report which ought to prevail, and in so far as this proposal arises out of the Tariff Board Report at all, I will ask the House to understand that it is the Majority Report which has to be considered and not the Minority Report.

The Government of India came to the conclusion that a substantial increase in taxation was necessary if we were to meet our liabilities during the coming year, and naturally all the important subjects of taxation passed under review. One of them, of course was kerosene. Now when we are dealing with an article of general consumption, we have to consider in a case of this kind whether, if there is to be any increase in taxation, it should be in the form of an increase in the customs duty only,—or of excise duty only, or possibly of both. In some cases there may be a claim to protection, which may or may not be held to be established, but what is the position in this case? The arguments I have listened to from the European Benches seem to me to approach perilously near to this position, that because the industry has for a period of a quarter of a century enjoyed the benefit of a difference of one anna six pies per gallon between the excise duty and the import duty, therefore that difference must continue for an indefinite period. Looking at it, as I look at all these questions, from the point of view of the policy of discriminating protection, I find it very difficult to understand how an attitude of that kind is to be justified. The policy of discriminating protection is that industries are to be protected until they can stand alone and dispense with protection. It is true that, in this case, the import duty on kerosene was not originally imposed as a protective duty, but as part of the system of revenue duties which at the time of its imposition were the only kind of duties in the Indian tariff. Still let us take it on the basis that at one time the duty may have been required to keep the oil industry going. Let us take it on that assumption. A period of a quarter of a century has elapsed, and that being so, is it not fair to ask whether, in existing circumstances, the retention of that difference between the two rates of duty is still necessary in the interests of the Indian industry? What do we find? I would refer to the same figures which have already been quoted by my Honourable friend, Sir Purshotamdas Thakurgas, from the Majority Report of the Tariff Board. It appears from these figures that, out of the total share capital of the Burma Oil Company,—a company which is responsible for rather more than three-quarters and rather less than four-fifths of the total production of crude oil in India,—it appears that of the total ordinary share capital of £6,800,000, only a little over £1,300,000 is subscribed capital, and about £5,500,000 consists of bonus shares. In addition, there are £4,000,000 preference shares. In the year 1927 the dividend declared on the ordinary shares was 20 per cent. That is, it must have been a little over £1,300,000 on the ordinary shares, and the dividend on the preference shares, in addition, brings that figure up to something over £1,600,000. The total subscribed capital is £5,800,000, and the proportion of the two dividends together on the total subscribed capital is nearly 30 per cent.

[Sir George Rainy.]

Now, let us get away for the moment from the peculiar circumstances of this industry. Let us take a quite different industry. Let us take the cotton industry. Supposing that the cotton mills which were responsible for nearly four-fifths of India's production were in a position to pay dividends to that extent, 30 per cent. on the subscribed capital, would it be wrong for Government, at a time when it was in need of money, would it be wrong for Government, granted always the fundamental policy of discriminating protection, would it be wrong for them in those circumstances to impose an excise duty? I mention that case particularly because it is the case where for natural and right reasons, prejudice against the excise duties is strongest.

Mr. Arthur Moore: May I ask the Honourable Member if he will give us the 1928 figures, which will show that the particular company he refers to, the Burma Oil Company, paid the Government of India in taxation almost £2,000,000 sterling and they paid their shareholders, if you deduct the United Kingdom income-tax, only about £800,000 odd.

The Honourable Sir George Rainy: I am afraid I do not see the relevancy of my Honourable friend's interruption. I prefer to pursue my arguments on my own lines. What I was saying was this.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): The Honourable Member said that the percentage was 30 per cent. He also told us that the original share capital was £1 million and some thousands and bonus, £4 million and something. So the 30 per cent. is not on the one million originally subscribed, but is also on the bonus that was given.

The Honourable Sir George Rainy: No, Sir. I know how difficult it is, when one is dealing with figures, not to convey a wrong impression. What I did was this: I took the ordinary and preference dividends and added them together. I took the subscribed ordinary capital and the preference capital and added them together, and I took the percentage of the first total upon the second total. I did not wish to take the dividend purely on the subscribed ordinary capital, because you get an exaggerated result, which is not fair unless you bring in both the preference capital and the preference dividend; you would, in fact, get a figure which is misleading.

Now, Sir, this is the view the Government of India took as regards kerosene, that if the question arose of imposing extra taxation on kerosene, the proper way of dealing with the matter was by an increase in the excise duty. I am perfectly prepared to defend that proposal as being in all the circumstances the right solution, because I am not prepared to support the proposition, as my Honourable friend Sir Purshotamdas Thakurdas could do quite consistently with his principles, that there ought to be no excise duty at all, or that the existing difference between the excise duty and the import duty should be continued indefinitely. Why, Sir, what do we find? If a new application for protection comes forward, it is always very carefully and narrowly scrutinised, and the recommendations which have hitherto received the approval of the House have always been on the basis of giving no more than was really necessary to put the industry on a sound basis. Unless we abandon that policy I do not see how we can consistently defend a position which amounts to this that, because an industry has for a quarter of a century enjoyed actual

protection of a certain amount, owing to the difference between the excise duties and the customs duties, therefore this difference must be regarded as sacrosanct, and the Government must in no circumstances interfere with it. My Honourable friend, Mr. Moore, was good enough to speak of predatory measures and political demonstrations and to suggest that the malign inspirations underlying these measures came from the Commerce Department. If that means that the Commerce Department has any reason for desiring anything but the success of all Indian industries, if it means that the Commerce Department bears a grudge against any particular industry, I repudiate the charge. But if it means that I refuse to apply one weight and measure to a new industry, usually Indian, applying for protection, and a different and more generous weight and measure to a long established industry, in this case mainly non-Indian, then I accept the charge. I am not prepared to apply these different weights and measures. (Hear, hear.) It is the business of the Government of India, as it is the business of all Governments, to try to do justice, and that is the basis upon which the Government measure proceeds.

I should like to turn now to some of the reasons given by the previous speakers against the Government proposal. One of them can be very briefly dealt with. It was suggested that, because one company was so predominant in the oil industry, therefore the measure ought to be regarded as vindictive. I cannot see how, in point of principle, it makes any difference whether it is one company or more than one company. The only question is this; is the industry making large profits and is there reason to believe that those large profits are due to the difference between the customs and the excise duties? Whether it is one company or several companies to my mind, makes no difference at all.

My Honourable friend, Sir Darcy Lindsay, said that special consideration was due to the oil industry, owing to the fact that, during the war, the price of Victoria kerosene had not been raised. As far as I can make out, that statement is correct as regards the Victoria kerosene (that is the yellow oil) which was sold in bulk. There were increases in the price of Victoria kerosene sold in tins, but that was due to other causes, mainly owing to difficulties about the supply of tin-plate, and the price of the oil in tins was raised several times, always in agreement with Government and with the Ministry of Munitions at Home. Therefore, I accept that statement as generally correct. But my Honourable friend, Mr. Moore, went somewhat further and said that it was a very remarkable fact that the price of this inferior yellow oil, Victoria kerosene, had been stabilised for a period of 25 years.

Mr. Arthur Moore: To the extent of 195,000 tons, Sir.

The Honourable Sir George Rainy: I do not quite understand how the consumer can get it in that form, because the pool cannot market a certain quantity of the same kind of oil at one price and a certain quantity at another. My recollection is that, up to 1917, what was actually done was that the Burma Oil Company had its own separate selling arrangements, and the Victoria oil that they actually sold was sold at that price. But after the close of the war, a new arrangement was arrived at, when the kerosene pool was established, in which the Asiatic Company, representing the Shell interest became partners, and after that, the arrangement was different. The arrangement was this, that the

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Burma Oil Company and the other Indian companies in the pool under took to sell to the pool 195,000 tons of the inferior oil at a fixed price of Rs. 2-14-0 per unit of 8 gallons, *plus* the excise duty when that was imposed. Thereafter the pool did the marketing on behalf of the particular companies, and prices were so adjusted that, on the average, at the end of a period, the pool neither made nor lost money. But I should like to quote certain prices to show that it might convey a misleading impression if it were thought that there was no change in the prices of yellow oil in the last 25 years. In 1914 the price of two tins was Rs. 3-8-0, but in 1924 it was Rs. 5-6-0. It continued at about that level, with small variations, up to the latter part of 1927, when the big fall in prices took place on account of the oil war, and since the termination of the oil war, it has never, I think, quite got back to its former level. At one period in 1929 it was quoted at Rs. 5 and I believe it is now somewhat lower.

Now, Sir, I find great difficulty in understanding what the exact force of this argument is supposed to be, that because, during the war period, the oil companies were reasonable and did not attempt to profiteer as regards the oil used by the poorest classes of consumers, therefore they are to continue to enjoy indefinitely the benefit of the difference between the import and excise duties. I can quite understand the argument that, if that difference is narrowed, the companies may have to reconsider their price policy, for in their price policy they are entirely free agents and have no agreement with Government on the subject. But I do not understand why, ten years after the war, that particular argument must be treated as conclusive, and I should like to draw attention to a passage in the Majority Report—paragraphs 74 and 75—which indicates that the companies may have—or rather may have had—other reasons for keeping down the price of yellow oil besides the benefit to the poorer classes of consumers. The reason suggested is that they might do so in order to prevent competition from abroad in this class of oil. Whether the Tariff Board were right in their view on this point I am not prepared to say, because, whereas during the period preceding the oil war, right back till I think about 1922, the difference between the price of white oil and yellow oil was usually about Rs. 1-6-0 a unit, and the impression that I always got from any inquiries I made upon the subject was that the oil companies were apprehensive as to their ability to sell their whole output of yellow oil if the difference was made any smaller. Since May, 1928, the difference in the prices of white oil and of yellow oil has been only 8 annas a unit. That makes a very great difference, and that leads me on to another of the reasons why it is suggested the Government of India's proposal should not be approved. It is suggested that the actual result of the adoption of the measure will be not a reduction of price to the consumer, although the customs duty is proposed to be reduced, nor even the maintenance of the present prices, but an actual increase in the price to the consumer. I doubt very much whether any one in India is in a position to say what the result will be, for in all the inquiries that I have ever made on the subject I have never found anyone in India who could give me a perfectly clear explanation of how the policy of the kerosene pool was determined. I think it is only those in authority in London who can speak with authority on this subject. But clearly it is a somewhat remarkable position if, assuming that, the ordinary laws

of free competition apply, a reduction in the customs duty should be followed by a reduction in the price. For, India is not self-supporting in the matter of oil, and cannot be so at present, and therefore, the governing factor would usually be the cost of importation. It may be possible for the pool to maintain the old prices if, as has been suggested to me, for some time past they have been selling white oil at a price below world parity. The figures that were suggested to me were these. They have been selling the white oil in bulk at Rs. 4-10-0 a unit, whereas the world parity would be somewhere between Rs. 4-14-0 and 4-15-0 a unit. If that is so, then no doubt they could maintain the present price, in spite of a reduction of two annas a unit in the customs duty, and they might even raise the price by a little over two annas a unit without reaching a price which was above the world parity. But, if that is what we are asked to believe, then I do not understand what the maximum price policy of the pool, as it is called, means, and I do not understand the manner in which it has been applied since May, 1928, because, if the maximum price policy is intended to benefit the poorest classes of consumers, then it is difficult to see why the companies made a concession amounting to over four annas a unit to the consumers of white oil, who are not the poorest classes of consumers, and have narrowed down the difference between the price of yellow oil and of white oil to only eight annas a unit. It is circumstances like these which give one reason to doubt what the maximum price policy has actually meant in its operation.

Another circumstance which might make it possible for the companies to maintain the price of kerosene, notwithstanding the fall in the customs duty, would be, if there was an absolutely binding agreement with the only independent company which imports on a large scale, I mean the Standard Oil Company. That again would be difficult to reconcile with the reports one has seen in the newspapers in recent days as regards the possibility of the outbreak of another oil war. But I am not prepared to admit, until the actual facts prove it, that we are justified in assuming, as a matter of course, in contravention of the ordinary economic laws, that the reduction in the customs duty is likely to be accompanied by an increase in the price of kerosene.

Now, I should like to come to a point which was mentioned by Mr. Lamb, but which has not been dwelt upon much by subsequent speakers, namely, the danger which is said to threaten the smaller companies if the House should approve the proposals of the Government. One of the difficulties in considering this particular part of the subject has been this, that the arguments in support of it always contradict each other. We are told, on the one hand, that there is going to be an increase in price and that every bit of that 50 lakhs will be taken from the consumer. If so, there is no danger to the smaller companies, because they will be no worse off than they were before. On the other hand, if they are to be seriously endangered, then the consumer is not in danger, and I must really ask my friends sitting on my right to choose on which horn of the dilemma they would wish to be impaled, because they cannot have it both ways. As regards the smaller companies, I would say this. Clearly the onus rests upon them to make out their case, and to establish to the satisfaction of Government, or of some investigating authority, that their position is very seriously endangered as a result of this measure. If that could be established, then I do not doubt that this House, as well as the Government, would be perfectly prepared to consider fully and

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sympathetically what measures should be taken to prevent any serious danger. Take the Attock Oil Company. For obvious reasons, it is desirable that that Company should continue to produce oil. It is the only company in this part of the world which does produce oil, and for practical reasons, in a war, for instance, it might be of very real service. But it does not follow, even if it were established that the smaller companies do need some assistance, that we should adopt a method by which, for every penny which goes to the smaller companies, four pennies must be paid to the company that does not require assistance. That seems to me a point very well worth bearing in mind.

That, Sir, very nearly closes what I have to say on this subject today. The only remark I should like to make in conclusion is this. I think it is a pity that certain statements have been made without perhaps sufficient verification. One I referred to at the outset of my speech, namely, the tissue of contradictions said to be found in Sir Padamji Ginwala's Minority Report. Another I have frequently referred to in the last week or so, about the 15 lakhs that we were supposed to be putting into the pockets of the Standard Oil Company. Now the Honourable the Mover of the amendment had read the import trade returns and made that very clear by the figures in his speech. But if any of the speakers who in this House or in another place have referred to that alleged present of 15 lakhs to the Standard Oil Company had ever taken the trouble to look at the import trade returns, they would find that the oil coming from the sources under the Standard Oil Company is only a little more than half of the total imports. The total present we could conceivably make to them, even if the price remained unchanged, is not 15 lakhs but only a little over 7½ lakhs. These difficult and important questions cannot be disposed of merely by the hasty quotation of inaccurate figures. They are very serious and difficult matters, and I hope that the House will consider them in a serious spirit and with the desire to do justice to all.

Mr. Arthur Moore: On a personal explanation. I should like to apologise to the Honourable the Commerce Member for not having been present at his opening sentences. Therefore I did not hear his reference to the tissue of contradictions; but I would ask him, is it not a fact that in the Minority Report the President states that the Burmah Shell Company sells below the economic price, and also suggests that that Company sells at an exorbitant price?

The Honourable Sir George Rainy: That was precisely the contradiction with which I dealt. I pointed out that, if the Honourable Member had applied himself to the study of the Minority Report, he would have found that the prices that were considered too low were the prices during the oil war, and the prices considered exorbitant were the prices before the oil war.

Mr. Arthur Moore: I cannot quite accept that.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I think that a Member of our party should speak. A prominent Member of my party has been unworthily attacked and I would like to speak.

Mr. President: The Honourable Member, unless he has got any fresh contribution to make to this debate, will now allow me to put the question. We have taken nearly three hours on this amendment.

The question is:

"In clause 7 for the words 'one anna and six pies' the words 'one anna and three pies' be substituted."

The Assembly divided:

AYES—17.

Alexander, Mr. W.
Ayyangar, Mr. K. V. Rangaswami.
Chaman Lal, Diwan.
Cocke, Sir Hugh.
Crawford, Colonel J. D.
Farookhi, Mr. Abdul Latif Saheb.
Gidney, Lieut. Colonel H. A. J.
Gulab Singh, Sardar.
Heathcote, Mr. L. V.

Kidwai, Sheikh Mushir Husain.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Moore, Mr. Arthur.
Munshi, Mr. Jehangir K.
Reddi, Mr. T. N. Ramakrishna.
Scott, Mr. J. Ramsay.
Sykes, Mr. E. F.

NOES—62.

Abdoolah Haroon, Haji.
Abdul Aziz, Khan Bahadur Mian.
Abdul Haye, Mr.
Abdul Qaiyum, Nawab Sir Sahibzada.
Agnihotri, Mr. K. B. L.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Chetty, Mr. R. K. Shanmukham.
Cosgrave, Mr. W. A.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Das, Mr. B.
Dutta, Rai Bahadur S. C.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gwynne, Mr. C. W.
Haji, Mr. Sarabhai Nemchand.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Jswar Saran, Munshi.
Jawahar Singh, Sardar Bahadur
Sardar.
Jinnah, Mr. M. A.

Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Mukerjee, Mr. Saradindu.
Mukherjee, Rai Bahadur S. C.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Pandya, Mr. Vidya Sagar.
Parsons, Mr. A. A. L.
Patil, Rao Bahadur B. L.
Purshotamdas Thakurdas, Sir.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rang Behari Lal, Lala.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarda, Rai Sahib Harbilas.
Schuster, The Honourable Sir George.
Shah Nawaz, Mian Mohammad.
Singh, Mr. Adit Prasad.
Singh, Mr. Gaya Prasad.
Slater, Mr. S. H.
T'nt Tut, Mr.
Venkatakrishnayya, Choudhri, Mr. P.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad, Dr.
Zulfiqar Ali Khan, Sir.

The motion was negatived.

Clause 7 was added to the Bill.

Clause 8 was added to the Bill.

Mr. President: The question I have to put is:

"That clause 9 stand part of the Bill."

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muham-
madan): Sir, there is an amendment* in my name.

Mr. President: Does the Honourable Member wish to move it?

Rai Bahadur S. C. Dutta: With your permission I want to withdraw it.

Mr. President: In that case, I must proceed to put the question.

"The question is that clause 9. . . ."

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, there is a small amendment, in my name, and it is that clause 9 be omitted. I move it because I find in the proposals of the Finance Member that this money, to the extent of Rs. 32 lakhs, or something like that, which we have been spending so long for debt redemption is, I understand, going to be put into a new reserve fund created against the Postal cash certificate Bonus, which accrues from year to year. This money which is withdrawn from reducing unproductive debt is not going to be actually used for revenue expenditure purposes. Thus it is withdrawn from paying a debt bearing interest, say 5 per cent. or 6 per cent., and is going to be laid by for the prospective payment of another debt, in which the interest in the mean time is going on increasing. I have already said that I do not well realise the utility of creating such reserves.

The Honourable Sir George Schuster (Finance Member): On a point of order, Sir. My Honourable friend's objection seems to be to a grant which has already been passed by this House, namely, the provision of a special fund to go to suspense account against the liability in respect of Post Office Cash Certificates. I understand that the point of my friend's objection is that he dislikes that provision, but that provision, Sir, has already been approved by this House, and I suggest that he cannot argue on that ground in favour of his present amendment.

Pandit Nilakantha Das: Am I in order, Sir?

Mr. President: The Honourable Member is not.

Pandit Nilakantha Das: My objection is that if a new fund is going to be created.

Mr. President: That has already been created by the vote of this House.

Mr. B. Das: But, Sir, subject to the passing of this clause here.

Pandit Nilakantha Das: If that is irrevocable and inscrutable, then I am afraid I shall have to withdraw my amendment. My reasons are that, instead of creating such funds, we should utilise this money for revenue purposes, and in that case we will be relieved of a certain amount of interest which we do not get otherwise. These new reserve funds will either be deposited in the Imperial Bank with no interest or even in some security bearing 2 per cent., which is much less than the rate borne by our unproductive debt. This is the mystery about these reserves. They are

*"That clause 9 be omitted."

shown in accounts. But the actual money is never available when necessary. We have got the Railway Reserve to the extent of about 23½ crores. We do not know where it is deposited. Last, I mean the current year, money was required for capital expenditure. But the Reserve Fund could not be tapped even for a loan. The actual money was not there in reserve. Thus this Reserve will simply appear in accounts, and in any case money will have to be borrowed to pay even from the Reserve. Why then simply forego the advantage of getting relief from the interest on debts for a number of years in the meantime? Why not now pay back the debt, and again borrow to pay the liability for Postal cash certificate? Anyhow, if that fund is already created, and cannot be revoked, I would like to withdraw my amendment with your permission, Sir.

Mr. President: The Honourable Member has not moved it.

Pandit Nilakantha Das: I moved the amendment in the very beginning, and therefore I beg your permission to withdraw it.

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

Clause 9 was added to the Bill.

Mr. President: The question is:

"That Schedule I to the Bill stand part of the Bill."

Honourable Members are not quick. They ought to rise in their seats in proper time if they want to move their amendments. I take it that no Member wishes to move any amendment on this? (*Some Honourable Members:* "Haji Abdoola Haroon is standing.")

Haji Abdoola Haroon (Sind: Muhammadan Rural): Sir, I want to move amendment No. 17, which stands in my name.

Mr. President: There is one other amendment* from Diwan Chaman Lall.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I don't want to move it, Sir.

Mr. President: That is all right then.

Haji Abdoola Haroon: Sir, Before I say anything on my amendment, I must first of all congratulate the Honourable the Finance Member that, with this duty, which will yield about 5½ crores he will be able to pass the Finance Bill very smoothly and quietly. I am somewhat surprised, Sir, that there is no strong opposition from this side of the House to any fresh taxation, because I find that the Bill is framed in such a way that, for some reason or other the House supports it quietly. Take one instance. Take the cotton duty. There are some Members in this House who think that this 15 per cent. duty will give them some relief, and that the mill industry will be able to get on, that it will enrich many shareholders and so on, and therefore they are supporting fresh taxation. There

*"In entry (3) in Item 34 of the proposed amendment No. 3 in Schedule I to the Bill:

(a) the words 'and sugar candy' be omitted,

(b) the words 'plus one rupee and eight annas per cwt.' be omitted."

[Haji Abdoola Haroon.]

are some other Members who are jubilant that more *khadi* will be consumed because foreign cloth will become dearer; therefore they are not objecting to this duty. While in regard to income-tax, there are some murmurs in some quarters, but the majority are in favour of it because they do not like capitalism.

Now, with regard to sugar, as the Finance Member has indicated in his budget speech that the sugar industry is struggling and that it is necessary to give it some relief, Members have given their support to it. I understand, Sir, that some group of sugar refineries which are mostly refining sugar from *gur* are not working profitably, and therefore they tried to set up an agitation, with the result that this duty on sugar has been imposed quietly in this Budget.

Mr. President: Does the Honourable Member wish to move his 3 P.M. amendment?

Haji Abdoola Haroon: Yes, Sir. I move:

"That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted:

3. For Item No. 34 of Schedule II, the following shall be substituted, namely:

			Rs. a. p.
34. Sugar, excluding confectionery (see No. 124)—			
(1) Sugar, crystallised or soft 23 Dutch Standard and above.	Cwt.	.	4 8 0.
(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 14 Dutch Standard.	Cwt.	.	4 0 0.
(3) Sugar, crystallised or soft inferior to 14 Dutch Standard but not inferior to 8 Dutch Standard if imported for refining purpose.	Cwt.	.	3 0 0.
(4) Sugar, below 8 Dutch Standard and sugar <i>Ad valorem</i> candy.		25 per cent. plus one rupee and eight annas per cwt.	
(5) Molasses		<i>Ad valorem</i> 25 per cent.	

In moving this amendment, I want to say that there may be some opposition to my amendment. We know very well at present the sugar duty is Rs. 4-8-0 per cwt., that is to say, there is 75 per cent. of the duty already imposed on the article. If you go through the history of the sugar duty, you will find that, up till February, 1916, there was only 5 per cent. duty on sugar and this means about 8 or 10 annas per cwt., but later on, on account of the war and scarcity of sugar in the world, the price in the market went very high. Further, owing to the revenue requirements, the duty on sugar was raised as shown below. From 1902 to 1916, 5 per cent., from 1st March, 1916, to 28th February, 1921, 10 per cent., from 1st March, 1921, to 28th February, 1922, 15 per cent., from 1st March, 1922, to 31st May, 1925, 25 per cent., from 1st June, 1925, to 28th February, 1930, Rs. 4-8-0 per cwt. Later on on account of the Budget, they raised the duty to Rs. 6. Up till 1925, the production of sugar in the world increased, with the result that the price of sugar commenced to fall

On the 18th February, 1925, the Indian Tariff Amendment Act was introduced by the Honourable Sir Charles Innes, the then Commerce Member. In his speech, he cleverly pointed out the fluctuation of the sugar market, as well as revenue, on account of *ad valorem* methods, and made the House understand the difficulty of preparing the Budget. He also pointed out that Rs. 4-8-0 should be fixed so that this difficulty might be got rid of. The following is a part of the exact speech made by him on that date in the Legislative Assembly Debates 1925, Vol. V, page 1191:

"We decided therefore that the best plan would be more or less to stereotype the existing rates of duty. The rate of duty has averaged about Rs. 4-8-0 per cwt. in the last three years. In the year 1922, it was Rs. 6-9-0 per cwt., in the year 1923, it was Rs. 4/1 per cwt., in 1924, it was Rs. 4-7-0 and the present duty is Rs. 4/6 per cwt. We decided therefore that the best plan would be more or less to stereotype these rates and we are proposing a rate of Rs. 4-8-0 for Java 23 Dutch standard and over and a rate of Rs. 4 for sugar between 22 and 8 Dutch standard."

Sir, I am very sorry that at present I cannot produce the exact figures before the House about the sugar-cane cultivation in India, but I can assure the House that, within the time, that is from the year 1916 to 1930, the sugar duty increased from 5 per cent. to 75 per cent. This is about from eight annas per cwt. to Rs. 4-8-0 per cwt. But on the other hand, you can see from the reports that the sugar cultivation in India did not at all increase. Sir Charles Innes passed the Bill quietly then, and from that day, the sugar duty remains Rs. 4-8-0 per cwt., although the market went down terribly. It rose from 25 to 30, then to 60 and lastly to 75 per cent.

I shall now give the House, Sir, some figures about the cultivation of sugar in India. In 1916-17, the acreage under sugar-cane in India was 24,51,000, when the price of sugar was Rs. 14-12-0, and the duty, at 5 per cent., came to Rs. 0-11-9. In 1917-18, the acreage was 28,53,000 and the price of sugar was Rs. 16/4. In 1919-20, it was 26,84,000. In 1920-21 the acreage was 25,75,000. In 1921-22 it was 23,95,000 and the sugar rate was Rs. 32-4-0. I would inform the House that the sugar rate really went as high as Rs. 32-4-0, whereas the acreage went down. In 1922-23, it was 27,47,000 whereas the sugar market rate, *ad valorem*, was Rs. 26-14-0. In 1923-24, it was 27,29,000, whereas the sugar rate was Rs. 16-4-0. In 1924-25, the acreage went down to 25,32,000, whereas the sugar rate was Rs. 17-12-0. In 1925-26, it was 26,79,000, whereas the sugar rate was Rs. 17-8-0. In 1926-27, the acreage was 29,25,000 although the sugar market went down. That year the price was Rs. 14, including duty. In 1927-28, the acreage was 29,58,000 whereas the sugar market was between Rs. 10-8-0 and Rs. 11 without duty. In 1928-29, the acreage was 27,50,000 when the sugar market was only Rs. 9 without duty. This year, that is 1929-30, the acreage—I have no accurate figures—seems to be about 27,50,000 and the sugar market is only about Rs. 6-8-0 or Rs. 7 without duty. It will be seen that the sugar cultivation in India always depends on the weather and rain and such other things and not on the sugar market. Besides that, I want to say that, the sugar industry in India only started in 1917-18 when the sugar market was Rs. 37. Now, they have some mills in Cawnpore and they prepare sugar from *gur* which is not profitable. Lately some sugar mills started in Bihar and they are preparing sugar directly from cane. They are still preparing it, and they are going on in their own way.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): You have got a sugar industry in Madras

Haji Abdoola Haroon: May be. But I may tell my Honourable friend that, so far as white sugar is concerned, India is not producing more than 125,000 tons, whereas the imported sugar comes to about 1,200,000.

Mr. M. S. Aney (Berar Representative): Will the Honourable Member give us figures for the manufacture of sugar. He has been giving us the duties, as well as the land under cultivation. I want him to give us figures for the manufacture of sugar.

Haji Abdoola Haroon: I am sorry I have not got the figures at present with me. But I may remind my Honourable friend that, up till now, they have not been able to produce more than 125,000 tons of refined sugar by machines in India. I have already sent in two Resolutions, in 1928 and 1929, recommending protection for the sugar industry in India. But as my Resolutions did not find a place in the ballot, I could not move them in the Assembly. I also consulted Sir Godfrey Corbett on development of this industry.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

I think, Sir, the House will be aware of the appointment of a Sugar Committee by the Imperial Council of Agricultural Research. This Committee had begun their work and have also passed a Resolution to the effect that this question should be handed over to the Tariff Board to consider as to how the cultivation of sugar should be carried out, and the manner in which sugar produce could be increased. Till that Report comes out, I strongly oppose and urge that this new duty should not be levied. Supposing the House levies this new duty, namely, from Rs. 4-8-0 to Rs. 6, and supposing the Tariff Board, after a careful inquiry into the sugar industry, comes to the conclusion that some more protection is required, or if they say that no further protection is required and Rs. 6 is good enough, then of course the Government will say, the duty of Rs. 6 is quite good, but we have no spare money to spend on the development of the sugar industry, and therefore we are helpless. Sir, you might remember that a Sugar Committee was appointed in 1918 and the Report was published in 1920 or so. I do not know up till now what action the Government took on their recommendations. If anything has been done, I am not aware of it. If the Government are not prepared to spend any money for the proper development of this industry, what will be our position? We have already enhanced the duty from Rs. 4-8-0 to Rs. 6. As Honourable Members are aware, sugar is consumed by all classes of people, the poor, the rich and the middle classes. When such is the case, you must consider whether the Government are entitled to enhance the duty on a commodity which is consumed by all classes of people. The increase of duty on sugar at present from Rs. 4-8-0 to Rs. 6 would not at all increase in any way the sugar industry, but on the other hand, about Rs. 2½ crores would go to the Government's pocket and revenue, whereas the Honourable the Finance Member estimates it to be one crore and eight lakhs. I have carefully read the speech of the Honourable the

Finance Member, in which he refers to the increased duty on sugar. He explains to the House that the duties on sugar in most of the European countries and in the United States of America are on the same level as in India. I cannot understand the way in which the Honourable the Finance Member compares India with the richest countries in the world. India earns an income of two annas per day per head, whereas England's daily income per head is Rs. 2 and in the United States of America it is again about Rs. 4 per day per head. Of course I cannot speak about the income in France, Germany and other European countries. Although they are charging a heavy duty on sugar, yet, side by side, they are spending the money on sugar production, and they give enormous bounties to sugar refineries, cultivation and so on. Take for example, England, where, as my Honourable friend said, they are levying very heavy duties as compared with other European countries. Everybody will agree with this, but he has not shown us how these countries have been spending that income from the duties on sugar. For example, England is recovering from the people about 18 to 19 million sterling as sugar tax per year. I quote from circular No. 195-E./709 of 1930 from Pusa, a sugar institution which belongs to Government. This Report was an extract from the *Journal des Fabricants de Sucre*, dated the 1st February, 1930, published in Paris, which says:

"A revised supplementary estimate of a further £12,50,000 required for beet sugar subsidy was issued yesterday."

That is in England:

"The original estimate was £3,000,000 sterling, and the revised estimate of the subsidy in 1929 is £42,50,000."

I want to remind the House that England has recovered, as sugar duty, through the consumers, about 18 to 19 million pounds, whereas they are spending on sugar about four and a quarter million pounds. I want to inform these Benches that, even in the last ten or twelve years, the Government of India have been increasing the sugar duty by leaps and bounds from 5 per cent. to 100 per cent., and within the last three years, namely, in 1926-27, 1927-28 and 1928-29, the income from the sugar duty averaged 7 crores. How much have they spent on the sugar industry? Last year they recovered 8 crores and 35 lakhs, but how much have they spent on the sugar industry? According to the new duty, they probably recovered from the people of India about 12 crores of rupees, out of which the Honourable the Finance Member has very broad-mindedly sanctioned 10 lakhs. If this is to be the way, I am sure the Indian sugar industry cannot be revived in any way.

Sir, there may be some in this House who may say that I am a sugar merchant, and that is why I am opposing this. But I must make it clear to this House that I know very well, as an Indian, that in the whole world, up till 1912, India was the biggest producer of sugar. Of course within the last few years Cuba and Java have been and today are producing more sugar than India. I am proud to say that I am informed that India was the first country in the world to produce sugar-cane; and if this Government and we, the representatives of the people, try our level best to help the sugar industry according to our ways and means, as the modern Governments are doing, I can assure this House that, in five years, India will consume her own white sugar and stop importing foreign sugar.

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whereas in the next five years I am sure India can export one million tons to foreign countries. But if you only want a little help and you raise your duty from 5 per cent. to 100 per cent. and all that money goes to Government to be spent as they like, then I can assure you that you cannot increase your sugar duty at all. Sir, since 1920 every year, or for three or four years, we have been increasing the duty on sugar, whereas in England—I am sorry I have not got the figures at present with me—but in England they are reducing their sugar duty, and side by side, they are helping their own industry. I want to inform this House that, during the whole of its history until recently England never produced a ton of sugar. From 1926 they tried to help this industry, and they started this industry by giving big subsidies to the producer or refiner. For three years they cultivated and last year they produced 3,20,000 tons. If England, which formerly never in its history produced a ton of sugar, can produce 3,20,000 tons, why should India not produce two million tons a year if it is properly protected? Sir, I think you can very well understand that Indians are not rich, and it is not fair on the part of Government that 100 per cent. should be charged on a food article which is used by nearly all classes of people. I hear from my countrymen that, even in the olden days, that is in the darkest days of India, the rulers did not at all impose such a duty on any food article.

Owing to the fall in the prices of sugar, the sugar industry is now in a critical condition. I am aware that the industry had already suffered a good deal because it is hardly producing one ton of *gur* per acre, whereas Java can produce about $4\frac{1}{2}$ to 5 tons of refined sugar per acre. Java can supply India with the cost of production and freight extra at Rs. 6 per cwt., that is to say, Rs. 4-8-0 per maund, whereas India cannot produce the same for less than Rs. 8-8-0 or Rs. 9 per maund. So I think it is fruitless for India to compete with the foreign countries at the present moment. The sugar industry cannot survive this, though zemindars, cultivators and refiners may find some sort of relief at present by the raising of the duty to Rs. 1-8-0 a cwt. It will not survive until and unless the Government of India come forward and introduce some measure, as was done in Java and Cuba, and the European Governments, that is to say, the economic and scientific and agricultural advice, subsidies, help, and so on. Taking these difficulties into consideration, I think this newly imposed duty cannot help the Indian sugar industry, but on the other hand will fill the Government's treasury in order that they can spend more money on extra wages in the Military Department, in paying high salaries to the high officials and in building huge, fine palaces, etc. I submit to the House that this newly imposed duty should be taken away.

Now I want to make clear what my amendment is: Paragraphs (2) and (3) of amendment 3 of Schedule I of the Finance Bill say that the duty on "23-Dutch Standard" and above is to be Rs. 6-0-0 per cwt. and on sugar inferior to 23-Dutch Standard it is to be Rs. 5-8-0 per cwt., whereas I want to substitute Rs. 4-8-0 and Rs. 4-0-0. That is for white refined sugar, Government propose a duty of Rs. 6-0-0, and I am proposing Rs. 4-8-0. For brown sugar, that is inferior to 23-Dutch Standard, but not inferior to 8-Dutch Standard, they charge Rs. 5-8-0, whereas for sugar inferior to 23-Dutch Standard but not inferior to 14-Dutch Standard, I am proposing Rs. 4. In changing this, I want to make clear some points, namely, that

sugar between No. 14 and No. 8-Dutch Standards cannot be consumed; this sugar is meant only for refining purposes. I have also suggested in clause (3) that the duty to be levied on sugar inferior to 14-Dutch Standard and not inferior to 8-Dutch Standard should be only Rs. 3, if imported for refining purposes. Sir, I want to draw the attention of the House to the fact that England which always used to import white refined sugar, lately reduced the duty on raw sugar to about 2s. 3d. per cent. That reduced the price of raw sugar. Therefore they are importing raw sugar from other countries and are refining it in their own country and consuming that sugar. On account of that, the sugar industry in England has revived, and today many thousands of people are getting employment. So if the Government take up this attitude in India also, and give proper protection and facilities to the sugar-cane growers, it will be a great source of help. I request the Government to allow this raw sugar to be imported into India. If they do so, there may be some people coming forward and having refineries in India, and thus it will be giving employment to many people. The Honourable the Finance Member knows that, from 1928, the British Government in England have introduced this system in England, and as a result of this, employment has increased, and so they charged 2s. and some pence per cwt. less than the refined sugar. Secondly, Indians can purchase sugar from the world-wide market and refine it in India for direct consumption. During the year 1928, the Java Sugar Trust had plenty of sugar, and they were aware that India was bound to consume their sugar. Therefore it was that they fixed 13 guilders (one guilder is equal to Rs. 1-2-0) per 100 kilos for India, whereas they fixed 11½ guilders for the west of Suez. They have done an injustice to India by playing this trick and have taken away about 15 crores of rupees from India, because we cannot import raw sugar from Cuba for the purpose of refining it. Therefore we had to purchase Java sugar. According to my amendment to Schedule I, I think if you put the duty at Rs. 3 per cwt., the raw sugar, namely, Nos. 8 to 14-Dutch Standard, may be imported to India, and we can refine it here without allowing it to go into direct consumption. By this, India can increase her refining industry and also increase employment.

In paragraph 3 of the Finance Bill, it is stated that, on sugar below No. 8-Dutch Standard and sugar-candy the duty is 25 per cent. *ad valorem*, plus Rs. 1-8-0 per cwt. I agree with this suggestion, because I know that Java wants to export that sort of sugar to India and ruin the Indian production of *gur*. I want to tell the House that lately I saw a sample of that sugar, and I found that it could not be consumed directly. Up till now, they imported very little of that and I learn that that *gur* also is coming into India for refining purposes. If that is so, I am not in favour of putting Rs. 1-8-0 more duty on that *gur*. But if the Government have further information on the subject, then I must agree with them. Of course I do not oppose the duty on candy, because that is a rich kind of sugar, known as *misri*. But for *gur*, which is coming in for refining purposes, I do not advise the Government to charge Rs. 1-8-0 more.

Of course, I am feeling very much the fact that, till 1912, India was the biggest producer in the world in sugar-cane, and I am told that India was the first country to commence the production of sugar-cane growing in the world. As an Indian, I want this industry to be kept intact. I

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boldly say to these Treasury Benches that they have already snatched away between 8 or 9 crores of rupees in sugar duty by Customs, and they still want to snatch some more money in order to balance their Budget. This method can be of effect only for some years, say one or two years only, and later on they may come forward again with further taxation on sugar or something else. I assure that this will leave no scope behind for further taxation in India.

I wish to remind the House that I have today seen some old records in which I find the following figures. The Customs duty collected by the Government in:

1909-10 was	Rs. 7,44,00,000.
1910-11	9,92,00,000
1911-12	9,70,00,000
1912-13	10,51,00,990
1913-14	10,29,00,000
1914-15	9,54,00,000
1915-16	8,91,00,000

whereas, in the present Budget, the Customs duty amounts to 55 crores. During the last 15 years it has increased from 9 crores to 55 crores. How can the people of this country pay this huge amount of duty? I cannot understand how the Government can get its money in the next two or three years, because the traders, the merchants and others will say that they are suffering from depression. If this taxation is further increased, I do not know whether India can stand it. Therefore it is a very wise plan for Government to reduce the military expenditure, the high salaries to the big officials, the creation of more and more appointments in the civil administration; also some of the extra charges incurred for buildings and other things. If these are not stopped by the Government, I do not think India can pay any more taxes. I know very well that this Government would not listen to these things, because I have read a chapter in the history of a great historical writer by name Ibn-Khaldoon, in which he says, how Governments are created and how they fall. He says that, if a new Government come into existence in any country, they have a small establishment, they impose a small amount of taxes and spend only a very small amount on the military and other expenditure in the beginning; but when they stabilise their Government and when peace and order reigns over the land, the officials become slowly luxurious, and they require more and more money. On account of this, they increase the taxes bit by bit, as I have illustrated in the case of the Customs tax, which has increased from 10 crores in 1915, to Rs. 55 crores now, with the result that the people become discontented. In order to put an end to their discontent, they increase their military forces and the police and so on. In order to balance this expenditure, newly incurred, they again have to rely on more taxes. The people at last become exhausted: they approach the neighbouring Government or nation to save them from this tyranny, and call upon the army of the land to do likewise. With the usual struggle and privation, they come out successful at last. Please compare your Government with this great historian's description and decide as you please.

But I may say that, whatever unrest is prevailing in this country at present, is only due to the Treasury Benches, and not due to the people. I think the future historian must decide whether the responsibility lies on the people or on the Government for whatever bloodshed or some other thing that might happen in the near future, but I for my part will say that it is only owing to the Government. With these remarks I am putting this amendment forward for discussion, and I hope at least Honourable Members on this side will consider twice before they decide to reject it.

Mr. Abdul Qadir Siddiqi (Central Provinces: Muhammadan): Sir, I rise to oppose the amendment. What I have to say is that my Honourable friend the Mover of the amendment has rather supported the case for Government than for his amendment. It will be found that, in 1913-14, the production of indigenous sugar or *gur* was 34 lakhs of tons, and at that time there were 26 lakhs of acres of land under sugar-cane cultivation. In 1927-28, as my friend has already stated—of course the acreage has been fluctuating, sometimes it has been high, sometimes it was reduced—but even in 1927-28 the production of *gur* was 32,08,000 tons.

Haji Abdoola Haroon: I never quoted any figure for 1913-14; I said something about the figures for 1923-24.

Mr. Abdul Qadir Siddiqi: I have no figures for 1923-24, but I have got figures for 1927-28. In that year the production of *gur* in India was 32 lakhs tons, acreage 29 lakhs.

(At this stage Mr. President resumed the Chair.)

So the problem is really a very important one, and it should be very carefully considered by the House. We all know that the price of *gur* has gone very low. It should also be remembered by the House that there is over production of sugar in the world nowadays, and an attempt has been made by all the countries to dump sugar wherever it can find its way. Most of the countries have protective duties, and some of the countries have enacted anti-dumping laws to prevent foreign sugar entering their own country. But none of these protective duties exist in this country to prevent foreign sugar entering our market, and the import of foreign sugar has been increasing. From the Government's Report for 1927-28 it will be found, that in 1927-28, the import of sugar increased by 23 per cent. in three years, and the result of it must naturally be that refined sugar, which is produced here, has to face very hard competition. The prices which are now prevailing are such that they not only affect the refined sugar which is being produced in India, but also affect the production of *gur*, which is particularly used by the poorer classes. Therefore, if this industry of *gur* and sugar production is affected by foreign competition, then we will find that the present acreage of 29 lakhs, which is always fluctuating, will be enormously reduced, and all that land will become useless, and lakhs of men, who are getting employment in producing *gur* or sugar, will lose their employment. Therefore, this problem is really very important, and it should be very carefully considered. Of course Government ought to have taken earlier steps to protect this industry, but they have so far done nothing of the kind till now. In 1920 the Sugar Committee was appointed, made investigations and submitted certain recommendations, but we do not find that anything has been done to develop the sugar industry or to protect the indigenous *gur* industry. They

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have been imposing certain duties for revenue purposes, and from the quantity of import of sugar which has always been increasing, it appears that they have had no effect on foreign sugar. The House should also remember the fact that the import of sugar is not more than one fourth the quantity of *gur* that is produced in this country. The sugar which is produced in India is not more than one lakh of tons. If proper care is taken, and the industry is properly developed, not only will our present production of sugar be maintained, but we will be able to produce as much sugar for the richer classes as is imported from foreign countries. The present duty, Sir, may have some effect, I mean some protective effect, and it may indirectly help the sugar and *gur* industry; but we cannot definitely say what effect it will have on the industry as a whole for the present. The Government should therefore refer the whole question to the Tariff Board and investigate it thoroughly and help both the industries of sugar and *gur*.

Haji Abdoola Haroon: Where will they get money from for that purpose?

Mr. Abdul Qadir Siddiqi: If my friend has no objection to it, it might come out of the income which they will get from the Customs duties on sugar, and that can be utilised for the development of the sugar and *gur* industry of this country. Let them also give bounties, but I cannot off-hand recommend anything to the Government unless the whole question is thoroughly investigated by the Tariff Board. But for the present, the duty which has been imposed by the Government, will certainly have some effect to protect the indigenous industry, and therefore I maintain that it should not be reduced. With these remarks, Sir, I oppose the amendment of my friend.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, I regret very much that I do not find Sir Frank Noyce in his place, though the subject under discussion happens to come under his Department. It is really very regrettable that Government do not care to see the cultivators' point of view, and even in a manner like this, the Honourable Member in charge does not want to know what the opinions of Honourable Members of this House are.

Now, Sir, I do not know whether I should congratulate the Honourable the Finance Member for the imposition of this duty, or whether I should say that the Finance Member has succeeded in one way to keep away the protection proper to a certain extent, but at the same time he has given only a very small amount of that revenue duty for the improvement of the sugar industry. It is really very regrettable, Sir, that, out of one crore and 80 lakhs, the Finance Member has proposed to give only ten lakhs for the development of this industry, and this paltry sum cannot really improve the industry. This clearly shows that, at the time when the Finance Member thought of this duty, he had no definite idea that it should be given for the improvement and development of the indigenous sugar industry, otherwise he would certainly have found more money for the improvement of this industry. I may tell the House straightaway that India is one of those countries which was producing sugar in such enormous quantities that it was not only sufficient to meet the requirements of this country, but it was able to export the surplus quantity to other countries. But a time came when the people of other countries decided to give

bounties to sugar, and they began to dump their cheap sugar on to this country with a view to kill the indigenous sugar, and the Government of India, being interested in the countries which were manufacturing sugar outside, decided that India should remain a free trade country, and the result of it today is that we are in a very disgraceful position either as manufacturers or as growers. It is a very disgraceful thing that even by putting on a duty of Rs. 4-8-0 a cwt., we are quite incapable of competing with the imported sugar. This is all due to the fact that the Government of the country do not take any interest in the masses of this country (*An Honourable Member*: "Shame"), otherwise, with a duty of Rs. 4-8-0 per cwt., I daresay, as far as this sugar industry is concerned, it would have stood by this time on its own legs. I need not remind the House that, as far back as 1920, the whole question was investigated by a Sugar Committee, but the Government sat tight upon the recommendations of that Committee. They did not take any action on it. My friend Haji Abdoola Haroon wanted to move a Resolution. Unfortunately, on the day when the Resolution was to be moved he was absent, and I moved it in his place. The Government then told this House that the Royal Commission on Agriculture would report upon this question and their recommendations were awaited, and the whole thing was shelved for the moment. Though I persisted and said that the Royal Commission on Agriculture would not make any recommendations because sugar was not within their sphere of inquiry, I was told I was wrong, and that the Government had placed this matter before the Royal Commission for investigation. Now, what do we find? The Royal Agricultural Commission made recommendations for the formation of Boards for different crops, but they have not said a word about sugar. That also shows, Sir, how far the Government and the Royal Commission on Agriculture are interested in the improvement of the sugar industry of this country.

Sir, I am very thankful to the Mover of this Resolution, as he has expressed sentiments in favour of improving the sugar industry of this country, but I fear, Sir, I shall have to oppose his motion. Before giving my reasons, why this imposition of the duty is welcome, let me say a few words on the question raised by the Mover. He seems to be under the impression that, as the area under sugar-cane cultivation has not gone up, the imposition of the duty on sugar will not benefit the grower. Let me tell him that this impression is incorrect. The problem of the sugar industry does not lie in bringing a larger area under sugar-cane, but the real problem is to produce more from the area that we are already cultivating. The area under sugar-cane cultivation, which is about 29 lakhs, or which has varied from 23 to 29 lakhs of acres, is quite enough to produce enough sugar for this country. But the main point is that our production today is insufficient, and if we were to attempt to increase the tonnage of sugar per acre, the result would be that the production would be quite enough to meet the requirements of this country.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): How will you be able to do it? By this increase of duty?

Mr. Mukhtar Singh: I shall come to that a few minutes later, and I shall show that this is not the way in which the sugar industry can be protected. Certainly, an increase of duty will be indirectly an advantage both to the grower as well as to the manufacturer, but I do not think that it will improve the condition of the sugar industry of this country. I was

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4 P. M. submitting, Sir, that the acreage is not the main point. According to the Sugar Committee's Report, if I remember aright, the tonnage per acre in India was considered to be 8 tons an acre, while in Java they found out that the tonnage of sugar-cane per acre was 36 tons. That is, it was about $4\frac{1}{2}$ times more than India was producing. In the meantime Java people have been able to produce 42 tons to an acre. It clearly means that there is a very big margin between 8 tons and 42 tons to an acre, and that will clearly convince my friend, Mr. Haroon, that, if we increase the tonnage of sugar-cane per acre, we shall be able to produce a sufficient amount of sugar which will not only be able to give us the entire amount needed for this country, but we shall also be able to export something outside. The main point then would be whether it is possible to increase the yield per acre from 8 tons to 42 tons.

Mr. President: That is not relevant to this amendment.

Mr. Mukhtar Singh: That will be relevant in this way. My friend Mr. Haroon, in submitting his motion, stated that, because the area under sugar-cane had not increased, therefore there was no necessity of imposing the duty. I am meeting his argument by saying that there is a likelihood of increasing the amount of tonnage per acre and then it will give more sugar, though the area remains the same.

Haji Abdoola Haroon: How are you going to increase the tonnage?

Mr. Mukhtar Singh: If my Honourable friend will refer to the reports of the different Agricultural Departments in the country, he will find that, by the introduction of new varieties of canes, the tonnage has increased by at least 100 per cent. (Interruption.) I was submitting, Sir, that it is a certainty that the increase in tonnage of sugar-cane per acre has gone up since the introduction of new varieties of canes, and we shall be able to produce more sugar-cane than we are producing today. My Honourable friend has stated that we are producing only 1,20,000 tons of sugar in this country, while we are importing more than 8 lakhs of tons from foreign countries, and therefore it is no good to impose a duty on sugar. I may remind my friend that, besides 1,17,048 tons of sugar, we are making 32,16,000 tons of *gur* and there is a very large amount of refined sugar produced under the indigenous manufacture. Unfortunately figures are not available as to how much sugar we are producing by the indigenous methods. So to compare 8 lakhs with one lakh will be a fallacy. When we are considering a question of this nature, we must take the total consumption, and if we do not take the amount of sugar produced by the indigenous method, the amount consumed will be something more than 40 lakhs of tons per year. As a matter of fact, the main point that we ought to consider would be whether the producer of *gur*, who is producing not less than 32 lakhs of tons every year, is to be protected. My Honourable friend has suggested that there should be created a third category and that refineries should get *gur* at a cheaper rate.

Haji Abdoola Haroon: Nobody in the world can compete with *gur* in India. Whereas the sugar market varied from 1901 to 1915, *gur* was at that time and is still at the same level.

Mr. Mukhtar Singh: I consider my friend is wrong. Two years before, Java could not manufacture *gur* and therefore there was no competition

with Java, but now things have changed. The Java people came to India, they studied the manufacture of *gur* in this country and consignments of *gur* are already reaching India.

Haji Abdoola Haroon: I want to explain that. My friend has stated that *gur* was not prepared in Java. There is some indigenous industry in Java, where they make *gur*. That was being exported to China and Japan for refining purposes. I have seen the sample. They are now sending it here for refining purposes and it does not compete with the *gur* here.

Mr. Mukhtar Singh: I do not understand what is the difference. My friend says that the *gur* that is imported into this country for refining purposes does not compete directly with the *gur* in this country. Even if I take it for argument's sake, then does it not compete with Indian *gur* directly? Any stuff which contains sugar competes directly with sugar produced in this country, and as it is at present, affects the price of *gur*, and as my Honourable friend himself admitted, there are a number of factories working in this country, there are a large number of refineries working in this country which want to produce sugar from *gur*, and for their sake he suggests that there ought to be a cheaper rate of duty on that kind of stuff. May I tell him that these factories consume the Indian *gur* for that purpose?

Pandit Nilakantha Das: The Honourable Member, Haji Abdoola Haroon, and the Government have no quarrel as to the duty on *gur*.

Mr. Mukhtar Singh: I do not know that. Clause 3 of the amendment says:

"Sugar, crystallised or soft inferior to 14-Dutch Standard but not inferior to 8-Dutch Standard if imported for refining purpose, Rs. 3, per cwt."

Haji Abdoola Haroon: That is not *gur*. That is raw sugar which is 96 per cent.

Mr. Mukhtar Singh: My friend can call it raw sugar as *gur* is not the technical word and *bura* sugar is the proper word to be used for that purpose. He wants a cheaper rate of duty for that purpose. What would be the result? The result would be that the refineries here would not consume Indian *gur*, but they would depend upon *gur* imported from Java.

An Honourable Member: It is raw.

Mr. Mukhtar Singh: You can call it raw. I think he used the word Muscovados sugar. I was submitting, Sir, that the importation of any stuff which will be used by the refineries in this country will directly compete with the *gur* manufactured in this country and that will have a depressing effect. No doubt it will not hit directly the manufacture of sugar, but it will directly hit the small grower who manufactures *gur* in this country. From my point of view, I want that the farmers of this country should live, and in order to save them from ruin, I want that the importation of *gur*, or anything which can directly compete with *gur*, should be stopped altogether. It is with that idea that the Sugar Committee was appointed by the Bihar Research Council and it recommended that the import duty on *gur* should be levied at once, and that was approved by the Imperial Agricultural Research Council in December last, and it is in accordance with that that this duty has been raised.

[Mr. Mukhtar Singh.]

My Honourable friend Haji Abdoola Haroon said that Indians are not able to compete with the imported sugar, because they are mostly manufacturing sugar out of *gur*. But this is not correct. For his information I may tell him that the production of sugar direct from cane in 1924-25 was 9,21,950 maunds, while refined from sugar, it was 9,16,121 maunds, and in 1927-28, the sugar produced direct from cane was 18,45,752 maunds, and refined from sugar it was only 14,16,926 maunds. So as a matter of fact the amount of sugar refined from *gur* is going down and down every day, and the sugar produced directly from cane is going up and up every day. That clearly shows, Sir, that the new factories that are being set up generally manufacture their sugar directly from cane, and there is one very great difficulty in this country, on account of which the sugar factories which manufacture sugar directly from cane are not in a position to give better results. The question of transport is a very difficult problem in this country and especially when the transport is controlled by railways. I regret very much to say that it is a fact that, even when there are two factories working, one owned by a European and another by an Indian, the railways give better facilities to the European owned factory. When things like these have happened and are happening, you cannot depend upon railways for transport and there cannot be any cheaper way of transport than railways. The result is that it becomes very very difficult for factories to manufacture sugar directly from sugar-cane, and this is one of the reasons why people in India have to manufacture their sugar from *gur* rather than direct from cane, and it is on account of that, that the Sugar Committee pointed out that the Government of India should try and find out some other product which may be between sugar and *gur* and which may be used for refining purposes. But the Government of India have done nothing so far. Rather the expert opinion that was given, by the Members of the Sugar Committee, was that it was an impossibility, and there could not be found anything between *gur* and sugar. If the research departments of the Government of India had taken that recommendation seriously, it was possible that we could have found out some other stuff which could be used by these refineries and could very well be manufactured by the ordinary grower. But unfortunately this was not done. As I was submitting, Sir, this is one of the difficulties. There is another great difficulty and it is this. If the sugar-cane does not reach the sugar factory fresh, it gives a very low percentage of sugar, and it always happens that when sugar-cane is transported by railways the canes do not arrive fresh, and in that way . . .

Mr. President: The Honourable Member knows that this is not at all relevant to the amendment. I think it is high time that Honourable Members restricted themselves to amendments; otherwise there will be no end to this debate.

Mr. Mukhtar Singh: I submit, Sir, that my Honourable friend Haji Abdoola Haroon pointed out . . .

Mr. President: But two wrongs do not make one right. If the Honourable Member who moved the amendment was irrelevant, there is no reason why the speaker should also be irrelevant.

Mr. Mukhtar Singh: Then, I will leave that point, Sir. I may tell the House that the sugar industry has improved to a very great extent in this country, in spite of the apathy of the Government. From the

Sugar Committee's Report you will find that the percentage of sugar got in the different factories of this country was a bit above 5 per cent. In 1920 the sugar factories in India got 6.85 per cent. In 1927-28 they got 8.5 per cent. and in large factories they got 9.25 per cent., and in one factory the percentage of sugar got from cane was 10.3 per cent., while in Java the percentage of sugar got is about 11 per cent. So practically the efficiency of the sugar factories in India has reached the Java figure; and when we remember that the sugar-cane that we are producing is more fibrous than they are producing in Java, it will be quite clear that we have practically reached a stage when we can say that the sugar factories working in India are efficient. That clearly shows that it is quite necessary that some protection should be given.

I may tell this House what has happened in other countries. I am quoting the instance of Australia. In 1923 they prohibited the import of sugar. An Act was passed to remain in force up to 1929, but now they have extended the application of that Act up to 1934. In the meantime, they did not remain quiet. They appointed a Sugar-cane Price Board and a Sugar Board. Both these Boards decided at what rate sugar-cane should be sold; these Boards decided at what rate sugar should be sold, and the result is that the cost of production has gone down considerably. The same ought to have been done in this country. What has happened in this country is that the sugar-cane grower and the sugar manufacturer are not co-operating, and the result is that the sugar factories are not getting what they ought to have got. In considering the help to any industry, our main point ought to be whether it is likely that, at a future time, it is possible for that industry to stand on its own legs. And if we are quite satisfied that the sugar industry is likely to stand upon its own legs, Government should certainly help that industry. As I have stated, the sugar industry, in spite of the apathy of Government, has done a great deal, and if Government support that industry, it will be able to stand completely upon its legs in ten years. Unfortunately, the Finance Member has imposed a revenue duty, and I would have liked that the whole revenue duty had been a protective duty, so that the people in the country would have known that, at least for a few years to come, they were quite safe and they could start their sugar factories. What will happen now? The Finance Member has proposed an increase in revenue duty. It is possible that, next year, the revenue duty may not be required or may not be levied, and all these factories which come into existence in the meantime will have to suffer a loss. If the whole thing had been changed into a protective duty, it would have been done by an Act of the Legislature, and it would not have been within the power of Government to decrease that duty at their sweet will. And in consideration of the protection given by Government, private people would have established their own factories themselves. The Sugar Committee did not recommend the imposition of a sugar duty, but they asked for a reference to the Tariff Board, so that all these questions might be gone into and it might be decided in what way protection should be given to the sugar industry. I hope and trust that, by the increase in the import duty, Government are not shelving a reference of the matter to the Tariff Board. Rather, side by side with this, the question should be referred to the Tariff Board, so that an investigation might be made in the meantime, and the tottering condition of the sugar industry may be improved within a few years. If by reference

[Mr. Mukhtar Singh.]

to the Tariff Board it is found that protection is needed, protection should be given. Unless it is done on these lines, I am afraid the sugar industry, in spite of this duty, will not survive. Government have already lost ten years, and if they are going to lose a few years more, I am afraid at a time when the world production is much more than the consumption, the sugar industry will be doomed.

Referring to the *Trade Review*, Sir, you will be pleased to find that, in 1927-28, the sugar production of the world was 24,000,000 pounds, while the world consumption is considered to be only 23,000,000 pounds. When the world is producing much more sugar than it can consume, and India is the only country where this surplus can find a place, the result will be that we shall be very hard-hit. You will be pleased to find that we have proposed an increase in duty to the extent of Rs. 1-8-0 per cwt.; but if you refer to the prices of sugar, you will find that the price has gone up only by 12 annas. It means that Java can stand this duty, at least by half, very easily, and it will not be in any way a very great help to the industry.

There is one more point, Sir, which I consider to be very important. From the conduct in the past of the Java manufacturer, we have found that Java has given two different rates, one for India and another for Europe. That clearly shows that it wants the sugar industry here to become extinct. The monopoly will be in the hands of Java, and the result will be that the prices will go up very high, and at the same time the sugar grower will be very hard-hit, especially at a time when there is no other valuable crop, or as we call it, cash crop, left. Sugar-cane growing is the only cash crop, so far as the United Provinces and the Punjab are concerned, and if the sugar industry is ruined, the natural result will be that, not only will the sugar-cane grower be hard-hit, but the revenues of Government, which are mainly drawn from irrigation and land revenue in the United Provinces, will be seriously affected.

With these words, I oppose the motion, and I hope the House will consider that, at least a small duty, which will indirectly give a small protection, should be imposed.

The Honourable Sir George Schuster: Sir, I listened with very great interest to the speech made by the Honourable the Mover of this motion, and I must congratulate him on having got together such an interesting lot of information. Since then, we have had two very able speeches opposing my Honourable friend's motion, and I feel that the case against the motion—which I also must oppose—has been so very ably put, that I myself am left with very little to say. My Honourable friend Haji Abdoola Haroon, as far as I can summarise his speech, seemed to me to make two points. His first and his substantial objection to the proposal which Government have put forward was, as I understood it, that he objected to this measure of additional taxation because it was not balanced by a corresponding expenditure on the development of sugar production in India. I think I must be right in so interpreting him, because, last year, he himself put down a Resolution proposing that the duty should be increased practically in exactly the way in which we are now proposing an increase, and he added to this, the proposal that a corresponding amount should be spent on the development of the sugar

industry. Now, Sir, if I am right in my interpretation of him, I think, that by itself answers a great part of his argument. That is to say, it answers all that part of his argument which was based on objections to so high a rate of duty. His objection is not to the high duty in itself, but rather to the failure of the Government to put forward proposals for spending something like two crores this year on the development of the sugar industry.

The second part of his speech, as far as I can put it shortly, dealt rather with the details of his proposals, the variations in the rate of duty which he has proposed in order to encourage the development of the refining industry in India. I should like to make clear what is the Government's position in this matter. I think I am entitled to say that there is every probability that a Tariff Board inquiry into the sugar industry will be held in the course of the next 12 months. Pending such an inquiry, the Government can only deal with sugar duties from a revenue point of view. There were certain changes in the classification of sugar which we should have, for administrative reasons, been glad to introduce this year; but, pending the Report of the Tariff Board, we thought it better to leave the existing classification undisturbed and merely to propose an all-round increase in the duty of all three grades. That is our reason for being unable, at the present moment, to consider such alterations of detail as my Honourable friend proposes.

Coming, Sir, to the speech to which we have just listened, made by my Honourable friend, Mr. Mukhtar Singh, he is, I am glad to find, on my side in this matter in supporting our proposals for an increased duty. But he also had a complaint to make that the Government were not proposing to allocate a sufficient amount for expenditure on sugar measures this year. I should like to put it to him that, even when we are considering such valuable expenditure as the encouragement of sugar growing, there is just the same need for economy and careful consideration of how the money is to be spent as when it is being spent on such unpopular subjects as salaries for high officials. Actually the proposals which are before the Department of Education, Health and Lands can be amply met from the sums which we are providing this year, namely, the 10 lakhs which is being specially voted for sugar measures which could also be supplemented by money which has been already voted for agricultural research.

Finally I should like to say one thing in conclusion, and this is all that I need say. I wish this House to take our proposals in respect of sugar this year as a first step in a definite policy. The step perhaps does not go very far, but if, as a result of the Sugar Committee's inquiries, and if as a result of the work of the Central Council of Agricultural Research, or again as a result of the Tariff Board inquiry, we find that further measures are necessary, it is certainly the intention of the Government that they should be proceeded with. I am full of hope myself that, if things go well, we shall find ourselves next year with some margin for further expenditure without the imposition of additional taxation. At present, we are carrying our proposals as far as we think it right to go, because we are providing money for all those schemes which are already ripe for being taken up. But that is not the end of the matter, and, therefore, I can confidently commend our proposals, so far as they concern sugar policy, to the support of this House.

(Mr. Muhammad Yamin Khan rose to speak.)

Mr. B. Das: Sir, how can he speak now? I was not allowed to speak on a very important issue to my party.

Mr. President: What is the complaint of the Honourable Member?

Mr. B. Das: I was not allowed to speak on the other motion—where a Member of my party was attacked.

Mr. President: I simply made an appeal to the Honourable Member which I am going to make now to other Honourable Members. The Honourable Member was good enough to accede to my request then and I hope other Honourable Members also will do the same now. I think the Honourable Members will now allow me to put the question. The question is:

"That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted:

3. For Item No. 34 of Schedule II, the following shall be substituted, namely:

		Rs.	A.
34	Sugar, excluding confectionery (<i>see</i> No. 124)—		
	(1) Sugar, crystallised or soft 23 Dutch Standard and above.	Cwt.	4 8
	(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 14 Dutch Standard.	Cwt.	4 0
	(3) Sugar, crystallised or soft inferior to 14 Dutch Standard but not inferior to 8 Dutch Standard if imported for refining purpose.	Cwt.	3 0
	(4) Sugar, below 8 Dutch Standard and sugar candy.	<i>Ad valorem</i>	25 per cent. plus one rupee and eight annas per cent.
	(5) Molasses	<i>Ad valorem</i>	25 per cent."

The motion was negatived.

(Rai Bahadur S. C. Dutta rose to move his amendment No. 16.)

Mr. President: The Honourable Member has lost his opportunity. He was called upon and he said he did not want to move it.

Rai Bahadur S. C. Dutta: I thought that Haji Abdoola Haroon was to move his amendment first and then I had to move mine.

Mr. President: If I remember aright, when the Honourable Member rose I asked him whether he wanted to move his amendment and he said, "No".

Mr. Fazal Ibrahim Rahimtulla: That was amendment No. 14. This is another one.

Mr. President: I do not know.

Rai Bahadur S. C. Dutta: This is my time to rise.

Mr. President: This is not your time. The Honourable Member's amendment is No. 15 and he was called upon. Perhaps the Honourable Member was not in the House then.

Rai Bahadur S. C. Dutta: I was in the House.

Mr. President: Then why did not the Honourable Member rise?

Rai Bahadur S. C. Dutta: Because the understanding was that Haji Abdoola Haroon was to move his amendment first.

Mr. President: There was no such understanding.

Rai Bahadur S. C. Dutta: He was to move the lower duty and I was to move the higher duty.

Pandit Nilakantha Das: According to the proper order, his amendment should come after Haji Abdoola Haroon's amendment. Haji Abdoola Haroon wants to reduce the duty more than he.

Mr. President: It is not for the Honourable Member to decide the proper order.

Mr. M. S. Aney: Is it not the right of an Honourable Member to make a suggestion for your consideration?

Mr. President: Does the Honourable Member consider his amendment of sufficient importance that I should allow him to move it at this stage?

Rai Bahadur S. C. Dutta: Yes, Sir.

Mr. Muhammad Yamin Khan: Is it necessary for an Honourable Member to convince the House first before he moves his amendment?

Mr. President: The Honourable Member knows that the Honourable Member has lost the right, and it is out of mere courtesy that the Chair is prepared to allow him if it is of great importance. Mr. Satis Chandra Dutta.

Rai Bahadur S. C. Dutta: Sir, I move the amendment which stands in my name and which is as follows:

"That for the proposed amendment No. 3, in Schedule I to the Bill the following be substituted:

3. For Item No. 34 of Schedule II, the following shall be substituted, namely:

		Rs.	A.
34	Sugar, excluding confectionery (<i>see</i> No. 124)—		
	(1) Sugar crystallised or soft 23 Dutch Standard and above.	Cwt.	5 0
	(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 8 Dutch Standard.	Cwt.	4 8
	(3) Sugar, below 8 Dutch Standard and sugar candy.	<i>Ad valorem</i>	25 per cent.
	(4) Molasses	<i>Ad valorem</i>	25 per cent.

[Rai Bahadur S. C. Dutta.]

Sir, I want the House to consider what will be the effect of an import duty on an article which is also partly produced in this country. The price will certainly increase, not only of the article which is imported, but also of the article which is produced in the country. When the consumer purchases the imported article, the duty that is imposed goes to the State, but when the consumer purchases the article which is produced in the country, that portion does not come to the Government treasury, but goes to the producer. Where the production of an article in the country is considerable—and in the case of sugar there is a considerable production of an indigenous character in this country—and if we take *gur* along with sugar, as there is a reaction of prices between sugar and *gur*, as adverted to by my Honourable friend Mr. Mukhtar Singh, the disparity between the quantity imported and the quantity produced in the country is much more, and the result in loss to the consumers is much more than the gain to the treasury. Only a very small portion of the amount paid by the consumer comes into the Government treasury. Now this is a very serious evil. On account of some import duty on an article on which there is no countervailing excise duty all of what the consumers pay do not come into the Government treasury. This evil has to be guarded against. The evil can be tolerated only where a case for protection is made out. Now if we are to consider the effect of an import duty from the point of view of protection of the indigenous industry, we have to consider whether a case has been made out that the industry requires protection and that the industry is in a position to profit by the protective duty.

Sir Cowasji Jehangir: I rise on a point of order, Sir. Is the Honourable Member in order in placing before the House arguments against his own amendment?

Rai Bahadur S. C. Dutta: My point is, Sir, that Government do not justify the duty on the ground of protection; they want it on the ground of revenue. It is rather a matter for congratulation that the Government want to help the industry in some other way, Sir, for which provision has been made in the Budget. What I put to the House is that, when the object is not protection, but one of revenue, then it is an evil that, out of the amount contributed by the consumers, only a small portion comes to the Government coffers. This should never happen, and from this point of view I urge that when an import duty is to be levied without a countervailing excise duty on an article largely produced in the country, the import duty should never be high; and therefore I propose to raise the import duty from Rs. 4/8 to Rs. 5/- and from Rs. 4/- to Rs. 4/8, while the Government want to increase the same up to Rs. 6/- and 5/8. What I say is that if there is really any need for increased revenue, there should be only a slight increase, and my proposal would not hit any of the existing interests, for I do not propose to lower the existing duties, but only to raise them slightly. I also wish the House to bear in mind that such an increase as the Government propose is not justified for purposes of revenue. If the duty is much higher, then it may affect consumption and reduce the income. From that point of view, I submit that my amendment may be accepted by this House.

Mr. President: The question is:

"That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted:

3. For Item No. 34 of Schedule II the following shall be substituted, namely:

			Rs. A.
34	Sugar, excluding confectionery (see No. 124)—		
	(1) Sugar, crystallised or soft 23 Dutch Standard and above.	Cwt.	5 0
	(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 8 Dutch Standard.	Cwt.	4 8
	(3) Sugar, below 8 Dutch Standard and sugar candy.	Ad valorem	25 per cent.
	(4) Molasses	Ad valorem	25 per cent."

The motion was negatived.

Mr. W. S. Lamb: Sir, may I be permitted to move my amendment to item 4 of Schedule I?

Mr. President: Have copies been supplied to Honourable Members? The Honourable Member wants to move the following amendment:

"That item No. 4 in Schedule I to the Bill be omitted altogether and that the subsequent items be renumbered accordingly."

Mr. W. S. Lamb: Sir, I rise to move the amendment which you have just read to the House. This item No. 4 concerns the proposal of Government to reduce the import duty on kerosene imported into India. Sir, the recent debate on clause 7 is very closely allied to this motion of mine, and, therefore, particularly as I desire to speak of the smaller companies, I may be permitted to refer to one or two points made by the Honourable the Commerce Member. I do not propose to attempt to deal with my friend Sir Purshotamdas Thakurdas. If I had sat in my place here when I first came to the Assembly some four years ago, and heard his thundering directed at me, I should have been awed. As it is, in all these years I have learnt that the Honourable Member is not unwilling to lend his eloquence to causes of which he knows very little. Regarding his particular attack on this group, I will say nothing, but merely that he may consider, when he sees the official report tomorrow morning, whether he is happy to think that such language is on record and whether it is worthy of the position he desires to hold in this House and in the country.

Now, Sir, with regard to the Commerce Member . . .

Mr. President: More or less the same thing.

Mr. W. S. Lamb: I desire to reply to one or two points raised by him. I had no opportunity of doing so, and it is germane to my present motion . .

Mr. Vidya Sagar Pandya: How is it germane?

Mr. W. S. Lamb: If you will wait a little you will see how it is germane. Sir, the Honourable the Commerce Member said something about the smaller companies. He said that if the price, as we are told, is going up, they will recover the duty. The situation is this. The Burmah Oil Company or the Burmah Shell Company control the prices in India. As the House knows, I think, a certain proportion of the oil they sell is foreign

[Mr. W. S. Lamb.]

oil, and they will get a certain proportion of the 15 lakhs remission if this proposal is accepted, so that if the prices are increased, as I think they will be, they will not be able to increase them to the full extent of the four annas which have now been put upon a unit. That is, the price may be increased by 2 annas or $2\frac{1}{2}$ annas, and the smaller companies will recover only that amount; that is, all the oil sold by them is indigenous oil and therefore they will have to pay four annas extra and receive only Re. 0-2-6, so that, assuming the price is raised in that way, on their sales, they will lose 0-1-6 or Re. 0-2-0 per unit. That is one point.

Now, Sir, the Honourable the Commerce Member seems to make somewhat of a fetish

Mr. M. S. Aney: Will the Honourable Member tell me what percentage of the oil sold by the Burmah Oil Company is foreign oil?

Mr. W. S. Lamb: I have not got the exact figures, I could not tell you that. The point I was making is this. The Honourable the Commerce Member seems to make somewhat of a fetish of the difference between the prices of inferior oil and superior oil. He suggests that 8 annas is very small. Actually, before the war, when I myself had something to do with kerosene sales, the difference between the two qualities was not more than Re. 0-4-0 and Re. 0-6-0, so that I do not quite understand why he should place so much significance on this difference of 8 annas.

Then again the Honourable the Commerce Member appears to believe that refineries in India are compelled to produce this inferior quality of oil. Sir, at one time that was so, and it was quite a good thing that India could take it. But nowadays there is no reason why they should continue to make that quality, because by a recent process invented called "cracking", we are able to make petrol and white oil out of it, and if because of Acts of this House, India will have to go without this cheap inferior kerosene, it will have to pay much more for the superior kerosene oil.

With regard to this motion, Sir, I should like to put to the Finance Member and to the House that, as things are at present, the import duty has not prevented foreign oil from coming into India. As the indigenous oil has decreased, the foreign oil has increased, so that really I see no reason whatever why the Honourable the Finance Member should give away 15 lakhs.

I would, then, suggest to him and to the House that they accept my motion and that the Finance Member may retain this 15 lakhs, so that later on, when difficulty arises, he might give some help and assistance to the smaller companies. As I have suggested, and as is possible, we are threatened with a very severe war of rates. I am not pleading for the Burmah Oil Company, I am pleading for the smaller companies, and if, as is possible, they are driven to the wall, I think the Finance Member might very well contemplate the putting by of some money, such as this 15 lakhs, so that he might possibly apply it to some scheme for the relief of the smaller oil companies.

Mr. President: The question is:

"That in Schedule I to the Bill the proposed amendment No. 4 be omitted altogether and that the subsequent amendments be renumbered accordingly."

The motion was negatived.

Mr. President: Mr. Rahimtulla.

Mr. B. Das: Sir, as there is a meeting of the Empire Parliamentary Association at 5 P.M., might I suggest that the House might adjourn now?

Mr. President: Public business has precedence over all other business.

Mr. Fazal Ibrahim Rahimtulla: Sir, I beg to move that:

"In Schedule I to the Bill, the proposed amendment No. 5 be omitted and the subsequent amendments be renumbered accordingly."

Sir, I do not wish to take up the time of this House by making a long speech on this question. The question is of very great importance and has been engaging the attention of the country for a long time. This question, Sir, was debated in all its aspects at the recent meetings held on the 14th, 15th and 16th February, 1930, of the Federation of Indian Chambers of Commerce and Industries. The Resolution at that meeting was moved by Mr. Chunilal Mehta and it was to the following effect:

"The Federation views with alarm the serious depreciation in the value of silver caused by Government sales which has seriously affected the value of the savings of the masses in India. The Federation considers it imperative that the Government of India should stop the sales of silver."

Whilst dealing with this question, Sir, Mr. Chunilal Mehta also adequately dealt with the question of the import duty, which is detrimental to the country and which the Honourable the Finance Member has now introduced. He says that, "From certain quarters suggestions have come that import duty should be imposed on silver". Gentlemen, let me say that the remedy is worse than the disease. The imposition of an import duty on silver will fictitiously raise the internal price of silver, but the external price will decline to an extent from which the white metal could never recover. India is vitally interested in high prices of silver in the international market, even if we are to adopt Gold Standard.

The Government of India, in their memorandum submitted to the Currency Commission, had suggested an import duty on silver. The Currency Commission, while rejecting the suggestion, observed as follows:

"In our opinion however the efforts to maintain the domestic price of silver, that is by import duty, irrespective of world price, would probably fail. There has always been a considerable trade in silver over the land frontiers of India: and apart from the difficulties of attempting to exclude a valuable metal from a wide frontier, if people who are accustomed to do that trade were to find that the value of silver in the outside world was very much below the value in India, it would probably affect confidence in the value of silver in India itself. In the case of an article which like silver is largely kept as a store of value, the influence of opinion on its value is extremely important."

In the light of what the Currency Commission has said it is clear that import duty on silver is both inadvisable and detrimental.

Now, Sir, I will come to the speech of the Honourable the Finance Member in dealing with this question. The reasons why he wished to introduce it were two. The first was this:

"I consider, however, in the special circumstances now prevailing, that it is on every ground desirable to have some margin of safety, taking into account the uncertain prospects which we have before us and taking into account also the paramount importance to which I have already referred, of improving our credit by displaying a strong financial position to the world."

[Mr. Fazal Ibrahim Rahimtulla.]

The second point was this:

"I am prepared to say that we have a very special purpose in mind for the application of that surplus. We regard this duty, principally in fact, as a measure which will give us a margin of revenue from which we shall be able to make a distribution to provinces after the forthcoming statutory revision to give them the funds which they require for nation building services."

Now, Sir, these are the two objects which the Honourable the Finance Member has in view in introducing this duty. A friend of mine, a very influential man in Bombay, on hearing this point, has informed me to this effect, and I think it is very important because he is actually in a position to give an opinion on this subject. He says:

"Regarding the merits of duty on silver, it amounts to robbing Peter to pay Paul. It is really a misfortune that the unrepresented masses who are actual consumers of silver will have to pay over a crore of rupees more for their silver which in the ordinary course would cost so much less. I do not understand what earthly good the artificial high rate of silver is to do to the country or to the farmers. Contrastly, the Chinese Government only recently have issued a statement that no duty or restrictions will be imposed on the movement of silver. China is holding many times more silver than the Government of India or the combined British Empire."

I am told, and I think I may be voicing the feelings of many here, that the duty has been imposed in order to keep up the ratio of 1s. 6d. I do not know how far that statement is correct, but rumours are to that effect. I do not know whether my Honourable friend the Finance Member had realised the disastrous effect of this import duty on the masses of India. I think my friend, Sir Purshotamdas Thakurdas put the whole thing in a nutshell, and he has pointed out the disastrous effect it will have on the masses of India. He said:

"With regard to the disposal of silver about which Mr. C. B. Mehta gave certain figures; he said that 8 crores worth of silver has been sold and 2 crores has been added to gold and therefore 6 crores have disappeared. If the Government wish to persist in this policy, I should like it to know what happens in a private household. A private household which has gold ornaments and silver utensils, when it is badly shaken, what do they do? Part with silver utensils worth Rs. 5,000 or 50,000 or 20,000 according to the position of the man. The next thing is the jewellery and in the case of India it will be gold. Government have begun to part with India's silver. If they sold silver because they felt that India did not want it and if they had put it in some more useful way, namely, gold or gold securities which bring interest, one can understand it. But Government are parting with our silver for good, selling it off. It is true for a time they convert it into gold securities and a few weeks later hand them over to the Secretary of State for India. That is the weakest aspect of the currency operations during the last two years. One cannot help sympathising with the Honourable Member for his having to step into the legacy which he has had to inherit. However, I do feel that we are entitled, in the friendliest spirit, to tell him that we desire him to desist from his present policy and stop frittering away India's gold and silver, in the pursuit of not the 1s. 4d. ratio which he called the will-o-the-wisp but the 1s. 6d. ratio which may turn out to be the mirage."

I wish, Sir, the Honourable the Finance Member, when he arrived in India, had not made a hasty statement which we all regretted at that time, namely, that so long as the Honourable the Finance Member remained in office, he would not look at the question of considering the revision of the ratio. He also made this emphatically clear at the meeting of the Federation of the Indian Chambers. I hope, Sir, he will consider that most of the troubles in this country are due to this ratio question. I assure him, Sir, that the Imperial Preference questions, which have been

debated in this House, would not have been debated had it not been for the 1s. 6d. ratio. If you were to revert to the 1s. 4d. ratio, the textile industry in India would not need protection, and the question of Imperial Preference would therefore not arise. We are well aware that the Government want to do the right thing in the wrong way. They always give us a choice, but the choice is made in such a manner that we are made helpless.

Mr. President: All the same they do the right thing.

Mr. Fazal Ibrahim Rahimtulla: But in the wrong manner. If they want to give protection to the textile industry, that is the right thing, but they do it in the wrong manner by introducing Imperial Preference and raising a controversy in this House and outside as to how our position should be towards India, towards Parliament, towards British India and the Round Table Conference. If they want really to help this country, the remedy lies in the 1s. 4d. ratio, and I hope the Honourable the Finance Member will still reconsider his former position in the light of what is happening in this country, and stop further ruination and the disastrous effect of the 1s. 6d. ratio.

Mr. President: If no other Honourable Member wishes to speak, I shall call upon the Honourable the Finance Member to speak.

Sir Purshotamdas Thakurdas: Is it necessary always that we, from this side should speak before the Honourable the Finance Member speaks? I think one would like to hear what the Honourable the Finance Member has to say.

Mr. President: Perhaps the Honourable the Finance Member might like to hear what other Honourable Members have to say.

The House stands adjourned till tomorrow morning Eleven o'clock.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 22nd March, 1930.

LEGISLATIVE ASSEMBLY.

Saturday, 22nd March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. David George Mitchell, C.I.E., M.L.A. (Legislative Department: Nominated Official).

QUESTIONS AND ANSWERS.

QUALIFYING EXAMINATION FOR DEPARTMENTAL CANDIDATES HELD BY THE PUBLIC SERVICE COMMISSION.

763. *Mr. Abdul Latif Sahib Farookhi: (a) Is it a fact that the Public Service Commission, on taking over the recruitment of the clerical staff of the Government of India Secretariat and its attached and subordinate offices recommended a thorough revision of the existing system of recruitment and that, on the recommendations of the Commission, a Committee was constituted to examine the question on which all Departments were represented?

(b) Is it a fact that this Committee, among other things, recommended that, before the new system of recruitment was introduced, the existing members of the staff should be given an opportunity to qualify themselves for higher grades and that an examination for this purpose should be held on the same lines as the previous qualifying examinations held by the Staff Selection Board?

(c) Is it a fact that the examination recommended by the Committee of departmental representatives was held in November last?

(d) Is it a fact that the Commission, while calling for lists of candidates for the examination from departments, notified to the effect that the examination would be held on the same lines as the previous qualifying examinations?

(e) Is it a fact that, in the qualifying examination held by the Staff Selection Board, candidates were required to obtain certain percentages of total marks in the aggregate only and not in each paper of the written examination?

(f) Is it a fact that, even in the case of superior services examinations held by the Public Service Commission the results are based on the aggregate marks obtained by candidates?

(g) Is it a fact that, contrary to past practice, and notwithstanding their promises, the Public Service Commission prescribed percentages of marks varying between 40 to 70 per cent. to be obtained by candidates in each subject separately?

(h) What percentage of candidates was declared successful for each division?

(i) If the reply to part (g) above is in the affirmative, in how many cases were candidates obtaining more marks in the aggregate declared to have failed (1) for the first division, (2) for the second division, while those obtaining lesser marks were declared successful?

(j) Is it a fact that this was the last qualifying examination for departmental candidates and that those who have failed will have no prospects of promotion to higher grades except in rare cases in which the Commission may grant exemptions?

(k) If so, will the Public Service Commission be prepared to reconsider the results of the examination and declare more candidates as qualified, basing their results on the aggregate marks, qualifying limits being the same as were fixed for the examination held by the Staff Selection Board in 1920?

The Honourable Sir James Crerar: (a) Yes.

(b) The Conference recommended that one more opportunity of qualifying should be given but proposed that the standard adopted should be fairly high.

(c) Yes.

(d) The Commission stated that the subjects for the examination would be the same as in previous years but no standard of marking for securing success was notified.

(e) Yes.

(f) The Public Service Commission have power under several of the Regulations for the Superior Services to determine the qualifying mark in all or any of the subjects of examination.

(g) and (i). I have no information on these points.

(h) First Division 4 per cent.

Second Division 20 per cent.

Third Division 91 per cent.

(j) Yes.

(k) The Public Service Commission do not propose to reconsider the results of the examination as they think that it would be contrary to public interest to lower the standard required for qualifying.

CONVICTION OF SARDAR VALLABHBHAI PATEL.

764. ***Pandit Madan Mohan Malaviya:** (i) Will the Honourable the Home Member state:

(a) if in the information which the Bombay Government sent him in reply to my question under what section or sections Sardar Vallabhbhai Patel had been convicted and imprisoned, they had stated under what section the Sardar had been convicted and imprisoned;

(b) if so, why the Honourable the Home Member did not communicate the information to me in the letter which he was good enough to send me?

(ii) Is it a fact that:

(a) a notice having been issued to the Sardar under section 42 of the Bombay Police Act, he could only be convicted under section 68 of the said Act; and

(b) that the maximum punishment provided for disobeying an order under section 42 of the said Act is a fine, which may extend to Rs. 200 and no imprisonment?

(iii) Is it a fact that Sardar Vallabhbhai Patel has been convicted and imprisoned under section 71 of the said Act?

(iv) Do Government realise that the conviction of the Sardar under section 71 of the said Act and the sentence passed on him of imprisonment for three months and a fine of Rs. 500 are utterly illegal?

The Honourable Sir James Crerar: (i) (a) and (b). The information received on this point from the Government of Bombay reached me after I had written to the Honourable Member.

(ii) (a) and (b). As I explained in the course of the debate on the motion for adjournment, an order was served on Mr. Vallabhbhai Patel under section 42 of the Bombay District Police Act, but as he was about to act in contravention thereof, action was taken under section 54 of the Act. Disobedience to any direction under section 54 is punishable under section 71 of the Act.

(iii) Yes.

(iv) I can find no ground for such a view which is, however, a matter for judicial decision.

RACIAL DISCRIMINATION BETWEEN THE INDIAN AND ANGLO-INDIAN APPRENTICES IN THE KHARAGPUR WORKSHOPS.

765. ***Mr. S. C. Mitra:** (a) Has the attention of Government been drawn to the article headed "Bound apprentices in Kharagpur Workshop" published at page 126 of the "Bengal Nagpur Railway Employees' Journal" of February 1930?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether the facts of racial discrimination mentioned therein are correct? If so, do Government propose to remove the racial distinction between the Indian and the Anglo-Indian apprentices in the Bengal Nagpur Railway Workshops?

(c) If the answer to part (a) be in the negative, do Government propose to inquire into the allegations contained in the article mentioned in part (a) above and to state whether the allegations are true, and if so, do they propose to remove them? If not, why not?

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

(b) and (c). I have called for a report from the Agent, Bengal Nagpur Railway and will communicate with the Honourable Member when it is received.

HILL SCHOOL ALLOWANCE FOR BENGAL NAGPUR RAILWAY EMPLOYEES.

766. *Mr. S. C. Mitra: (a) Has the attention of Government been drawn to the article "The Hill School Allowance" published at page 127 of the "Bengal Nagpur Railway Employees' Journal" of February 1930?

(b) If the answer to part (a) be in the affirmative, do Government propose to redress the grievances of the Indian employees mentioned therein?

(c) If the answer to part (a) be in the negative, do Government propose to inquire into the difficulties of the Indian employees in matters of the education of their children as alleged in the article referred to in part (a) above, and will they be pleased to state whether the hardships are true, and if so, do they propose to remove them by suitable hill school allowances like those granted to the Anglo-Indian employees? If not, why not?

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

(b) and (c). As the Honourable Member is no doubt already aware, the revised general policy formulated by the Government of India to govern the grant of assistance to railway employees of State-managed railways for the education of their children is free from racial discrimination, and provides for the grant of assistance, subject to certain restrictions, to the children of employees who are sent to hill schools. The detailed rules to give effect to the general policy are still under the consideration of Government and when they are issued, Company-managed Railways, including the Bengal Nagpur Railway, will be invited to revise their rules on the model of the rules prescribed for State-managed Railways.

NEW JAIL RULES.

767. *Mr. S. C. Mitra: (a) Is it a fact that a new set of jail rules has been framed by the Government of India for the classification of the different classes of prisoners?

(b) If so, will Government be pleased to state when they were recommended to be brought into force by the Local Governments?

(c) Is it a fact that those rules have not yet been enforced in the Bombay Jails as has been made public in connection with the incarceration of Sardar Vallabhbhai Patel in the Sabarmati Jail?

The Honourable Sir James Crerar: (a) New principles have been laid down by the Government of India. The rules themselves will be framed by Local Governments where necessary under section 60 of the Prisons Act.

(b) I would invite the Honourable Member's attention to the communiqué issued by the Government of India on the 19th February. The Honourable Member will observe that Local Governments were asked to give immediate practical effect to the changes proposed, so far as possible, pending the formal amendment of the rules.

(c) No, Sir. Sardar Vallabhbhai Patel has been allowed all the privileges of an A class prisoner.

ADJUSTMENT OF CUSTOMS DUTIES BETWEEN THE GOVERNMENT OF INDIA AND INDIAN STATES.

768. *Rai Bahadur S. C. Dutta: (a) Have Government any intention to appoint a committee to inquire into and report upon what equitable adjustments should be made as to the distribution of customs duties upon goods admitted into India and other monetary claims between the Government of India and the Native States?

(b) If so, do Government propose to include representatives of the Indian Legislature or other non-official Indians, in that committee, to act in conjunction with the official members representing the interests of British India?

Mr. E. B. Howell: (a) and (b). The Indian States Committee in their Report have recommended the appointment of an expert Committee to enquire into first the reasonable claims of the States or groups of States to a share in the Customs Revenue, and secondly the adequacy of their contribution to Imperial burdens. The action to be taken with regard to this recommendation has not yet been decided by the Government of India, and they are accordingly not at present in a position to make any statement.

PUBLICATION OF THE SIMON COMMISSION'S REPORT.

769. *Rai Bahadur S. C. Dutta: (a) Has the attention of the Government been drawn to the report in the Press that the Secretary of State for India informed the House of Commons that Sir John Simon intimated to him that the Report of their Commission will be submitted before Easter?

(b) Is the Press report a true one, and have Government any information as to when this Report will be presented?

(c) Will this Assembly get an opportunity to discuss this Report before it is dissolved? Will the other branch of the Indian Legislature get a similar opportunity? Will the existing Local Councils get a similar opportunity? Do Government propose to advise the Local Governments to that effect?

The Honourable Sir James Crerar: (a) and (b). Government have seen a Reuter's telegram reporting a statement by the Secretary of State that Sir John Simon has intimated that the Statutory Commission will be very glad to find themselves able to place their Report in the Secretary of State's hands for submission to the King soon after Easter. Government have no further information.

(c) I regret that I am unable to make any further statement at present.

RELATIONS OF THE GOVERNMENT OF INDIA WITH INDIAN STATES.

770. *Rai Bahadur S. C. Dutta: (a) Will this House get an opportunity to discuss the report of the Butler Committee as to the relations of the Government of India with the Indian States or those portions of the Report of the Simon Commission that may deal with that Report or those relations of the States with British India or the question of the federation of British Indian Provinces and the Native States?

(b) Do Government propose to remove the restrictions contained in that respect in rules 23 and 8 of the Indian Legislative Rules?

Mr. E. B. Howell: (a) The Government of India are not at present in a position to make any statement in the matter. There was no recommendation in the Butler Committee Report for any federation of British Indian Provinces and the Indian States.

(b) No.

Pandit Nilakantha Das: Are Government going to make the Butler Report available to the Members of this House?

Mr. E. B. Howell: It has been published.

Pandit Nilakantha Das: It has not been circulated to Members of this House?

Mr. E. B. Howell: Will the Honourable Member give notice of that question?

Pandit Nilakantha Das: Are Government prepared to circulate that Report among the Members of this House?

Mr. E. B. Howell: I have said I want notice of that question.

Diwan Chaman Lal: Do Government take it that Members of this House are not interested in this matter?

Nawab Sir Sahibzada Abdul Qaiyum: Do you mean that every Report should be circulated to Members of this House?

Mr. Gaya Prasad Singh: How much time does the Honourable Member want by way of notice? There are not 10 days left in this Session.

TRANSFER OF SUPERINTENDENTS AND INSPECTORS OF POST OFFICES.

771. ***Pandit Nilakantha Das:** (a) Is it a fact that the Superintendents and Inspectors of Post Offices are transferred every three years? If so, why?

(b) Is it a fact that the gazetted Postmasters of the grade of Rs. 350—650, have got power like the Postal Superintendents?

(c) If the reply to part (b) be in the affirmative, will Government please state why the gazetted Postmasters are also not transferred after three years like the Postal Superintendents?

Mr. H. A. Sams: (a), (b) and (c). I would refer the Honourable Member to my reply on the 12th of March, 1930, to starred question No. 540 asked by Mr. S. C. Mitra.

With respect to (a) I would add that it is considered advisable in the interests of administration that such transfers should ordinarily be made.

REDUCTION OF STAFF OF THE BEADON STREET TOWN SUB-POST OFFICE, CALCUTTA.

772. ***Pandit Nilakantha Das:** (a) Has the attention of the Government been drawn to an article "Reduction of staff of the Beadon Street T. S. O., Calcutta" published in the November issue of *Labour* of 1929?

(b) Are Government prepared to inquire into the allegations made therein?

(c) Will Government be pleased to place on the table a statement showing the hours of attendance and departure of clerks of that office for one month from any date of February 1930?

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

(b) No. The matter is a local one and the Provincial Postal and Railway Mail Service Association of the Bengal and Assam Circle can take it up with the Postmaster-General, Bengal and Assam Circle, if they wish to do so.

(c) A statement showing the hours of attendance of the clerks will be supplied to the Honourable Member. A statement of the hours of departure cannot be supplied as no record is kept of the time at which each clerk actually leaves office.

PASSES FOR INSPECTORS, RAILWAY MAIL SERVICE.

773. ***Pandit Nilakantha Das:** (a) Is it a fact that Inspectors of Railway Mail Service are classed as second class officers like Inspectors of Post Offices?

(b) Is it a fact that both Inspectors of Railway Mail Service and Inspectors of Post Offices were formerly supplied with second class railway passes?

(c) Is it a fact that neither Inspectors of Post Offices nor Inspectors, Railway Mail Service are now-a-days supplied with railway passes, but that whereas the former are allowed to purchase second class railway tickets the latter are required to travel in mail vans only with Railway Mail Service sorters?

(d) Is it a fact that Inspectors, Railway Mail Service, are generally required to perform longer railway journeys than sorters?

(e) Is it a fact that Inspectors, Railway Mail Service, are required to convey special bags for H. E. the Viceroy and Commander-in-Chief and are sometimes required to travel by railway for over twenty-four hours?

(f) Is it a fact that most of the mail vans on the metre gauge lines are not provided with latrines?

(g) Is it a fact that Inspectors, Railway Mail Service, are sometimes required to travel in mail vans on metre gauge lines for nearly 24 hours?

(h) Was it not a part of the duties of Inspectors, Railway Mail Service to pay surprise visits to mail vans to supervise the work of sorters?

(i) Is it not a fact that since the withdrawal of the railway passes Inspectors, Railway Mail Service are no longer able to pay surprise visits to mail vans?

Mr. H. A. Sams: (a) Yes.

(b) Yes.

(c) The duties of the Inspectors of Post Offices and those of the Inspectors, Railway Mail Service, differ. The latter are still supplied with railway passes for travel in mail vans the work in which it is their duty

to inspect. The Inspectors of Post Offices are not supplied with railway passes and are allowed to purchase tickets as their duties are not on the railway.

(d) No, not generally.

(e) Yes, occasionally.

(f) Yes, but endeavours are already being made to supply these conveniences where they do not now exist.

(g) No, not continuously for 24 hours.

(h) Yes, it is still a part of their regular duty to pay surprise visits to mail vans.

(i) As mentioned in reply to part (c) of this question the railway passes have not been withdrawn from the Inspectors, Railway Mail Service. Inspectors of Railway Mail Service can and do pay surprise visits to the mail vans to inspect the work.

PASSES FOR INSPECTORS, RAILWAY MAIL SERVICE.

774. *Pandit Nilakantha Das: (a) Is it a fact that Superintendents, Railway Mail Service travel in first class compartments when carrying out their half-yearly inspection, but when they depute their Headquarter Inspectors for the same work the latter have to travel in mail vans?

(b) Do Government propose to re-introduce the old system of supplying railway passes to Inspectors, Railway Mail Service or in the alternative to authorise them to purchase second class railway tickets when travelling by railway? If not, why not?

Mr. H. A. Sams: (a) It is not clear to what inspections the Honourable Member refers. While performing the inspections of running sections, the Superintendents, Railway Mail Service, and the Inspectors, Railway Mail Service, alike must necessarily travel in mail vans. In case of the inspections of stationary offices the Superintendent is not necessarily required to travel by Mail van and has discretion to permit the Headquarters Inspector to purchase a ticket when he travels direct to Mail offices for the purpose of inspection without examining intermediate sections.

(b) It has been arranged that Inspectors of the Railway Mail Service should be supplied with passes for travel in mail vans. Inspectors of the Railway Mail Service are also permitted to purchase tickets in special circumstances under the orders of the Heads of Circles or of Superintendents of the Railway Mail Service. These measures adequately meet the situation at the present time and the Government are not prepared to extend the latitude now allowed to Heads of Circles or Superintendents for the purchase of tickets for all Railway journeys irrespective of their object.

STATEMENTS PROMISED IN REPLY TO CERTAIN QUESTIONS.

775. *Pandit Nilakantha Das: (a) Will the Honourable Member in charge of Railways and Commerce be pleased to lay on the table of the House the statement he promised in reply to my questions Nos. 357 to 360 and 816, 818, 819, 821 and also 820 of the last (1929) Simla Session of this Assembly?

(b) Will the Honourable Member also lay on the table the report promised by the then Financial Commissioner for Railways, Mr. P. R. Rau, in reply to my question No. 361 of the last (1929) Simla Session of this Assembly?

(c) In this connection will the Honourable Member state what is actually going to be done with regard to the Inquiry Committee and my memorandum on the subject submitted and accepted in principle by the Railway Advisory Committee in its sitting in Simla (1929, Autumn)?

The Honourable Sir George Rainy: I lay on the table the replies to the Honourable Member's previous questions. Copies of these are being sent to him. He will, I think, find that they deal with practically all the points raised by him in the memorandum referred to in part (c) of his question. But I should explain that we have only recently obtained complete information to answer his questions and I will have the memorandum again examined to see if there are any outstanding points.

Question No. 357.

(a) Is it a fact that the Universal Sleepers are contemplated in the patents Nos. 11231, 11232 and 11233 of 1926, granted to Messrs. R. D. T. Alexander, Henry William Joyce and David Leslie?

(b) Is it a fact that the three patentees referred to in part (a) above are and were Civil Engineers in the employ of the Bengal Nagpur Railway—Mr. R. D. T. Alexander—the Chief Engineer and other two assistants of the Bengal Nagpur Railway?

(c) Is it a fact that those Civil Engineers the patentees—have arranged with Henry Williams, Ltd., and Burn and Co., for the manufacture and the supply of those Universal sleepers?

(d) Has the firm Henry Williams, Ltd., any connection with the patentee, Henry William Joyce?

(e) Is it a fact that the Universal type of steel sleepers are exclusively manufactured and supplied by Messrs. Henry Williams Ltd.?

Answer.

(a) and (b) Yes.

(c) The sleepers are manufactured by Burn and Company, not by Henry Williams Ltd.

(d) No.

(e) No. No steel sleeper of Universal type is known to the Railway Board. The Universal sleeper is made of cast iron and is not manufactured by Messrs. Henry Williams and Sons.

It is a fact, however, that certain types of steel sleepers are or have been exclusively manufactured and supplied by Messrs. Henry Williams (India) Ltd.

Question No. 358.

(a) Is it a fact that the Bengal Nagpur Railway, as per a private contract, supplies so called condemned steel sleepers to Henry Williams Ltd. who in turn after making some slight alterations supply back these very sleepers to the Bengal Nagpur Railway as Universal steel sleepers? If so, what is the price per ton paid to Henry Williams

Ltd., for these additions and alterations in the so-called condemned sleepers? What is the price per ton of the so-called condemned sleepers as well as the price per ton of the Universal sleepers made therefrom? What is the quantity of these steel sleepers supplied year after year by Henry Williams Ltd.? How many years had the so-called condemned sleepers been used before they were supplied to Henry Williams Ltd. to be made into Universal Steel sleepers?

(b) Was the price f.o.r. destination or f.o.r. manufacturing firm? What is the price f.o.r. destination in each case compared with the price of Railway Board sleepers?

Answer.

(a) Messrs. Henry Williams, India Ltd. have supplied in the past to the Bengal Nagpur Railway two kinds of steel sleepers in which the metal from condemned steel sleepers is utilised. The first kind consists of a steel trough with two steel saddle plates under the rail seat. The troughs are made of new steel but the saddle plates are made from condemned sleepers. Each condemned sleeper provides metal for five to six saddle plates.

The price of such sleepers paid to the firm has been Rs. 10 per sleeper, exclusive of the cost of the metal for saddle plates, worth four annas per sleeper, making the total cost of the sleeper Rs. 10-4-0.

(2) Another form of steel sleeper has been made up by Messrs. Henry Williams & Sons, for the Bengal Nagpur Railway, from material recovered from condemned steel sleepers. The condemned steel sleepers have generally failed under the railseat while the portion of trough between the rails is still in good condition. The worn out portions of the sleepers were cut off and from the sound material left, one reconstructed sleeper was obtained from every two condemned sleepers by rivetting the two pieces together. The price paid to the firm for cutting up and reshaping, rivetting, fixing saddles and providing fastenings, was Rs. 8 per sleeper. The value of the steel from the condemned sleepers supplied to the contractors varies from 10 annas to Rs. 1-8-0 per new sleeper.

(3) The quantity of saddle type sleepers supplied year by year is as follows:

1926-27	66,000 sleepers manufactured from materials obtained from condemned sleepers.
1927-28	84,000 sleepers manufactured from materials obtained from condemned sleepers.
1928-29	8,95,000 sleepers improved patent pea pod type with saddles made from metal obtained from condemned sleepers.
1929-30	3,90,000 sleepers improved patent pea pod type new steel used throughout.

(4) The condemned sleepers have been in use for 40 to 42 years before being sent to Messrs. Henry Williams, India, Ltd. for conversion.

(b) The price paid was f.o.r. contractor's works. The price of the Railway Board's steel sleepers recently has been about Rs. 10 f.o.r. Indian Port. The saddle type sleeper is claimed to be stronger than the other types and actual tests in the Government Test House, Alipur, prove this to be a fact.

Question No. 359.

(a) Is it a fact that Universal cast iron sleepers are supplied exclusively by the combine of Messrs. Burn and Co. and Bengal Iron Ltd.? What is the quantity purchased year after year from them and for what price? What is the price as compared with Railway Board sleepers? Are tenders called for for the Universal type cast iron sleepers?

(b) Is the price f.o.r. destination or f.o.r. manufacturing firm? What is the price calculated as f.o.r. destination in each case compared with the price of the Railway Board sleepers there?

Answer.

(a) Universal type cast iron sleepers are supplied exclusively by Messrs. Burn & Co., Ltd. The quantities purchased year by year and prices paid are as follows:

	Rs.	a.	p.	
1925-26	300 @ 14	4	0	each.
	500 @ 19	0	0	"
1926-27	11,000 @ 10	9	0	"
1927-28	10,200 @ 9	15	0	"
	4,400 @ 10	9	0	"
	17,300 @ 11	4	0	"
1928-29	1,100 @ 9	2	0	"
1928-29	93,800 @ 9	0	0	"
	8,800 @ 10	0	0	"
	164,900 @ 10	2	0	"
1929-30	97,000 @ 10	2	0	"

The prices paid for cast-iron sleepers purchased by State Railways have been as follows:

1924-25	Lines' sleepers Rs. 15'3 per sleeper at site.
1926-27	S. M. type sleepers Rs. 11'25 per sleeper, at site. N. W. R. type sleepers Rs. 13'5 per sleeper, at site. Lines' sleepers Rs. 14'5 to Rs. 15'2 per sleeper at site.
1927-28	L. K. and T. S. C. type sleepers Rs. 10'26 to Rs. 11'81 per sleeper at site.
1928-29	S. M. type sleeper Rs. 10'5 to Rs. 12'00 per sleeper at site, L. K., T. S. C., etc., Rs. 8'94 to Rs. 12'15 per sleeper at site.

The present prices are from Rs. 8-8-0 to Rs. 9-8-0 per sleeper at works.

The Bengal Nagpur Railway have not called for tenders for other types of cast iron sleepers to compare with Messrs. Burn & Co.'s Universal type in the past, but they have been instructed to do so in the future.

(b) The price is f.o.r. manufacturing firm. The price f.o.r. destination in each case depends on the distance of the destination from the works. The cost of carriage would be about the same as for the Railway Board's sleepers, as the weights are practically the same. It should be explained that the Universal type cast iron sleeper is designed for use with more than one size of rail, whereas the Railway Board types have not hitherto been made so that the same sleeper will take more than one size of rail.

Question No. 360.

(a) Is it a fact that the Controller of Stores is entrusted generally with all sales of scrap and purchase of stores in the Bengal Nagpur Railway?

(b) Is it also a fact that the supply of condemned steel sleepers to Henry Williams and the purchase of cast iron and steel Universal sleepers are entrusted not to the Controller of Stores but exclusively to the Chief Engineer, Bengal Nagpur Railway, Mr. R. D. T. Alexander, one of the partners of the patentees of these sleepers?

Answer.

(a) Yes.

(b) No. Orders for both cast iron and steel sleepers are in all cases placed by the Controller of Stores or by the Agent. The condemned steel sleepers supplied to Henry Williams Ltd. for use in making saddle type sleepers are not sold to them, but only the cost of conversion is allowed to them. The whole of the metal in the condemned sleeper is not used for making saddle plates. Metal not fit for such use remains the property of the Bengal Nagpur Railway and is sold as scrap by the Controller of Stores.

Question No. 361.

(a) What business of the Bengal Nagpur Railway is entrusted to Hoare Miller and Co.?

(b) Are tenders called for for the supplies entrusted to Hoare Miller and Co. if any? Has Hoare Miller and Co. any connection with R. Miller Esqr., Chairman of the Home Board of the Bengal Nagpur Railway.

(c) What is the extent of the business entrusted to Hoare Miller and Co. by the Bengal Nagpur Railway.

Answer.

(a) & (c). The Calcutta Steam Navigation Co. of which Messrs. Hoare Miller & Co. are the Agents have two agreements with the Bengal Nagpur Railway:

(i) for taking delivery of landing, transporting and handling Railway material and stores consigned to the Bengal Nagpur Railway at the port of Calcutta. Messrs. Hoare Miller and Co. act as Agents of the Railway in Calcutta for the forwarding of all such material and stores to the Railway. This arrangement has been in force since 1886.

(ii) for acting as Agents of the Bengal Nagpur Railway in Calcutta for the receipt and despatch of goods and passenger traffic to and from Armenian Ghat from and to stations on the Railway. This arrangement has been continuous since 1901.

(b) As no supplies are entrusted to Messrs. Hoare Miller & Co. the question does not arise. Mr. Robert Miller, Chairman of the Board of Directors of the B. N. Ry. Co. is not and never has been an officer of Messrs. Hoare Miller and Co. operating in India. He is a Director of Messrs. Hoare Miller and Co., London.

Question No. 816.

With reference to the statement promised by the Hon'ble Sir George Rainy in reply to my starred questions Nos. 357 to 360 this session, will Government please state:

(a) What is the quantity of the so-called condemned steel sleepers supplied to Henry Williams (India) Ltd., up to date by the Bengal Nagpur Railway?

(b) What is the quantity of the universal steel sleepers (i.e., steel sleepers referred to in the patents quoted in question No. 357) received by the Bengal Nagpur Railway from Henry Williams (India) Ltd., in return up to date after making the alterations referred to in my starred question No. 358?

(c) What is the quantity of those patented steel sleepers purchased from Henry Williams (India) Ltd. by the Bengal Nagpur Railway up to date besides the quantity referred to in part (b)? What is the price of these sleepers?

(d) Were the above patented sleepers used by the Bengal Nagpur Railway before Henry Williams (India) Ltd. came into existence? If so, from where were they got and which were the firms who supplied them and how were they purchased, by public tender or by private arrangement?

(e) Are any other Railways using these sleepers? If so, which are they, and what quantity (and at how much cost) have they used up to date? Were they purchased by means of public tender or not?

Answer.

(a) The number of condemned steel sleepers supplied to Messrs. Henry Williams (India) Ltd., is approximately 6.18 lakhs.

(b) The patent numbers quoted in question No. 357 do not refer to steel sleepers manufactured by Messrs. Henry Williams, Ltd. The remainder of the question, therefore does not arise.

(c) Please see the reply given to question 358 (a) above.

(d) The answer to the first part of the question is in the negative and the second part does not arise.

(e) Full information is not available but steel sleepers of the saddle type were supplied to the East Indian Railway for trial. They were not purchased by public tender as no other firms make such sleepers.

Question No. 818.

With reference to the statement promised by the Honourable Sir George Rainy to my starred questions Nos. 357—360 this session, will Government please give the following information?

(a) Do the extracts quoted by me in my supplementary question from the Report of the Accountant-General, Railways (page 31, para. 65) refer to Henry Williams, Ltd.?

(b) Is it a fact that the land referred to in part (a) was enclosed, with a boundary wall and provided with a Railway siding just after the formation of Henry Williams (India) Ltd. and was rented out to them on a nominal rent?

(c) What was the cost of the boundary wall and the Railway siding and with the cost and interest therein added to the loss on rent already calculated by the A. G. Railways [referred to in part (a)] what is the total loss to the Bengal Nagpur Railway?

(d) Were any siding charges realised from Henry Williams (India) Ltd.? Is the lease on land a long lease? If so, for how many years, and with whose sanction it was entered into?

Answer.

(a) Yes.

(b) No. The facts are as follows:

The old brickfield land at Shalimar with an area of 27 acres was served by a siding constructed and extended as required between 1906 and 1925. Prior to 1925, part of this area was reclaimed and leased out on temporary leases to various firms. In 1925 Henry Williams (India) Limited obtained a lease of 6½ acres on the same terms as those on which leases had been given to other firms; the part of the siding within the area leased to Henry Williams (India) Ltd. was re-arranged and extended, and the use of the siding was then given to the firm on Assisted Sidings terms identical with those granted to all industrial undertakings served by the railway.

Orders were passed in 1919 to enclose the whole of the old brickfield land with the boundary wall mentioned by the Honourable Member, because the area was subject to encroachment and constant supervision had been found to be required to avoid occupancy rights arising. An estimate was prepared in 1921, but the work was postponed until 1925 when the most urgent part of the wall, namely, the portion along the north and east boundaries was sanctioned. The total length of the boundary wall then sanctioned and built was 2,500 ft. of which only 800 ft. coincides with the north and east boundaries of Henry Williams (India) Limited's lease. The west and south boundaries of the area leased to Henry Williams (India) Limited have still no wall, but are enclosed by a fence erected by the firm at its own expense. The building of a boundary wall was not undertaken with regard to the interests of any of the various lessees of the land, but was part of a considered programme dating from 1919 for making railway land at Shalimar free from encroachment. The rent charged to Henry Williams (India) Limited was an economic rent and not a nominal rent, being a lump sum of Rs. 110 per month plus taxes. This is equivalent to 8 annas per thousand sq. feet. The rent assessed by the Howrah Municipality for neighbouring land adjoining these boundaries varies from 4 annas per thousand sq. feet for vacant land to 12 annas per 1,000 sq. feet for superior residential sites; and the land leased to Henry Williams (India) Limited was and still is partly covered by tanks and none of it is fit for residential or building sites. The part covered by tanks was assessed at 2 annas per thousand sq. feet and the filled part at 12 annas per thousand sq. feet.

(c) The cost of the part of the boundary wall adjoining the land leased by Messrs. Henry Williams (India) Limited was Rs. 6,800. The cost of the Assisted Sidings laid within the area leased to Messrs. Henry Williams (India) Limited was approximately Rs. 19,000 of which the Railway portion under Assisted Siding terms was Rs. 16,000.

As explained earlier a fair economic rent was charged so the remainder of this question does not arise.

(d) Yes. Siding charges are realised in accordance with the rates publicly notified in Bengal Nagpur Railway "Goods Pamphlet Part I". The lease of the land conforms to the rules of the railway for the temporary occupation of land by merchants as a Traffic facility and is terminable on 10 days' notice. The Agent of the Railway within whose powers it lies concluded the lease.

Question No. 819.

Is it a fact (i) that the firm of Messrs. Henry Williams (India) Limited is a private limited liability company of which the total paid up capital (preference and ordinary shares together) is only Rs. 3,16,500; (ii) that the firm has issued other ordinary shares valued at Rs. 5,38,000 as fully paid up for considerations otherwise than in cash; (iii) that Messrs. L. Greenham, Agent (now retired), Bengal Nagpur Railway, Henry William Joyce, Charles Williams Anderson, F. N. Slane, R. M. Hughes—all engineers of the Bengal Nagpur Railway together with other members of their family (namely Miss Enid Joyce, Mr. Eric Joyce—Minors and Jane Elizabeth Anderson) have been connected with the firm; and (iv) that big contracts worth crores of rupees have been and are being placed with them by the Bengal Nagpur Railway from the date of the formation of the firm, by private agreement without calling for tenders?

Answer.

(i), (ii) & (iii). The company was incorporated as a private limited liability company on the 16th March, 1922, with an authorised capital of Rs. 20,00,000 divided into 10,000 preference and 10,000 ordinary shares of Rs. 100 each. The signatories to the Memorandum of Association were Mr. Owen, R. Williams, of 21 Old Court House Street, Calcutta, Engineer, and Mr. G. C. R. Taylor, Solicitor and a partner of the firm of Kesteven, Gooding & Co. Solicitors of 26 Dalhousie Square, Calcutta.

The figures mentioned in the question with regard to the paid up capital and the number of shares issued as fully paid up otherwise than in cash are correct.

Prior to the registration of the company Messrs. Henry Williams Ltd. of Railway Appliances works Darlington, operated direct in India as Signal engineers and Merchants, and Henry Williams (India) Limited, was formed to purchase their goodwill consisting of certain Indian Letters Patents, provisional Patents and Registered Designs as well as stocks of signalling equipment permanent way fittings chain lamps, etc., in Bombay and Calcutta. The purchase price of Rs. 5,38,000 was by an agreement met by the allotment to the Vendor Company of 5,380 shares of Rs. 100 each credited as fully paid up.

The persons named in the Question are some of the shareholders of the company, with the exceptions of F. N. Slane and Jane Elizabeth Anderson whose names do not appear in the company's list of shareholders.

(iv) Messrs. Henry Williams Limited supply all classes of permanent way and other railway materials including points and crossings signal material and steel sleepers. Public tenders are invariably called for except in the case of proprietary articles.

The total value of orders placed by the Bengal Nagpur Railway Company with Henry Williams (India) Limited in the past is approximately Rs. 175 lakhs. It has not been possible to divide this amount into contracts for which public tenders were or were not called but it is estimated that the proportion is about 30 to 145.

Question No. 820.

(a) What are the quantities and the value of the railway orders placed by the Bengal Nagpur Railway and other railways, if any, up to date for various articles with, (1) Henry Williams (India) Ltd., and (2) Henry Williams (Darlington) Limited, with details as to how much in value was on tenders and how much was by private arrangement?

(b) What, if any, is the connection between Henry Williams (India) Limited and Henry Williams (Darlington) Limited?

(c) What, if any, is the connection between officers of the Bengal Nagpur Railway and Henry Williams (Darlington) Limited as well as Henry Williams (India) Limited?

(d) What has been the loss, if any, to the Bengal Nagpur Railway on account of the private orders referred to in part (a)?

Answer.

(a) Please see the reply to question No. 819 (iv) above, for the value of Railway orders placed by the Bengal Nagpur Railway. Information relating to other railways is not available.

(b) The Managing Director of both the firms is the same person and the firm in England are the principals of the Indian firm.

(c) The Agent, Bengal Nagpur Railway, reports that so far as he is aware no officer now serving on the B. N. Railway has any connection of any kind with the two firms mentioned.

(d) A comparison between the rates paid for cast iron and steel trough sleepers by the Bengal Nagpur Railway to Messrs. Henry Williams (India) Limited, and to Messrs. Burn & Co. with the rates paid for cast iron and steel sleepers purchased by State Railways, shows that the difference in rates is very little, and as it is recognised that in some respects the sleepers obtained by the Bengal Nagpur Railway possess advantages not possessed by the other sleepers, it does not appear that any loss has been incurred by the Bengal Nagpur Railway. As an instance of the advantages possessed by the type of sleepers purchased by the B. N. Railway, the Universal type cast iron sleeper can be used with the existing rail weighing 85 lbs. and when this rail has to be replaced in the near future the same sleeper will fit the 90 lb. rail which will be used to replace the 85 lb. rail. The Railway Board does not approve of the system of placing orders for proprietary articles without calling for tenders as has been the practice on the B. N. Railway in the past and orders have now been issued that they should not do so in the future.

Question No. 821.

(a) Who will be responsible for the losses in rent boundary wall, railway siding and purchases referred to in my previous questions?

(b) Will the loss be recoverable? If so, how and to what extent?

Answer.

(a) and (b). As no losses are involved, the question does not arise.

DEMAND BY A GOVERNMENT SERVANT FOR AN INQUIRY ON HIS DISMISSAL, DISCHARGE OR REMOVAL.

776. *Mr. Muhammad Ismail Khan: (a) Will Government be pleased to state whether there are any departmental rules which entitle a Government servant to demand an inquiry when he is dismissed, discharged or removed?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state whether this rule applies to all the provinces including the North-West Frontier Province?

The Honourable Sir James Crerar: (a) and (b). There are definite rules regulating the conduct of departmental inquiries. So far as Governor's Provinces are concerned, the matter is governed by rule XIV of the Civil Services (Governors' Provinces) Classification Rules. As regards officers serving directly under the Government of India, including those in the North-West Frontier Province, the position is that there are executive instructions the provisions of which are similar to those contained in rule XIV of the Classification Rules referred to. These instructions have statutory force.

OFFICIALS EMPLOYED IN THE INDIAN POST OFFICES.

777. *Mr. Abdul Latif Sahib Farookhi: Will Government be pleased to state:

(a) The number of officials employed in April, 1919, and now in the Indian Post Offices in each of the following grades:

- (1) Runners;
- (2) Lower grade staff, i.e., officials below the rank of postmen except runners;
- (3) Postmen;
- (4) Officials above the rank of postmen and below clerks;
- (5) Clerks;
- (6) Selection grade officials; and
- (7) Gazetted Officers.

(b) The number of Officials employed in April 1919, and now in the above said seven grades in the Madras Presidency only; and

(c) The number of Officials employed in April 1919, and now in the above said seven grades in the Madras City only?

Mr. H. A. Sams: (a) and (b). A statement, containing the information required, so far as it is available, is being supplied to the Honourable Member.

(c) Inquiries are being made and the information will be furnished to the Honourable Member in due course.

REVISION OF PAY FOR POSTAL EMPLOYEES.

778. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether any revision of pay was sanctioned for the Postal employees just preceding the general revision sanctioned on the recommendation of the Postal Inquiry Committee?

(b) If so, what was the amount allotted for it?

(c) Is it a fact that the postmen and the lower grade staff were not given the benefit of that revision?

(d) If the answer to part (c) is in the affirmative, what were the reasons for not revising the pay of the postmen and the lower-grade staff?

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

(b) About Rs. 17 lakhs per annum.

(c) Yes.

(d) The reasons for the revision in question were that owing to the inadequacy of the initial rates of pay and the slowness of promotion it was found difficult to recruit men of suitable education for the clerical cadre. No such difficulties were experienced in the recruitment of postmen and lower grade staff and a revision of their rates of pay was not therefore then considered necessary.

POSTAL INQUIRY COMMITTEE AND ITS RECOMMENDATIONS.

779. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state when the Postal Inquiry Committee was formed and what was the interval between its function and the date of giving effect to its recommendations?

(b) What were the establishment charges incurred in 1919, i.e., prior to the appointment of the Postal Inquiry Committee and the amount spent on each of the following seven grades?

- (1) Runners;
- (2) Lower grade staff, i.e., officials below the rank of postmen except runners;
- (3) Postmen;
- (4) Officials above the rank of postmen and below clerks;
- (5) Clerks;
- (6) Selection grade officials; and
- (7) Gazetted Officers.

(c) What were the establishment charges incurred in 1920 in respect of each of the above said seven ranks as a result of the Committee's recommendations?

(d) Will Government be pleased to state whether, apart from the revision sanctioned in the year 1918, and the revision made as a result of the recommendation of the Inquiry Committee, any other revision of pay was sanctioned by Government to any of the officials in any of the above seven ranks between 1919 and 1929, and if so, the amount incurred and the amount spent on each rank?

The Honourable Sir Bhupendra Nath Mitra: (a) The Postal Committee assembled in Simla in April, 1920, but retrospective effect was given from the 1st December, 1919, to the recommendations of that Committee.

(b) and (c). If the Honourable Member will refer to pages 25, 34 to 48, and 72 of the Committee's Report, he will find the information which he requires. The conditions of service and pay of the gazetted staff were not included in the terms of reference of the Committee.

(d) During the years 1926-27, 1927-28, and 1928-29, improved scales of pay for non-gazetted subordinates generally of the Posts and Telegraphs Department were introduced. It would not be possible without making investigations involving an undue amount of labour to give details of cost in respect of each class of officials.

GRANT OF INCREMENTS OF PAY FOR PAST SERVICE TO POSTMEN.

780. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether postmen and the clerks are included in the superior service of the Department?

(b) Is it a fact that, in granting increments to clerks, the full period of their temporary service or officiating service was subsequently taken into account and pay revised?

(c) Was the above concession allowed to the postmen, and if so, when and from what starting point?

(d) If the postmen on permanent service on the date of revision of 1919 have not been given that benefit, what steps do Government propose to take in the matter to redress the grievances of the postmen?

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

(b) Yes, subject to certain conditions and restrictions.

(c) No. The concession granted to postmen was of a different nature. They were allowed to count for increments not only their permanent service as postmen, but also one-third of all other service in the Department, whether permanent or temporary.

(d) Government do not propose to take any further action after the lapse of ten years nor, in view of the substantial concession granted to postmen as explained in my reply to part (c) above, do they consider that the postmen have any grievance.

APPOINTMENT OF POSTMEN AS LOWER DIVISION CLERKS.

781. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state whether they have given effect to the scheme of appointing postmen as lower division clerks? If so, in which year?

(b) How many postmen have hitherto been appointed to that cadre in each Circle till now?

(c) Is it a fact that some of the Superintendents in the Madras Presidency have reported to the Postmaster General that there are no competent postmen in their division to be promoted to that cadre?

(d) If so, from which of the Divisional Superintendents were such reports received?

Mr. H. A. Sams: (a) Yes. Towards the end of 1929.

(b) to (d). The information is being collected and will be furnished to the Honourable Member in due course.

PROMOTION OF POSTAL RUNNERS.

782. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state:

(1) Whether vacancies in the rank of lower grade staff and postmen are filled up by direct recruitment or by promotion of runners and lower grade staff respectively, and if by promotion whether the vacancies are filled up by the seniormost officials in the respective ranks?

(2) Whether appointments of sorting postmen, overseer postmen, cash overseers, head postmen and Departmental Branch Postmasters, etc., are reserved for postmen only?

(3) Whether the above appointments are made according to seniority in service?

(4) Whether Government are aware of the fact that runners who enter the Postal Department on Rs. 13 per mensem generally retire on Rs. 20 or Rs. 25 and do not reach even the postmen cadre?

(5) Whether Government are prepared to consider the question of refixing the pay of the four grades, i.e., runners, lower grade staff, postmen and sorting postmen as to enable a runner who enters the Department on Rs. 13 per mensem to retire on a decent pension after his service of 30 years?

Mr. H. A. Sams: (1) It is presumed that by "lower grade staff" the Honourable Member refers to the inferior staff in post offices, viz., packers, mail peons, etc. These officials are ordinarily recruited direct, but where suitable runners are available they can be employed in these capacities.

As regards postmen, vacancies in this grade are filled by promotion of inferior servants of the Department possessing the necessary qualifications, and, when qualified men are not available, by direct recruitment. The promotion is made by selection from qualified candidates, seniority being taken into account only when other qualifications are practically equal.

(2) Yes.

(3) The appointments are made by selection, seniority being regarded only where other qualifications are practically equal.

(4) Government are not aware of the fact that runners generally retire on Rs. 20 or Rs. 25. It is a fact that runners are seldom promoted to the grade of postman, because the majority of runners are entirely illiterate and therefore unfit to work as postmen.

(5) Properly qualified runners are not debarred from promotion to the postman cadre or beyond, and Government see no reason to refix the scales of pay of the four classes of officials referred to by the Honourable Member, which were revised as recently as May 1928.

Mr. Abdul Latif Sahib Farookhi: Have any runners been given the post of postmen?

Mr. H. A. Sams: I cannot say, Sir, without investigation.

HOUSE RENT ALLOWANCE FOR POSTMEN, LOWER GRADE STAFF AND RUNNERS.

783. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state what principle is followed in determining the house rent allowance payable to postmen, lower grade staff and runners?

(b) In which post offices in the Madras Presidency is the house rent allowance paid and at what rates?

(c) Is it a fact that postmen and lower grade staff employed in some of the Post Offices situated even in the District Headquarters are not paid any house rent allowance?

(d) Is it a fact that the postmen and lower grade staff employed at Erode with a staff of six postmen get house rent allowance while those employed at Salem Head Office with a staff of 21 postmen do not get any allowance, though both the offices are under the control of one Divisional Superintendent? If so, why?

The Honourable Sir Bhupendra Nath Mitra: (a) Where owing to scarcity of houses or other reasons suitable accommodation cannot be obtained by a Government servant for a rent equivalent to 10 per cent. of his pay,

a house rent allowance is generally granted as a contribution towards the extra expense involved. This principle is generally followed in determining the house rent allowances payable to postmen and lower grade staff and runners.

	Rs.
(b) Madras and its town sub offices	3
Madura and ditto	2
Hyderabad and its town sub offices	2
Bangalore and its town sub offices	2
Coimbatore and its town sub offices	1
Ootacamund, Coonoor and Nilgiris	2
Trichinopoly and its town sub offices	1
Vizagapatam and its town sub offices	1
Erode	1
Tirupur	1
Erode R. S.	1
Tirupur Bazar	1

(c) Yes.

(d) Yes; from my reply to part (a) of his question, the Honourable Member will understand that neither the number of postmen in an office nor its administrative control has any bearing on the question of the grant of house rent allowances to the staff employed therein.

CASUAL LEAVE FOR POSTMEN.

784. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether postal employees are generally granted 20 days' casual leave?

(b) Is it a fact that postmen do not get casual leave easily and that if at all they get it, they have to pay for their substitutes and appoint them upon their own responsibility?

(c) Even if leave be granted, is it a fact that the duties of absentee are thrust upon another postman in addition to his own work?

(d) If so, have Government considered the advisability of appointing leave reserve postmen to enable postmen to get leave easily and avoid inconveniences to the public?

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

(b) Government have no information in regard to the former part. With regard to the latter part, ordinarily Government pays for the substitute, but in certain circumstances the postman proceeding on casual leave is liable to be called upon to pay for the substitute. When a substitute is employed, the postman ordinarily has to produce him and the postman as well as the head of the office are held personally responsible for the good behaviour of the substitute.

(c) When a substitute is not employed, the work of the absentee has, naturally, to be distributed among other postmen.

(d) The general question of forming a regular leave reserve for postmen is at present being examined by Government.

SECURITY FURNISHED BY POSTAL OFFICIALS.

785. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether postal employees are expected to furnish security to the Department?

(b) If so, what is the amount of security fixed for the various ranks of officials?

(c) What is the principle followed in determining the amount of security for each rank of officials?

(d) Is it a fact that in Madras City security to the extent of Rs. 1,000 and Rs. 2,000 is demanded of some postmen?

(e) What is the reason for demanding from postmen a security higher than that demanded of clerks and other officials?

(f) Are Government aware that postmen have been required to furnish securities of Rs. 250, 1,000 and 2,000? If so, are the pecuniary responsibilities of the postmen also fixed in proportion to the security required of them? If so, what is the value of articles entrusted to them?

(g) If any distinction exists in the pecuniary responsibility of each class and in the amount of value entrusted to each, is there a similar distinction in the pay of each class? If not, why not?

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

(b) Personal security is fixed as follows:

- (1) Sub and Branch postmasters, clerks, Record clerks, Accountants, Sorters, Mail guards, extra departmental agents and stamp vendors; Rs. 300.
- (2) Overseers and others who are specially required to convey or escort cash; Rs. 500.
- (3) Postmen, village postmen, overseers, mail peons, letter box peons, packers; Rs. 250.

Alternatively Cash Security amounting to two-thirds of these sums may be taken.

(c) Generally 20 times of the pay of an official on entering the Department was formerly taken as security. This limit has, however, not been increased since the last revision of pay and the security taken works out in most cases now to less than 20 times of the present initial pay.

(d) Certain postmen in Madras City were lately required to give a higher security, but it has been recently decided that security for more than Rs. 250 should not be demanded from them.

(e) The Honourable Member is referred to the reply to part (g) of his question.

(f) Yes. Ordinarily the aggregate amount entrusted to a single postman at one time for the payment of money orders plus the aggregate value of V. P. Parcels made over to him for delivery does not exceed Rs. 600. Where the amount to be paid and the value of the articles to be delivered exceeds this limit, a proportionately higher security has been taken in some places like Calcutta and Bombay. The value of articles entrusted to postmen varies in different postal circles and is governed by local circumstances.

(g) No, because pay does not depend on pecuniary responsibility alone. I would add that the whole question of reducing the responsibilities of postmen or of modifying the extent of the security taken from them is at present under the Director-General's consideration.

PAY OF STAMP VENDORS IN CERTAIN POST OFFICES.

786. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether it is a fact that in Mannady, Broadway, Flower Bazaar, Park Town, Vepery, Mylapore, High Court Buildings and Triplicane Post Offices in the Madras City stamps are sold for over Rs. 200 daily?

(b) Is it a fact that the stamp vendors of the above offices are paid Rs. 17— $\frac{1}{2}$ —22, the scale fixed for the lower grade staff?

(c) Did the Government of India once decide that the pay of stamp vendors employed in offices where sales of stamps exceed Rs. 200 should be fixed at Rs. 40—5—90?

(d) If so, what are the reasons for fixing the pay of the stamp vendors employed in the above named offices on Rs. 17— $\frac{1}{2}$ —22?

(e) Are Government prepared to pay these stamp vendors at Rs. 40—5—90 at least in future and those in other offices of the Circle, if the aggregate sales therein justify it?

Mr. H. A. Sams: The information is being collected and will be supplied to the Honourable Member in due course.

HILL STATION ALLOWANCE FOR POSTAL OFFICIALS OF CERTAIN STATIONS.

787. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether the postal clerks and other higher officials in the Post Offices like Coonoor, Ootacamund, Wynad, Yercaud, and Kodaikanal situated on the hills are paid hill station allowance? If so, at what rate and from which date?

(b) Is it a fact that postmen and the lower grade men employed in the above offices are not granted any such allowance?

(c) If the answer to part (b) be in the affirmative, are Government prepared to consider the case of these men also and grant them suitable allowance?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. The rates which were last revised with effect from the 1st September, 1921, vary for the different localities and for different classes of officials. In the case of the postal clerks at Ootacamund the allowance is, generally speaking, at the rate of Rs. 12 per mensem, while in the other places mentioned by the Honourable Member it is generally Rs. 10 per mensem. The Postmaster and Deputy Postmaster, Ootacamund, draw allowances of Rs. 40 and Rs. 20 per mensem, respectively.

(b) Yes.

(c) The attention of the Honourable Member is drawn to paragraphs 35 and 11 of the proceedings of the meetings of the Standing Finance Committee held on the 16th and 30th January, 1930, respectively.

SELECTION GRADE POST OFFICES IN INDIA.

788. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state the number of selection grade post offices in India in 1919 and the number of selection grade officers then in service?

(b) What is the number of selection grade post offices in India now and the number of selection grade officers now in service?

(c) What was the number of selection grade post offices in the Madras Presidency in 1919 and the number of selection grade officers then?

(d) What is the number of selection grade post offices in the Madras Presidency now and the number of selection grade officers thereof?

(e) If increase in work be the criterion for raising an office to a selection grade status, what are the principal items of work which justify the change?

(f) When were the undermentioned sub-offices raised to selection grade status?

1. Villupuram.
2. Chidambaram.
3. Myavaram.
4. Teppakulam.
5. Dindigul.
6. Karur.
7. Erode.
8. Tiruppur.
9. Coonoor, R. S.
10. Palghat.
11. Tuticorin.
12. Tinnevely.
13. Conjeevaram.
14. Washermanpetta.
15. Tindivanam.
16. Cuddalore, O. T.

Prior to the conversion of the above offices into selection grade offices, what were the number of postmen and the number of clerks employed in those offices? What is their present strength?

(g) Is it a fact that the strength of the clerical establishment only is increased in such newly made selection grade post offices while that of the postmen and lower grade men is not so increased? If so, why?

Mr. H. A. Sams: (a) and (c). There was no selection grade in 1919.

(b) Offices in India—806, Officers in India—1,633.

(d) Separate figures for the Madras Presidency are not available, but the figures for the Madras Postal Circle are: Offices—78, Officers—274.

(e) The status of a sub-office is raised to the selection grade when the work of the office as a whole justifies, by the application of the time-test, the employment of five or more clerks. All items of work covered by the time-test are taken into consideration, and it is not possible to discriminate as to their relative importance.

(f) Government do not possess the information and do not consider that the expenditure of time and labour which would be involved in collecting it could be justified by the importance of the result.

(g) No, the facts are not as stated by the Honourable Member. When the status of a sub-office is raised to the selection grade an actual increase of clerical staff does not necessarily take place. The selection grade posts of sub-postmasters are regarded as supervisory appointments and are over and above the operative strength of the clerical staff of an office as justified by the time-test.

DELIVERY OF POSTAL ARTICLES BY POSTMEN ON SUNDAYS AND OTHER HOLIDAYS.

789. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether the despatch and delivery of paid letters constitute the only business transacted in Post Offices on Sundays and postal holidays?

(b) How is the attendance of postmen on Sundays and holidays regulated for the delivery of articles to the public?

(c) Is it a fact that in cities like Madras where there is more than one postman for a single beat on regular week days, the full beat is entrusted to one postman on holidays and the attendance of postmen arranged by turns?

(d) Is it a fact that in post offices like Tanjore, Conjeevaram, Erode, Cuddalore and a host of other offices, where there is only one postman for a beat all the postmen are required to attend to the delivery of articles, on holidays, in their respective beats?

(e) Is it a fact that the attendance of the postmen on holidays in the stations referred to in part (d) is not regulated by turns and that they work all the 365 days of a year, getting no holiday?

(f) Do they propose to arrange for causing the work to be done by turns and thus give the postmen holidays in the real sense of the term?

Mr. H. A. Sams: (a) The business mentioned by the Honourable Member is the main, but not the only business done by Post Offices on Sundays and Post Office holidays.

(b) The distribution of letters is generally restricted to a single delivery and, where the number of postmen employed permits of this, attendance is by rotation. As far as the possible attendance is fixed at an hour which affords the maximum portion of the day free to the postmen.

(c) to (e). Information is being collected and will be supplied to the Honourable Member in due course.

(f) Yes, if enquiries show that this is not already done and such arrangements are practicable.

HALTING ALLOWANCE FOR VILLAGE POSTMEN.

790. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether it is a fact that village postmen are generally expected to halt in out-stations before returning to their headquarters after completing the delivery of articles entrusted to them?

(b) If so, are they paid any daily *batta* for the days they halt in out-station? If not, why not?

(c) What is the *batta* paid to the undermentioned officers and officials when they halt in out-stations during the course of their inspection?—

1. Director General,
2. Postmaster General,
3. Deputy Postmaster General,
4. Assistant Postmaster General,
5. Superintendent,
6. Inspector,
7. Village postmen.

(d) Will Government state how the village postmen keep secure the money order amounts and other valuable articles entrusted to them during their tour round the village?

(e) Are Government aware that the village postmen are often obliged to spend extra for their meals, etc., at the stations whereat they have to halt overnight?

(f) Are the Government prepared to consider the necessity of giving these village postmen daily *batta* for the days they halt in out-stations?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, in many cases.

(b) No. The conditions of service of village postmen require that they should remain absent from headquarters when necessary for the discharge of their duties.

(c) The rate of daily allowance for the journeys on tour is:

1. Rs. 10.
2. Rs. 7-8-0.
3. Rs. 6.
4. Rs. 4.
5. Rs. 4.
6. Rs. 3.

7. The village postmen have no inspection duty to perform, but, if they are required to perform any journey for which travelling allowance as on journeys on tour is admissible, they are paid at the rate of 0-4-0 to 0-8-0 annas per diem according to pay.

(d) Village postmen are supplied with locked bags in which to keep the cash and valuables entrusted to them when proceeding on their beats.

(e) Government have no information.

(f) No, for the reasons stated in reply to part (b) above and also in view of the fact that a substantial improvement in their pay was effected in 1928.

CONTRACTS MADE BY THE ARMY SERVICE CORPS.

791. *Lala Rang Behari Lal: (a) Will Government be pleased to state if it is a fact that, after contracts for the supply of a certain commodity are made by the Indian Army Service Corps, the copies of the specifications of the articles concerned are given to every unit and that they are also put up in the Ration Stand?

(b) If so, will Government be pleased to state if officers are authorised to go against those specifications?

(c) Will Government be pleased to state if there is any penalty for any officer intentionally going against these specifications and the method in which the contractor's loss is compensated?

Mr. G. M. Young: (a) Contracts for Indian Army Service Corps supplies are based on specifications approved by Government and published in a book entitled "Specifications of Articles supplied by the Indian Army Service Corps".

Copies of specifications are sent to all units to guide them in deciding whether the articles tendered are fit for acceptance.

(b) No, Sir.

(c) No specific penalty is prescribed in such cases. If a contractor considers that an officer has not adhered to the approved specifications, he has the right of immediate appeal to the competent authority mentioned in the contract deed.

CONTRACTS IN THE INDIAN ARMY SERVICE CORPS IN THE DELHI INDEPENDENT BRIGADE AREA.

792. *Lala Rang Behari Lal: (a) Will Government be pleased to state if any contracts were placed at higher rates in the Indian Army Service Corps in the Delhi Independent Brigade Area this year in spite of the fact that there were lower tenders?

(b) If so, what was the number of such contracts, and will Government be pleased to state the reasons for this action?

(c) Will Government be pleased to state whether these contracts are placed with several contractors or with one particular contractor?

(d) If the contracts are given to several contractors on higher rates, will Government be pleased to state their names?

Mr. G. M. Young: With your permission, Sir, I propose to answer questions Nos. 792, 793 and 794 together.

Enquiries have been made and the result will be communicated to the Honourable Member in due course.

TENDERERS FOR THE FIRE-WOOD CONTRACTS IN THE DELHI INDEPENDENT BRIGADE AREA.

†793. *Lala Rang Behari Lal: Will Government be pleased to state the names of various tenderers for the fire-wood contracts in the Delhi Independent Brigade Area this year with their rates?

CONTRACT FOR HIRED TRANSPORT IN THE DELHI BRIGADE AREA.

†794. *Lala Rang Behari Lal: (a) Will Government be pleased to state whether the hired transport contractor for the year 1928-29 had claimed a big amount in the Delhi Brigade Area above his contract?

(b) Is it a fact that on account of the above said claim that contractor could not give a reasonable rate in 1929-30, so the contract for hired transport was placed with his younger brother who was added on the approved list?

ORDERS BY THE DEPUTY AUDITOR GENERAL RE DRAWING OF PAY BY A CLERK WHILE ON LEAVE.

795. *Lala Rang Behari Lal: (a) Is it a fact that the Deputy Auditor General, Headquarters, issued an Office Order to the effect that a clerk of the office of the Auditor General who is unable to receive payment of his dues in person should produce a life certificate signed by a responsible officer of Government or other well known and trustworthy person, in addition to a stamped receipt and a letter of authority?

(b) Are Government aware that the order requiring the production of a life certificate in such cases causes much inconvenience to the clerks on leave who may happen to be in a strange or a small station or who may be sick and unable to approach persons of the required status?

(c) Is it a fact that the clerks of the Auditor General's office made a representation against this order but that it was rejected?

(d) Is it a fact that no rule requiring the production of a life certificate in respect of non-gazetted Government servants is in force in any other Government office?

(e) Is it a fact that the Government of India has prescribed the production of such a life certificate *only* in the case of gazetted officers and officers on leave out of India?

(f) If so, are Government prepared to cancel the Order about the production of a life certificate?

The Honourable Sir George Schuster: (a) The Office Order in question requires that, when a member of the Auditor General's office establishment is unable to receive payment of his dues in person, he should send the following documents:

- (i) A receipt for the money due to him, duly signed, and stamped when necessary;
- (ii) A life certificate for the drawal of leave salary; and
- (iii) A letter mentioning the name of the person to whom the payment is to be made.

†For answer to this question, see answer to question No. 792.

(b) The existence of the order need not cause inconvenience, as, in cases in which individuals find it difficult to produce a life certificate, payment can be made by money order, at the cost of the payee, in which case payment is made by the Post Office to the recipient in person and no life certificate is required.

(c) Yes.

(d) Government are not aware of the practice actually obtaining in all other offices.

(e) Yes. But in the case of non-gazetted officers, Government hold the heads of offices responsible for the correct disbursement of amounts drawn by them for payment to their subordinates; and it is, therefore, for the heads of offices, in the discharge of their responsibility, to require the production of such a life certificate, should they consider it necessary, and not for the Government of India to prescribe it.

(f) No. The order merely embodies a reasonable and business like precaution.

DISCONTENT AMONG TYPISTS OF CERTAIN OFFICES.

796. *Lala Rang Behari Lal: (a) Are Government aware that there is serious discontent among the typists of the offices of the Accountant General, Central Revenues, Director of Railway Audit, Auditor General, Director of Commercial Audit, in Delhi in consequence of their inadequate scale of pay and prospects?

(b) Is it a fact that they submitted memorials to the Auditor General praying for a suitable increase in their scales of pay and that the memorials were rejected by him?

(c) If so, will Government please state the reasons for rejecting the memorials?

(d) Will Government please state the scales of pay of the typists in the Government of India Secretariat, and in the offices of the Chief Commissioner, Delhi, Controller of Railway Accounts and the Director General, Posts and Telegraphs, and state if these scales are higher than those obtaining in the offices mentioned in part (a) above?

(e) If so, will Government please state the reasons for this difference in the scales of pay?

(f) Are Government prepared to bring the scales of pay obtaining in the offices as mentioned in part (a) into line with that obtaining in the Government of India Secretariat at a very early date?

The Honourable Sir George Schuster: With your permission, Sir, I lay on the table the information required by the Honourable Member

(a) and (b). It is the fact that memorials were submitted and rejected and the memorials expressed dissatisfaction with existing rates of pay.

(c) The Auditor General did not consider that the typists, who are not interchangeable with clerks in these offices, should be granted a better scale than that allowed at present for the nature of work done by them.

(d) and (e). The scales of pay of typists in different offices are as follows:

(1) Government of India, Secretariat . Rs. 90—4—130—4—170. (They, however get Rs. 75 until they are confirmed.)

(2) Chief Commissioner, Delhi . There is no separate scale of pay for typists. They are in the grade of Junior clerks on Rs. 50—5—175 with bar at Rs. 120 and are liable to work anywhere in the office as routine clerks in the same scale.

(3) Controller of Railway Accounts . The typists are on the same scale of pay as clerks class II which is Rs. 75—5—150.

(4) Director General, Posts and Tele- There is no separate cadre for typists. They are included in the second division or routine clerks in the time scale of Rs. 55—5—155 with bars at Rs. 80 and Rs. 115 and those who are qualified in typing are actually employed as typists.

(5) Accountant General, Central Revenues.

(6) Director of Railway Audit . Rs. 50—5—120.

(7) Auditor General .

(8) Director of Commercial Audit .

It will be observed that in some of the offices in question there are no separate scales of pay for typists. They are on the scale of pay for routine clerks and are expected to do the work of routine clerks when required. In the accounts offices there is no scale for routine clerks separate from the scale for other clerks, and the typists are not ordinarily expected to do regular clerical work.

(f) No.

PERCENTAGE OF MINORITY COMMUNITIES IN THE MINISTERIAL STAFF OF THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

797. *Lala Rang Behari Lal: (a) Will Government be pleased to state what is the percentage of minority communities amongst the ministerial staff of the Department of Education, Health and Lands?

(b) Is it a fact that the percentage of minority communities is far in excess of the limit of 33 per cent. fixed by Government?

(c) If the reply to part (b) is in the affirmative, are Government prepared to consider the advisability of raising the percentage of Hindus in the Department of Education, Health and Lands, until the requisite percentage of 66 per cent. is obtained?

Sir Frank Noyce:

(a) Muslims	24.42
Europeans and Anglo-Indians	15.12
Sikhs	5.81
Other communities	1.16
Total	46.51

(b) No such limit has been fixed by Government. The orders which the Honourable Member has presumably in mind are those which lay down that one-third of the number of all permanent vacancies occurring

in the Government of India Secretariat should be reserved for redressing communal inequalities. These orders refer to fresh recruitment and do not prescribe 33 per cent. as the maximum limit for representation of minority communities.

(c) Does not arise.

Pandit Nilakantha Das: Does the Honourable Member, who put the questions, suggest that the high proportion of presentation of minority communities is not based on considerations of merit?

(No answer was given.)

CONTRACTS FOR SALE OF ICE AND AERATED WATER ON RAILWAYS.

798. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if the Agents of the Railways make contracts for selling ice and aerated waters on their lines for all passenger trains for the hot weather every year?

(b) Is it a fact that contracts in the various branches of the North Western Railway, Lahore, have been given to the same contractors for the last ten years?

(c) Is it a fact that the contractors of the North Western Railway make no arrangements for the sale of iced waters to the passengers, while they undertake to sell the same at the rate of 3 pies per pint?

(d) Is it also a fact that the vendors sell ice at higher rates than 1 as. 6 pies per seer and they do not keep even the weighing scales?

(e) Are Government prepared, in the interests of third class passengers in special and others in general, to see that the undertakings are fully carried on by the ice-vendors?

Mr. A. A. L. Parsons: I am asking the Agent of the North Western Railway for information on the points raised by the Honourable Member and will communicate with him later.

DESPATCHES AND TELEGRAMS ADDRESSED TO THE SECRETARY OF STATE FOR INDIA BY THE GOVERNMENT OF INDIA.

799. ***Sir Purshotamdas Thakurdas:** (a) Will Government be pleased to state the number of despatches addressed by them to the Secretary of State during the years 1927, 1928 and 1929?

(b) Are despatches addressed to the Secretary of State on all important questions?

(c) If not, what are the questions on which despatches are addressed and what are the questions about which telegrams are addressed?

(d) Do Government recognise the difference between the method of addressing the Secretary of State by means of despatches and by means of telegrams?

(e) Is it a fact that despatches have to be signed by all Members of the Executive Council with a certain minimum?

(f) Is it a fact that the opinion of the Governor General in Council may be communicated to the Secretary of State by telegram without even the knowledge of other Members of the Executive Council?

(g) Will Government be pleased to state if they propose hereafter to resort more often to the system of communication with the Secretary of State by means of despatches only and not by means of telegrams unless the urgency of the question warrants communication by telegram?

(h) Will Government be pleased to state the amount of expenditure incurred by them on telegraph charges between the Government of India, and the India Office, including private and personal telegrams to the Secretary of State, during the years 1927, 1928 and 1929?

The Honourable Sir James Crerar: (a) and (h). Government do not consider that any useful purpose would be served by the compilation of the statistics asked for by the Honourable Member.

(b) and (c). Yes, except when the urgency of a case requires telegraphic communication.

(d) and (e). Yes.

(f) Only in the case of departmental questions of minor importance.

(g) The Government of India do not consider that any change is called for in the existing method of correspondence with the Secretary of State, viz.:

(1) by despatches (2) by Secretary's letters and (3) by telegram in cases of urgency.

UNSTARRED QUESTIONS AND ANSWERS.

RECRUITMENT OF COPYISTS IN THE MILITARY ACCOUNTANT GENERAL'S OFFICE THROUGH THE PUBLIC SERVICE COMMISSION.

283. **Mr. Gaya Prasad Singh:** (a) Is it a fact that the copyists in the Military Accountant General's office draw the same rates of pay and allowances as the third division clerks in the Government of India Secretariat and that they are not liable to transfer from that office?

(b) Is it also a fact that the recruitment to these posts is made by the Military Accountant General without going through the Public Service Commission?

(c) If the reply to the above questions is in the affirmative, are Government prepared to consider the desirability of making all further recruitment to the above appointments through the Public Service Commission?

The Honourable Sir George Schuster: (a) The answer is in the affirmative.

(b) Yes. That has been the practice in the past.

(c) Recruitment of routine division clerks will be made through the Public Service Commission in future.

NON-OFFICIAL ADVISORY COMMITTEE FOR RISALPUR CANTONMENT AUTHORITIES.

284. **Pandit Thakur Das Bhargava:** With reference to item No. 21 on page 13 of the Minutes of the Conference of a Deputation of the All-India Cantonments Association with the Army Secretary in June, 1929, regarding the desirability of having a Non-Official Advisory Committee

to help the Cantonment Authority in India existing in the form of "corporation sole" in matters affecting the civic rights of the residents, will Government be pleased to state if the Officer Commanding, Risalpur Brigade has considered the advisability of the appointment of a few representatives of the civil population there for consultation as was done in stations in Waziristan which were not Cantonments?

Mr. G. M. Young: Relevant extracts from the minutes of the conference were forwarded to the General Officers Commanding-in-Chief, all Commands and the Commander, Burma Independent District for consideration of the suggestion made therein. Government are not aware whether the suggestion has been or could suitably be adopted in Risalpur.

APPOINTMENT OF TRADE COMMISSIONERS.

285. Pandit Thakur Das Bhargava: (a) Will Government be pleased to state if any Trade Commissioners have been appointed so far? If so, at what places? Who are the gentlemen appointed and what are their qualifications?

(b) How many Trade Commissioners are proposed to be appointed during the present and coming years and in what places?

The Honourable Sir George Rainy: (a) The Honourable Member presumably has in mind the scheme for the appointment of Indian Trade Commissioners abroad. No appointments have yet been made in pursuance of the scheme.

(b) The total number of these Trade Commissioners provided for in the scheme is six, one each at Hamburg, Milan, New York, Alexandria, Durban and Mombasa. It is hoped to make a start by selecting two Trade Commissioners this year and to complete the scheme gradually as funds permit.

RECOVERY OF ARREARS OF PROFESSIONAL TAX IN THE CANTONMENT OF RISALPUR.

286. Pandit Thakur Das Bhargava: (1) Are Government aware that considerable unrest prevails in the Cantonment of Risalpur caused by the action of the Cantonment Authority by the sudden recovery of heavy sums of two years' arrears of the professional tax which was imposed by the Local Government only with effect from the 1st September, 1929?

(2) Will Government be pleased to state if it is a fact:

(a) that in 1926 a provincial tax was imposed by the Local Government in the Cantonment of Risalpur;

(b) that it was postponed from 1927 to 1929;

(c) that a professional tax was imposed in that Cantonment by the Local Government only with effect from the 1st September, 1929, *vide* the North West Frontier Province, Revenue Department Notification No. 918-L.F., dated the 24th August, 1929; and

(d) that "demand notices" have been issued for the recovery of the arrears of the tax for 1927, 1928 and 1929, which though dated 1st February, 1930, have actually been served on the 15th February, 1930?

(3) If answers to part 2 (a) to (d) be in the affirmative, will Government be pleased to state the reasons which necessitated:

(a) the suspension of the provincial tax for two years;

(b) the introduction of new professional tax;

(c) the collection of professional tax for the preceding two years when the tax was imposed by the Local Government only with effect from the 1st September, 1929; and

(d) the difference of 15 days' interval allowed between the date of issuing notices, and actually serving the same?

(4) Will Government be pleased to state whether the provisions of sections 89 and 90 of the Cantonment Act have been complied with, and whether the requisite notification as regards the date, and the number of instalments proposed to be realised was published by the Cantonment Authority, and whether bills were sent in accordingly? If not, why not?

(5) Will Government be pleased to state the reasons which led the Cantonment Authority not to realise the tax for more than two years?

Mr. G. M. Young: I am making enquiries and will let the Honourable Member know the result in due course.

LEASE FORM FOR SHOPS BELONGING TO CANTONMENT AUTHORITIES IN INDIA.

287. Pandit Thakur Das Bhargava: Will Government be pleased to state if it is a fact that the question of adopting a suitable lease form for giving shops belonging to Cantonment Authorities in India on rent to shop-keepers is at present under the consideration of the Government of India?

Mr. G. M. Young: The Cantonment Authorities have recently been instructed to grant regular leases for the occupation of their shops.

CONSTRUCTION OF THE BHIWANI-ROHTAK RAILWAY LINE.

288. Pandit Thakur Das Bhargava: (a) In reply to question No. 450 asked by me on 26th March, 1928, the Government was pleased to say that the construction of the Bhiwani-Rohtak Railway line is hoped to be finished by December 1929. In reply to a further question No. 380, asked by me on the 27th March, 1929, Government was pleased to say that construction was hoped to start in 1930-31 and be completed in 1931-32. The Pink Book, North Western Railway, however, shows that the construction will not be taken up in 1930-31. Will the Government be pleased to state why they are postponing the construction of this line?

(b) Has the Bombay, Baroda and Central India Railway made any representation in the matter regarding the likely prejudicial effect on that Railway of the proposed new line? If so, has any reply been given?

(c) Are Government aware that four trains used to run between Delhi and Bhatinda *via* Rewari and up till September 1928 there were at least three trains running between Delhi and Bhatinda *via* Rewari, whereas at present there are only two passenger trains (one direct and the other connecting) from Delhi to Bhatinda *via* Rewari (Bombay, Baroda and Central India Railway)?

(d) Are Government aware that this reduction in the number of trains is causing great inconvenience to the public?

Mr. A. A. L. Parsons: (a) It has, as the Honourable Member is aware, not been found possible to find money for starting any new lines in 1930-31.

(b) No. The Bombay, Baroda and Central India Railway originally objected to the construction of the Bhiwani-Rohtak line but have since withdrawn their objection.

(c) and (d). I would invite the Honourable Member's attention to the reply given on 26th September 1929 by Mr. Rau to the Honourable Member's question No. 221.

WANT OF MAIL, EXPRESS OR FAST TRAINS BETWEEN REWARI AND BHATINDA AND STOPPAGE OF SHUTTLE TRAINS BETWEEN BHIWANI AND HISSAR.

289. **Pandit Thakur Das Bhargava:** (a) Is it a fact that there are no mail, express or fast trains at present running between Rewari and Bhatinda (Bombay, Baroda and Central India Railway)?

(b) Is it a fact that, for a few months, shuttle trains were running between Bhiwani and Hissar and the said trains were fully utilised by the public?

(c) Is it a fact that, from the 1st March, 1930, the shuttle trains have ceased to run between Bhiwani and Hissar?

(d) Was the experiment unsuccessful financially? If not, why has this convenience been withdrawn?

Mr. A. A. L. Parsons: I would invite the Honourable Member's attention to the reply given on 26th September, 1929, by Mr. Rau to the Honourable Member's question No. 221. I will send a copy of the Honourable Member's question and of my answer to the Agent of the Bombay, Baroda and Central India Railway and ask him to take such action as he may consider necessary.

CHARGE BY THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY OF THIRD CLASS MAIL FARES FROM PASSENGERS TRAVELLING IN EXPRESS TRAINS.

290. **Pandit Thakur Das Bhargava:** (a) Does any other Railway Administration except the Bombay, Baroda and Central India Railway (metre gauge) charge third class mail fares from passengers travelling in express trains?

(b) If the reply is in the negative, will the Government be pleased to state the reason for this action of the Bombay, Baroda and Central India Railway metre gauge?

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

(b) Does not arise.

WANT OF CONCESSION FARES FOR THIRD AND INTERMEDIATE CLASS PASSENGERS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

291. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the Bombay, Baroda and Central India Railway does not grant to third or intermediate class passengers any concessions such as week-end return tickets, Christmas, Diwali, Dussehra concession?

(b) Have Government ever addressed this Railway in this matter? If so, what reply has been given? Do Government propose to ask the Bombay, Baroda and Central India Railway, to bring their action in regard to concessions into line with that of other railways?

Mr. A. A. L. Parsons: (a) No. Concession return tickets are issued for the Christmas and Dewali holidays from Bombay.

(b) I would refer the Honourable Member to the reply given to part (c) of his question No. 226 on the 26th September, 1929. The reply to the latter part of this question is in the negative.

GENERAL KNOWLEDGE PAPER IN THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

292. **Mr. G. Sarvotham Rao:** (1) Is it a fact that:

(a) in all ministerial branch examinations held by the Staff Selection Board and the Public Service Commission up to 1928 the general knowledge paper has been on one and the same lines and mostly comprised of the newspaper knowledge;

(b) the style of this paper was quite changed in the examination of 1929;

(c) this change was not previously made known to the candidates by means of a model paper?

(2) If the reply to part (1) above be in the affirmative, will Government be pleased to state whether a fixed number of grace marks has been awarded to examinees? If not, why not?

The Honourable Sir James Crerar: (1) (a) and (b). I understand that though the general knowledge paper has hitherto been much on the same lines, it can scarcely be said to have mostly comprised newspaper knowledge and that at the last examination the scope of the paper remained much the same though the style was changed.

(c) Yes.

(2) The matter is one entirely for the Public Service Commission and Government are not prepared to interfere with their discretion.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

293. **Mr. G. Sarvotham Rao:** Is it a fact that the ministerial branch examination held in 1929 by the Public Service Commission was the final examination for departmental men? If so, will Government be pleased to state whether a more lenient treatment has been given to candidates for the upper division than has hitherto been done in qualifying examinations? If not, why not?

The Honourable Sir James Crerar: It is a fact that the examination referred to was the last qualifying examination but such departmental men as are eligible by age and qualifications will be entitled to appear at future competitive examinations. The reply to the second part of the question is in the negative. The reason is that it was not desired to lower the standard.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

294. **Mr. G. Sarvotham Rao:** (1) Is it a fact that:

- (a) a uniform percentage of marks has been observed to qualify candidates for the upper division in all qualifying examinations; and
- (b) such percentage was taken in the aggregate and not in the individual papers?

(2) If the reply to (1) above be in the affirmative, will Government be pleased to state whether this practice has been observed in the 1929 ministerial branch examination? If not, why not?

The Honourable Sir James Crerar: (1) (a). No.

(b) Yes.

(2) I have no information. The matter was entirely one for the discretion of the Public Service Commission.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

295. **Mr. G. Sarvotham Rao:** Will Government be pleased to lay on the table a statement showing:

- (a) the names of candidates who appeared in the 1929 examination for the upper division of the Secretariat; and
- (b) how many were declared successful?

The Honourable Sir James Crerar: A statement is being prepared and will be furnished to the Honourable Member in due course.

NUMBER OF STENOGRAPHERS WHO APPEARED FOR THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

296. **Mr. G. Sarvotham Rao:** Will Government be pleased to state the number of stenographers who appeared for the upper division in the 1929 examination and the number of the stenographers passed in that examination? Will they be also pleased to state the marks obtained by them in each individual paper?

The Honourable Sir James Crerar: 22 stenographers appeared for the upper division of whom eight qualified. Government have no information in the matter.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

297. **Mr. G. Sarvotham Rao:** Will Government be pleased to state what percentage of marks in the aggregate was fixed in the upper division qualifying examinations of 1920, 1922, 1924 and 1925? Do Government propose to qualify those candidates for the upper division in the 1929 examination who got the same percentage of marks in the aggregate? If not, why not?

The Honourable Sir James Crerar: I understand that the percentages varied but I have no precise information. The reply to the second part of the question is in the negative. Government have no reason to suppose that a reasonable standard was not adopted.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

298. **Mr. G. Sarvotham Rao:** Do Government propose to pass for the upper division those men who:

- (a) appeared for the upper division in the competitive examination of 1926 and secured over 60 per cent. marks in the aggregate; and
- (b) who appeared in the qualifying examination of 1929 for the same division and secured 60 per cent. marks in the aggregate?

The Honourable Sir James Crerar: (a) and (b). Government do not conduct these examinations and are not prepared to interfere with the discretion of the Public Service Commission in regard to the method of conducting them.

PUBLIC SERVICE COMMISSION EXAMINATION FOR THE RECRUITMENT OF STENOGRAPHERS.

299. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that since 1924, no examination has been held for the recruitment of stenographers for the Government of India Secretariat and Attached Offices?

(b) Is it a fact that owing to the dearth of qualified men unpassed men have been employed as stenographers in some of the offices?

(c) Is it a fact that at the last ministerial branch examination some of the men who have been successful for the first division are stenographers?

(d) Have Government considered the desirability of holding at an early date an examination open to departmental candidates desirous of qualifying for the stenographer's grade?

The Honourable Sir James Crerar: (a) and (c). Yes.

(b) Yes in temporary vacancies only.

(d) The matter is under the consideration of the Public Service Commission.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

300. **Rao Bahadur M. C. Rajah:** (a) Will Government be pleased to state:

- (i) the total marks for each of the various papers set at the last clerical examination held by the Public Service Commission;
- (ii) the percentage of marks required to be obtained to secure a pass in the First and Second Divisions respectively; and
- (iii) the percentage of pass marks for qualifying clerical examinations held in the past by the Public Service Commission or the late Staff Selection Board?

(b) Is it a fact that the percentage of pass marks fixed in respect of the last examination is very high as compared with that for previous examinations? If so, will Government please state the reasons therefor?

The Honourable Sir James Crerar: (a) (i) and (ii). Government have no information.

(iii) The percentage fixed by the Staff Selection Board varied from time to time and the records available do not show in all cases clearly what it was. The Public Service Commission did not hold any qualifying examination before 1929.

(b) The Departmental Conference on the subject recommended that a fairly high standard should be required.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

301. Rao Bahadur M. C. Rajah: (a) Is it a fact that some of the candidates who appeared at the last clerical examination held by the Public Service Commission had already failed once or twice at such previous examinations?

(b) Is it a fact that some of them though they had not actually failed to qualify for higher grades at previous examinations had opportunities of appearing at such examinations?

(c) Is it also a fact that there were among the candidates for the First Division some men who had never had before any opportunity of appearing for this Division?

(d) Do Government propose to give any concession to those who fall in category (c) and have not been successful at the last examination?

(e) Have Government considered the question of allowing these men as a special case to appear at the next examination if they are not otherwise eligible?

The Honourable Sir James Crerar: (a), (b) and (c). Yes.

(d) No.

(e) Government see no reason to consider the grant of any concessions to these men.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

302. Rao Bahadur M. C. Rajah: (a) Are Government aware that there is a general feeling of dissatisfaction at the results of the last clerical examination?

(b) Are Government aware that some of the candidates who have failed to qualify are considered by the Heads of the Departments concerned to be in every way fit to hold appointments in the divisions for which they appeared?

(c) Do Government propose to consider the desirability of reviewing the cases of those candidates who secured fairly high marks and are considered fit by the Head of the Department concerned?

The Honourable Sir James Crerar: (a) I gather that there is some dissatisfaction among unsuccessful candidates.

(b) I have no such information.

(c) No.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

303. Rao Bahadur M. C. Rajah: (a) Is it a fact that the results of the ministerial selection branch qualifying examination held by the Public Service Commission have recently been announced?

(b) Is it a fact that the marks obtained by those candidates who have not been able to qualify have not been communicated to the departments to which they belong?

(c) Is it a fact that this is contrary to past practice?

(d) Are Government prepared to communicate the marks obtained by such candidates to the departments concerned? If not, will they please state the reasons for their inability to do so?

The Honourable Sir James Crerar: (a) and (b). Yes.

(c) No.

(d) Government see no advantage in communicating to departments the marks obtained in this particular qualifying examination.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

304. Rao Bahadur M. C. Rajah: (a) Will Government please state the number of candidates who appeared for the first and second divisions, respectively, at the last clerical examination held by the Public Service Commission?

(b) Will Government please also state how many of the candidates have been declared successful for each division?

(c) What is the percentage of successful candidates at this and all previous examinations held by the Commission or the late Staff Selection Board?

(d) Is it a fact that the percentage of successful candidates at the last examination is far less than in previous examinations?

The Honourable Sir James Crerar:

(a) First Division 425 candidates.

Second Division 141 candidates.

(b) First Division 17 candidates.

Second Division 29 candidates.

(c) The percentages are given below:

		Percentage of candidates qualified for 1st, 2nd and 3rd Divisions.	
Year.			
1920		39.4	approximately.
1922		35.5	"
1924		33.9	"
1925		21.0	"
1926		12.4	"
1929		17.0	"

(d) Yes. As this was the last qualifying examination many candidates appeared who had no chance of success.

RULES FOR ALLOTMENT OF QUARTERS IN NEW DELHI.

305. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that the rules regarding the allotment of quarters in New Delhi are under revision?

(b) When will Government come to a final decision in the matter and what is the cause of delay?

(c) Have Government provided in the new rules that the allotment for the next season should be made in January or February every year, to enable those who are not given quarters to make their private arrangements in good time?

(d) If the reply to part (c) be in the negative, will Government kindly state the reason?

(e) Is it a fact that the allotment of Simla quarters for the next year is made in August?

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

(b) There has been a certain amount of delay owing to the fact that the views of the different Departments had to be obtained. It is hoped that a final decision will be arrived at during the coming summer season.

(c) This will be considered along with other suggestions.

(d) Does not arise.

(e) The officers' houses and the clerks' quarters in Simla are respectively allotted as soon after the 1st September and the 1st July as possible.

POLICEMEN ON DUTY IN THE SQUARES OF INDIAN CLERKS' QUARTERS IN NEW DELHI.

306. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that policemen remain on duty at New Delhi in the squares of Indian clerks' quarters during the day?

(b) Have any policemen been posted in the new quarters constructed in 1929?

(c) If not, do Government propose to issue orders to the effect that policemen should be posted in all the squares, places and roads, etc., to keep watch during the day when all the clerks are away in offices and there are many chances of burglaries?

The Honourable Sir James Crerar: (a) Yes.

(b) Yes.

(c) The question does not arise.

DIFFICULTIES RE EDUCATION OF THE CHILDREN OF THE MOVING STAFF OF THE GOVERNMENT OF INDIA.

307. **Rao Bahadur M. C. Rajah:** (a) Are Government aware that as there are different Universities for Simla and Delhi the education of the children of the employees of the Government of India who move between these places have to suffer a good deal on account of different courses and complaints to this effect have been made many times?

(b) Will Government be pleased to state what they propose to do to alleviate the difficulties experienced by their employees in regard to the education of their children?

Sir Frank Noyce: (a) and (b). The Punjab University exercises control over higher education in Simla, while the University of Delhi exercises control over higher education in Delhi. A proposal to have a school moving between Delhi and Simla is under consideration.

NOTICE OF OCCUPATIONS OF GOVERNMENT QUARTERS IN NEW DELHI.

308. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that seven days' notice is given for the occupation of Government quarters in New Delhi?

(b) Are Government aware that most of the quarters are even then not fit for occupation and that the occupants are put to a lot of trouble on their arrival?

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

(b) No.

FURNITURE FOR CLERKS' QUARTERS RECENTLY CONSTRUCTED IN NEW DELHI.

309. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that new furniture was purchased for the new clerks' quarters constructed recently in New Delhi?

(b) Have all these new quarters been furnished with new furniture?

(c) If not, what has happened to the new furniture?

(d) Has the new furniture been sent to the bungalows of the local Public Works Department officials and the old furniture been supplied in the quarters?

(e) Have Government received any complaint to this effect?

(f) When will the old furniture in the new quarters be replaced by the new furniture intended for them?

The Honourable Sir Bhupendra Nath Mitra: (a) A certain quantity of new furniture was bought for the clerks' quarters as a whole owing to the fact that certain new "C" and "D" quarters had been constructed in the previous year, and not specifically for the new quarters.

(b) No.

(c) The new furniture has been used in furnishing the quarters allotted to migratory clerks.

(d) No.

(e) Yes; certain complaints were received to the effect that the new quarters should have been furnished with new furniture.

(f) The old furniture will be replaced by new furniture when the former becomes unserviceable.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

310. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that some of the candidates who appeared for the first division in the last departmental examination for the Government of India Secretariat held by the Public Service Commission were not already qualified for the second division?

(b) Is it a fact that most of such candidates have not been able to qualify for the first division?

(c) Have some of them obtained a sufficient number of marks for the second division? Is it a fact that they have not been declared qualified for that division?

(d) Do Government propose to consider their cases and declare them fit for the second division?

(e) If the reply to part (d) be in the negative, will Government kindly state the reasons?

The Honourable Sir James Orerar: (a) and (b). Yes.

(c) and (d). Yes, and when successful they have been declared qualified.

(e) Does not arise.

CAMP OFFICE OF THE INCOME-TAX OFFICER, GUJRANWALA.

311. Rao Bahadur M. C. Rajah: (a) Is it a fact that the Income-tax Officer, Gujranwala, camped at Chhanawan during the last Summer?

(b) How far is that place from the nearest railway station?

(c) Were the assesseees from Ramnagar and Akalgarh called at Chhanawan to produce their accounts, etc.?

(d) How far is Chhanawan from Ramnagar and Akalgarh?

(e) Are Government aware that there are no suitable arrangements for boarding at Chhanawan and on account of long distances which they had to travel the assesseees were put to a great inconvenience specially during the rainy days?

(f) Are Government prepared to issue instructions in future that the Income-tax Officer should visit Akalgarh for assessment and not require the assesseees to travel long distances?

The Honourable Sir George Schuster: (a) to (e). The Government have no information. A report has been called for from the Commissioner of Income-tax Officer should visit Akalgarh for assessment and not require the substance of it to the Honourable Member, and the Central Board of Revenue will then consider the suggestion in part (f) of the question.

THE NEW DELHI CONNAUGHT PLACE BOOKING OFFICE.

312. Rao Bahadur M. C. Rajah: (a) Is it a fact that the New Delhi Connaught Place Booking Office was opened for goods about 12 months ago?

(b) Is it a fact that in the last week of October, 1929, the Railway authorities at Lahore Junction refused to book goods for that booking office, on the plea that they were not aware of the booking office?

(c) Is it a fact that the matter was reported by the consignee to the Divisional Superintendent, North Western Railway, Delhi, who forwarded it to the authorities at Lahore *vide* his letter No. 4118-C. D./29, dated the 9th December, 1929?

(d) Is it also a fact that the consignee has sent *half a dozen* reminders to the Railway authorities at Lahore during the last three months, but has heard *nothing* in reply?

(e) What action do Government propose to take in the matter to avoid repetition of such action on the part of railway officials?

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

(b), (c), (d) and (e). I am obtaining a report and will communicate with the Honourable Member in due course.

NOMINATION OF A PARSİ TO THE DEOLALI CANTONMENT BOARD.

313. Pandit Thakur Das Bhargava: (a) Has a Parsi gentleman been recently nominated to the Cantonment Board, Deolali, under the proviso to section 14 (1) (e) of the Cantonments Act?

(b) If so, what led to his nomination when representatives of the Parsi Community were already on the Board through election?

(c) Has this nomination been protested against by some elected member or members of the Cantonment Board? If so, what action has been taken on protest?

(d) Who is the gentleman nominated? What are his qualifications for nomination? What interest is he expected to represent on the Board?

(e) Is it a fact that an undertaking or assurance has been given by him that he will invariably support the President?

Mr. G. M. Young: Government have no information. I am making enquiries and will let the Honourable Member know the result in due course.

RESIGNATION OF HINDU ELECTED MEMBERS OF THE AGRA CANTONMENT BOARD.

314. Pandit Thakur Das Bhargava: (a) Is it a fact that all the Hindu elected members of Agra Cantonment Board have resigned their seats in a body?

(b) Have the resigning members given reasons for their resigning the same? If so, what are those reasons?

(c) Is it a fact that the Cantonment Authority has by a majority of votes given permission for the opening of a meat shop near a Hindu temple?

(d) Will Government state why this new meat shop has been opened? What particular public need is it intended to satisfy and how was that need satisfied so far?

(e) Did the Hindus protest against the opening of the shop? If so, how did the Cantonment Authority dispose of their protest?

(f) Do Government propose to direct the Cantonment Authority of Agra to consider the question of shifting the shop to a more suitable place?

Mr. G. M. Young: (a) and (b). The Government have received a copy of a letter addressed to the President of the Cantonment Board, by four elected Hindu members tendering their resignation for what they considered to be an infringement of the religious and civic rights of the Hindu residents of the cantonment by the non-Hindu majority of the Board.

(c) and (d). Yes, a butcher applied for and was given a licence for a meat shop about 100 yards from a Hindu Temple. As to the other sub-parts of part (d), the Government have no information.

(e) I am informed that certain Hindu residents of the area, who were aware that preliminary inspections had been carried out both by the Executive Officer and the Health Officer, raised no objection until the licence had

been issued. They then applied to the Executive Officer who made enquiries and found that their complaints were not well founded. The inhabitants of the immediate neighbourhood are said to be persons of low caste who eat meat and the shrine is apparently not frequented by high caste Hindus. In the meantime a counter representation was received from about 200 persons including some high caste Hindus, asking that the shop might be left where it was.

(f) No, but I understand that the dispute is being settled by agreement among the parties interested.

MOTION FOR ADJOURNMENT.

COLLISION BETWEEN THE POLICE AND PUBLIC AT RANGOON.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I ask for leave to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, the attack made by the police on the crowd outside the Court of the District Magistrate, Rangoon, and the assaults made by the police on several public men during the trial of Mr. J. M. Sen Gupta, and the action of the authorities in making use of troops on the said occasion, and their policy, conduct and behaviour on the said occasion resulting in serious injuries to a large number of innocent and unoffending citizens of Rangoon. If you feel, Sir, that my motion is open to objection on any grounds, or if the Honourable the Leader of the House opposes the motion on any grounds. I hope, I and desirably other sections of the House will be given an opportunity of meeting those points before you are pleased to give your ruling.

Mr. President: That is the procedure which the Honourable Member is laying down for himself. The correct procedure is that the Honourable Member must show that the motion is in order.

Mr. Jehangir K. Munshi: Very well, Sir. I shall try to anticipate objections so far as I can.

I am given to understand, Sir, that objections might be advanced on the ground that the matter is *sub-judice*, Government's allegation being that certain persons are being prosecuted for offences committed when they formed part of the crowd. You will notice, Sir, that I am not asking the House to consider what any particular person in the crowd did or did not do. I am not asking the House to direct its attention to any pending or impending prosecutions. What we are concerned with is the attack made by the police on the crowd.

Mr. President: Is that not a matter for investigation in the case?

Mr. Jehangir K. Munshi: If the position of Government is that certain police men are being prosecuted for attacks made on the crowd, then of course, this particular matter would be *sub-judice*.

Mr. President: If the case of Government is that the police did not attack the crowd, but they were merely on the defensive, is not that a point for investigation in the court of law if the case is already instituted?

Mr. Jehangir K. Munshi: My point is this, that the police attacked the crowd. Government's position probably is that the crowd committed certain offences against the law. I am not asking the House to direct its attention to what the crowd did. I am asking the House to consider the conduct and attitude of the police on this occasion.

Mr. President: The Honourable Member says that the police began the attack. Government I understand say that the police were on the defensive, and the crowd began the attack, what then?

Mr. Jehangir K. Munshi: I do not know if the Honourable Member will go to the extent of saying that certain persons are being prosecuted for starting the attack on the police. But that is not the only point of my motion.

Mr. President: Then is the Honourable Member prepared to give this point up?

Mr. Jehangir K. Munshi: No, Sir, I am not. I adhere to my argument that this particular part of my motion cannot in any way come within the objection of being *sub-judice*. But even if you hold that it does, that does not put an end to my motion, because there are several other parts each of which is complete in itself for an argument in debate.

The second part is the assault made by the police on several public men. I have not heard it suggested that any public man is being prosecuted in Rangoon for assaulting policemen.

Mr. President: That is not the question. So far as I can see, the case of Government probably is that the policemen assaulted the public men in self-defence.

Mr. Jehangir K. Munshi: How can there be self-defence, unless it is alleged that the public men assaulted the police?

Mr. President: It is alleged that the crowd opened the attack.

Mr. Jehangir K. Munshi: I have still got to hear the Honourable the Home Member advance the proposition that the public men of Rangoon actually assaulted the police. My position is that the police singled out the public men, who gave no offence, and who did not bring themselves within the scope of the law in any way.

Mr. President: That is your case?

Mr. Jehangir K. Munshi: That is my case.

Mr. President: Is that a matter under investigation by a court of law?

Mr. Jehangir K. Munshi: No, Sir. Even if we take the Government version to be accurate, that particular matter is not being tried by any court, because, if certain persons in the crowd are being prosecuted for certain offences, it is not suggested that any of the public men of Rangoon who were assaulted by the police are being tried for any offence. These two are separable parts of my motion. First of all I am dealing with the crowd, then I am dealing with the prominent public men of Rangoon. But my motion does not end there.

Mr. President: Does the Honourable Member accept the view that this matter is *sub-judice*.

Mr. Jehangir K. Munshi: It cannot be contended by any stretch of the imagination that any of the public men of Rangoon are being tried at Rangoon.

Then, Sir, the third part of my motion deals with the action of the authorities in making use of troops. I do submit that the use of troops should be resorted to absolutely as a last resource and not as a wanton display of brute force to illustrate the might and pomp of the British Empire. The preservation of law and order is as dear to me and to the Opposition in this House as to the Government Benches; but the preservation of law and order is one thing and the wanton display of brute force to overawe the people and to check movements of a non-violent nature are entirely different propositions. I submit, Sir, that, on this point alone, this House should proceed to debate whether Government were justified in calling out the troops to overawe the public when a prominent political offender was being tried for a political offence.

Mr. President: The motion must refer to specific points.

Mr. Jehangir K. Munshi: I admit that it can be regarded as a general point to that extent. Then the fourth point is that the behaviour of the police resulted in causing serious injuries to a large section of the crowd. The sketchy report which was published in the Press is not accurate; but even from this report it appears that more than a hundred persons were injured.

Mr. President: How many policemen were injured?

The Honourable Sir James Crerar (Home Member): The report is about twenty.

Mr. Jehangir K. Munshi: The report which has been published in the Press gives the figure as ten, but the report which I have received gives a smaller figure. So I submit my motion is in order and should be allowed.

With regard to the point of urgency it may be said that I have not been sufficiently prompt in bringing the motion before the House. I wish to emphasise the point that a Member of this House is not bound to give notice of a motion of this nature immediately reports are published in the Press of a certain incident. Because a particular report as it may appear in the Press may or may not give rise to a proper motion for adjournment.

Mr. President: He is not bound to give any notice at all. (Laughter.)

Mr. Jehangir K. Munshi: But the Press report need not necessarily pin him down to a particular date. A Press report of a certain incident may appear which may call for no action. Next day a report may appear in the Press with regard to the same incident which may immediately call for action. So I beg to submit that the first Press report published here on which I did not act was so sketchy and so amazingly vague and evasive that I could not possibly make it the basis of an adjournment motion. I instituted my own inquiries and I got my information. As soon as I got information on which I could base an adjournment motion, I sent in notice

of the motion. I submit, therefore, that so far as the question of urgency is concerned, I have not in any way placed myself beyond the purview of that particular rule.

The Honourable Sir James Crerar: Sir, I propose to deal briefly with the objections which I propose to raise to this motion. In the first instance, it refers to action taken by the local authorities to meet a sudden disturbance of the peace. That is a matter which quite obviously the Government of India could not themselves directly control, even if they so desired, and it is not primarily their concern. Consequently I submit that no general question of policy is involved, and that the subject-matter of this motion could not properly or profitably be discussed in this House.

The second point which I submit is this. I have information that proceedings are pending against three persons in respect of this disturbance and it is impossible to say what matters may not be involved in these discussions. The general question raised by the Honourable Member raises issues which are almost certain to be in issue in a court of law. Therefore, the whole matter is definitely under adjudication of the court of law and I submit, therefore, that on that ground, the motion is not in order.

Mr. President: The point that I am not clear about is the use of troops for dispersing the crowd.

The Honourable Sir James Crerar: Though I cannot speak with complete definiteness, the report which I have received from the Local Government makes no reference whatsoever to the use of troops, and I think I am entitled to infer that troops were not actually used and the matter was dealt with solely by the police force. In any case, I submit, Sir, that if a disturbance is of a sufficiently serious nature to require the use of troops—though I do not believe that in this case such action was taken—the matter is still one which, under the law, is definitely within the competence and discretion of the Local Government. Therefore, that does not raise any general question of policy in which the Government of India are primarily and immediately concerned.

Diwan Chaman Lal (West Punjab: Non-Muhammadan): May I ask whether troops were actually called out, though not employed?

Mr. President: Will the Honourable Member get information whether the troops were called out and whether they were used?

The Honourable Sir James Crerar: I will certainly get information on that point. Nevertheless, I submit that, even if the troops were called out, that does not raise a definite matter of policy in which the Government of India as such is primarily concerned.

Mr. President: The question whether the Government of India is primarily concerned or not is not a question for the Chair; it is a question for the Governor General.

The Honourable Sir James Crerar: The matter is under the adjudication by a court of law.

Mr. President: That is a point which applies to the first two matters. I think for two reasons I should take this matter up on Monday. One is that I should like the House to make as much progress as possible in the

[Mr. President.]

matter of the Finance Bill and see that the amendment at any rate are finished today. That is my intention. The second reason is that I should like, before I decide whether the motion is in order or not, to have information on the question whether the troops were called out, and if so, whether they were used at all. In this view, I propose to pass orders on Monday, after hearing the Leader of the House again.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEDJAZ.

Mr. President: I have to inform the Assembly that the following five Members have been elected to the Standing Committee on Pilgrimage to the Hedjaz, namely:

1. Mr. Fazal Ibrahim Rahimtulla.
2. Haji Chaudhury Mohammad Ismail Khan.
3. Haji Abdoola Haroon.
4. Maulvi Sayyid Murtuza Saheb Bahadur.
5. Raja Ghazanfar Ali Khan.

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume further discussion on the amendment of Mr. Fazal Ibrahim Rahimtulla* to Schedule I of the Finance Bill.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadian Rural): Sir, I desire to accord my support to the proposition placed before this House by my Honourable friend, Mr. Fazal Ibrahim Rahimtulla. I do not propose to discuss this question on technical grounds, which I am not competent to go into. I think that the question can be dealt with on general grounds and should be dealt with on those grounds which are intelligible to any layman.

My first reason for supporting Mr. Fazal Ibrahim Rahimtulla's proposition is, broadly speaking, a financial one. The Honourable the Finance Member has told us that he is faced with a deficit of about 4,40 lakhs. He is, however, asking us to vote taxation to the tune of 5,10 lakhs. To the extent of 70 lakhs, Sir, he is asking us to vote taxation, not to cover any deficit, but to provide him with a surplus. Now, Sir, I can well understand that, in a big financial concern like the Government of India, it is necessary to have a margin of safety. But the circumstances this year are of a special character. The taxation that the Honourable Member asks us to agree to is not of a light nature. Besides, he has himself undertaken to institute inquiries with a view to

reducing expenditure. He has appointed an officer to survey the expenditure of all departments and to submit a report as early as possible. The question of Military expenditure is also to be considered further. If, we do not vote the duty on silver, which the Honourable Member asks us to agree to, we shall leave him with an uncovered deficit of 30 lakhs. If the economies that are going to be made are to be of a substantial character, if we are to expect anything substantial from the retrenchment proposed by the Government of India, it cannot be contended that a sum of 30 lakhs is too much to be covered by reductions in expenditure that might be brought about as a result of the inquiries that have been already undertaken by the Government of India, or that might be undertaken in future. I contend, Sir, therefore, that on strictly financial grounds, it is unnecessary for us to support the duty on silver. On the contrary, I think, Sir, that if this House rejects the duty and leaves the Honourable the Finance Member with a small deficit, he will perhaps be in a position to apply the screw more tightly to the departments concerned and be able to induce them more readily, than would otherwise have been the case, to agree to reductions in expenditure. Both, therefore, on financial grounds and as a matter of policy, I entirely approve of the course which my Honourable friend, Mr. Fazal Ibrahim Rahimtulla, asks this House to adopt.

But, Sir, this matter does not end here. The question of the imposition of a duty on silver was considered sometime ago in connection with the adoption of a gold standard in India. It was thought that the sale of silver in India would lead to a reduction in its price, and that the Government of India might well, in those circumstances, take some action to protect itself. Sir Basil Blackett proposed a duty of 4 annas per ounce in order to provide Government with a protected market and to reduce the cost of going over to the gold standard. This, by the way, drew from Mr. Kisch the remark that the idea that a new tax could reduce the cost of a measure was rather odd. The matter, Sir, was considered by the Currency Commission presided over by Sir Hilton Young. The question was then considered entirely in relation to the adoption of a gold standard, and I think it would be pertinent in this connection to point out the evidence given by Sir Arthur McWatters, who was Financial Secretary then and who is Financial Secretary today also, on this point. Asked whether he would be in favour of the imposition of a duty on silver, he said:

"I think it would be justified if the policy accepted is that we should work towards a Gold Standard. Then and only then would it be desirable to introduce anything in the nature of a duty on silver which was deliberately abandoned as a result of the recommendations of the last Currency Committee."

i.e., the Committee of 1919. Now, the Honourable the Finance Member does not ask us to treat the measure proposed by him in relation to the currency policy of the Government of India; he asks us to treat it as a revenue measure, and partly also in connection with the position of the Government of India as important holders of silver. I think, Sir, that in view of the consideration given to this matter by the Currency Committee and the evidence given by the Government of India's own Financial Secretary, some more explanation is needed to justify the silver duty than has so far been given by my Honourable friend the Finance

*"In Schedule I to the Bill the proposed amendment No. 5 be omitted and the subsequent amendments be renumbered accordingly."

[Pandit Hirday Nath Kunzru.]

Member. If the policy of working for the adoption of a gold standard were accepted, then the aspect of affairs would be entirely changed, but if that is not accepted, I contend, Sir, that we should have much stronger arguments placed before us than have been placed before us so far as by the Honourable the Finance Member to induce us to agree to the measure before the House.

Sir, if I were to stop here, the supporters of the silver duty, including my Honourable friend the Finance Member, might say, "You are standing in the way of the Government of India rendering financial assistance to the Provincial Governments for the development of the nation-building services". "We regard this duty" said the Honourable Member in his budget speech, "principally in fact as a measure which will give us a margin of revenue from which we shall be able to make a distribution to provinces after the forthcoming statutory revision to give them the funds which they require for nation-building services". It must be, Sir, a source of gratification to the House that the Honourable the Finance Member is already thinking of large questions of policy, and desires to place the provinces in a position where they will be able to discharge their responsibility to the masses who are committed to their charges. But, Sir, during the whole of this Session, whenever any important questions either of policy or of finance were brought to the notice of my Honourable friend opposite, his invariable reply was that the settlement of those questions must await the settlement of the constitutional question. What is the reason, then, may I ask, which compels the Honourable the Finance Member to bring forward this important question of policy apart from the settlement of the constitutional question? My Honourable friend will admit that this is not a small matter. The question of increasing the resources of the Provincial Governments and of a proper distribution of the revenues of the country between the Central and the Provincial Governments is undoubtedly a matter of the supremest importance; but if the Government of India have asked us to wait so far for the publication of the results of inquiries instituted by them against the wishes of the country at large, may we not ask them to wait a little more before committing us to the course advocated by the Honourable the Finance Member? Let us look at the question of reforms and the settlement of the position of Provincial Governments relatively to the Government of India, as a whole. The duty, if imposed now, would I think, have to be permanent unless the buyers of silver are hereafter to be placed at a considerable disadvantage. I think it is necessary, Sir, in a question of this magnitude, that we should wait and examine carefully what alternative methods there are of satisfying the needs of the provinces and adjusting their relations to the Government of India. In any case there is no reason why we should hurry forward. I think therefore, Sir, that no harm will be done and that much good may result if we postpone the consideration of this question, reject the duty at this stage and deal with the distribution of the financial resources of the country between Provincial and Central Governments at a later stage when we would have much more material available to us than we have at the present time.

But what I have said, Sir, does not cover the whole of the case placed before us by my Honourable friend the Finance Member. His last argument in favour of the silver duty proposed by him was that, in view

of the falling price of silver, the action suggested by the Government of India would protect the interests of the masses which have been insistently advocated in this House by Honourable Members on this side. But, Sir, what does the Honourable the Finance Member mean? I am sure he does not mean that the imposition of a duty on silver would stabilise its price. I do not think that has been claimed by any advocate of the silver duty. Many Honourable Members on this side have pointed out that no action taken by the Government of India in this country alone can affect the world price of silver, and that, ultimately, the price of silver in this country would be regulated by the price of silver in the internal market. It may therefore be expected to fluctuate in future as it has done in the past. The only difference that the duty would make in the case of India would be that the price of silver would be higher here by the extent of the duty proposed by the Government, but if the price of silver is not stabilised and it goes on following the course pursued by silver in the world market, the duty does not protect the buyers of silver at any particular period of time; they stand to suffer losses in future as they have done in the past. True, they will realise a little higher price than they might otherwise have done, but it is necessary to point out that they would also have paid a higher price than they would otherwise have done as buyers of silver. We have still, however, to consider the question of those who have invested their savings in silver. Sir, when this question was before the old Imperial Legislative Council in 1910, Mr. Gokhale pointed out that, while the efficacy of the protection which the Government of India professed to afford to the masses would have to be tested in future, the immediate result of the imposition of a duty would be to increase its price, and that was the consideration urged upon Government by more than one non-official Member. I am free to recognise that the situation has changed since then in some important respects which have been pointed out by my Honourable friend the Finance Member in his budget speech, but the matter is of much greater importance than what I have said hitherto might lead Honourable Members to suppose. This too was a question which was considered by the Hilton Young Currency Commission. It examined the late Mr. Benjamin Strong, Governor of the Federal Reserve Bank of the United States on this point. I will read out to the House the reply given by Mr. Strong to a question put to him by the Commission. "The attempt to raise the domestic price", he said, "by the imposition of an import duty I personally believe, would fail. Even if it did really maintain the domestic price, it would fail at a time of some adversity when a surplus of silver was offered, and then in fact the hardship upon the Indian people would be the greatest. But assuming, for the purposes of argument, that it helps to maintain the domestic price above the foreign price, it would put the Government of India in a position of ensuring a price of silver for all time". It may be, Sir, that in time of ordinary and local scarcity, the masses will be able to realise a better price for their silver than they would otherwise have done, but when adverse conditions prevail generally, when there is a country-wide famine or some other general calamity forcing the masses to sell their silver all over the country, I think the fear may be legitimately entertained that the measure proposed by Government will fail to protect the interests of the masses and that the price of silver within the country will fall to the level prevailing outside in spite of the duty.

[Pandit Hirday Nath Kunzru.]

I know, that Mr. Benjamin Strong was against the adoption of a gold standard in India and that we have therefore to take his views with a certain amount of reserve. Nevertheless, it seems to me that the line of reasoning adopted by him was a sound one. The policy of the Government may fail on a crucial occasion just when the need for safeguarding the interests of the masses is greatest.

Sir, I have already told the House that the main reason why I oppose the silver duty is a financial one and one of policy. I do not base my entire case on the grounds I subsequently put forward, but I do think that the arguments which I advanced subsequently will strengthen the original unwillingness of the House to vote in favour of the silver duty. Sir, I oppose the duty and support my friend Mr. Fazal Ibrahim Rahimtulla's motion.

The Honourable Sir George Schuster (Finance Member): Sir, before you allow this discussion to proceed, I wish to call the attention of the House to a point of order, or rather a technical point, to which I must confess that my own attention has just been called. The effect, Sir, of this amendment as it stands,—because this particular item in the Schedule which we are discussing has to be considered together with items 1 and 2 of the Schedule,—would be not to cut out the duty on silver altogether but to leave the *ad valorem* duty of 15 per cent. on silver. The effect of items 1 and 2 in the Schedule is to remove silver from the free list and put it on to the general 15 per cent. list, and I think that point must have escaped the attention of my Honourable friends opposite, just as, I must confess, it had escaped my own. I do not wish, Sir, to take any advantage of this technical point in preventing discussion of this proposal on its merits, because, I think, the House wishes to discuss the question as to whether the silver duty is to be removed altogether, and I think it would be taking an unfair advantage if I were to stand on the technical difficulty, and ask the House merely to consider the substitution of a 15 per cent. *ad valorem* duty for the present duty of 4 annas an ounce. But I think I ought to put the point before you, because these formalities are of importance and it will be necessary to deal with the matter in some way or other if this amendment is to have the effect which, I believe, the Mover of the amendment intended it to have.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, with reference to the point of order raised by the Honourable the Finance Member, I would like to submit this, that we are now considering the whole of Schedule I and the House has not yet passed any individual item in that Schedule. So if this amendment of my friend Mr. Fazal Ibrahim Rahimtulla is carried, then the logical sequence of that would be to make the consequential amendments in the other sections of Schedule I, and therefore I do not think that that will stand in the way of the House giving a verdict on the amendment of my friend Mr. Fazal Ibrahim Rahimtulla.

The Honourable Sir George Schuster: It is quite possible, Sir, that my friend Mr. Chetty's suggestion would be the simplest way of dealing with the matter. But I should like a little more time to consider it myself, because in these technical matters, one wants to consider all the

implications. As I said before, I do not want in any way to prevent discussion of this amendment, and I think, if you, Sir, were to give a ruling that some method must be found of regularising the position if this amendment should be passed, that would probably be the best way of dealing with the situation at the moment. I merely wanted to let you know, Sir, that this point is not covered by the amendment as it stands, and I leave it to you to decide what is the best way of regularising this apparent irregularity.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): It strikes me, Sir, that no ruling is necessary at this stage. If this amendment of my friend is passed, the consequential amendment, to my mind, would be the omission of items 1 and 2 in Schedule I.

Mr. President: We have already passed over items 1 and 2.

Sir Purshotamdas Thakurdas: No, Sir; you have not put them from the Chair. We came to consider Schedule I, and only amendments have so far been taken.

Mr. President: Amendments to items 1 and 2 cannot be made now, because we have already gone beyond that.

Sir Purshotamdas Thakurdas: Sir, there are no amendments to 1 and 2. But there is another way out of the difficulty. When the Chair puts the whole Schedule to the vote, the Chair may be pleased to put each item to the vote. I expect the Honourable the Finance Member will agree that there is no question of ruling on this point, but it is good of him to have drawn the attention of the House to the point.

Mr. President: I suppose some way will have to be found out. What is the object of the present amendment? The object is

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): The object is to delete the present duty proposed by Government.

Mr. President: If the amendment is carried, the effect of it will be to delete the duty on silver.

Mr. Fazal Ibrahim Rahimtulla: Yes, Sir; the new duty proposed.

Mr. President: This can be so, if items 1 and 2 are also deleted.

Mr. Fazal Ibrahim Rahimtulla: If my amendment is carried, then the deletion of items 1 and 2 will be necessary.

The Honourable Sir George Schuster: I might explain my point by saying that, as matters stand, the deletion of items 1 and 2 could not be regarded as strictly "consequential" on the passing of this amendment, but I am quite prepared to say, Sir, that I would accept the view of the situation, that if this amendment is passed the deletion of those two items shall be regarded as a consequential amendment. I leave it to you, Sir, to deal with the matter in whatever way you think best. In my own view, however, the course which I have just indicated would be better than that each item of the Schedule should be put separately, because after

[Sir George Schuster.]

all we shall have considered all the items in the course of dealing with the various amendments. But, as I said, I leave this question to decide in whatever way you think proper.

Sir Purshotamdas Thakurdas: Sir, I propose to speak on this question not from the point of view that my friend Pandit Kunzru has dealt with, because I have already expressed my views on that aspect of the subject. I would like, Sir, to concentrate on the question whether it is desirable to impose this import duty on silver, and whether that import duty is likely to serve the one object which I take it is the object of this side of the House, namely, to prevent the deterioration and further depreciation of silver holdings of the masses of India.

Mr. President: I think I must say a few words on the question raised by the Honourable the Finance Member. I will allow discussion on this amendment to proceed on the basis that the acceptance of this amendment by the House would mean the deletion of the extra duty on silver proposed to be imposed by the Bill, and I will allow at the third reading consequential amendments to be made as a result of the acceptance of this particular amendment. In that case it will not be open to Government to oppose those consequential amendments.

Sir Purshotamdas Thakurdas: I was saying, Sir, that the chief justification for the import duty, according to Members on this side of the House, is whether it will prevent further depreciation of the silver holding of the masses. In the short notice question which I put earlier in the Session, the Honourable the Finance Member agreed to consider this at a private conference between the Honourable the Leader of the Opposition and myself on one side and himself on the other. At these meetings which we had—they were at least two—the question was fully discussed, and I believe the Honourable the Finance Member got into touch with the main markets to find out whether it was possible to arrange for a conference between the representatives of the main producing countries or interests and the Government of India, with a view to devise a method of marketing silver for the next few years in a manner which would prevent further slump in silver prices. From what the Honourable the Finance Member has said in his budget speech, it must be clear to the House that he does not believe that much good can come out of any such negotiations. He has said that, if there is any inclination towards any such arrangement, the Government of India are prepared to assist, but I do not think that he gives us much hope of such action being fruitful. I myself feel that, under the peculiar circumstances in which India is at present, and the peculiar way in which the masses of India are placed, it would have been much more useful to all, including the Government of India, if such a conference as I indicated earlier in the Session, were feasible, and could have been brought about. But I think today we have to proceed on the assumption, which the Finance Member has made, that it is not feasible to expect much from such a conference even if it can be arranged. I am afraid I am not in a position to indicate to him, at any rate today, how such a conference can be arranged and I propose therefore to take it for granted today, and, for the purpose of

the consideration of the Finance Bill, that perhaps nothing useful will be achieved by a conference of this nature, even if it can be convened.

This leads me then to the second point which I mentioned, and, before I deal with that, I wish to ask the Finance Member one question in connection with an important detail of this taxation. The taxation as it is sought to be imposed now, I must admit, is a more complete and more thorough going and self-contained measure than it was when it was imposed in 1911-12. The Honourable Member proposes to include, for the purpose of this taxation, an excise duty on the silver production of Burma. He proposes further to exclude silver which is used as raw material in the manufacture of gold and silver thread, by increasing the import duty on these articles from 30 to 38 per cent. These two measures, which he has agreed to, make this silver duty less objectionable than it was in 1911-12. He further proposes not to disturb India as a market for distribution of silver, by providing for refund of the import duty on silver which is re-exported from India. This also removes an objection which was very strongly urged in 1911-12. The question which I wish to ask the Finance Member is how he proposes to deal with imports of silver from across the border by land, and how he proposes to deal with exports of silver from India across that same border to say, Afghanistan and other countries in the north. I hope that he will see that, with an incidence of more than 20 per cent., as this duty will mean, it may mean serious smuggling from that frontier if nothing clear is provided by law in this connection. I wonder whether the Honourable the Finance Member wishes to reply to me now, by interruption, or prefers to deal with this when he gets up to speak on this motion. But I wish to indicate to him that it is necessary for him to tell us how this particular aspect would be dealt with if this silver duty was approved of by this House.

Now, Sir, the main aspect therefore how this silver duty will affect the masses of India. Government say that it is now quite clear that silver can no longer be looked upon as a precious metal. One of the strongest objections to the import duty on silver in 1911-12 was that the Government were levying a duty on one of the two precious metals of the world, gold and silver. From that exalted position this metal—silver—has, according to Government now been completely dislodged. It has been dislodged in the sense that countries which can help it are giving up silver as a precious metal for their currency purposes and are going on to gold. In India although we have the silver rupee, for all practical purposes, the Government of India appear to have reconciled themselves to this, that silver must now be looked upon not as a precious metal but as a commodity. In fact, I understand that they would like the masses of India to look upon silver as they look upon, shall, we say, brass, copper, tin or any other baser metal. If that is so, I think that there may be some justification for this import duty. As coming from the Government, this measure is a sure indication to the masses that silver no longer holds the field with gold as a precious metal. One may, on that ground, agree to an import duty on silver if one feels confident that the masses are in a position to realise the significance of this import duty and take to something else. I would like to quote here the words of no less an authority than Sir Malcolm Hailey about whose happiness of expression of views very few have any doubt. Sir, Sir Malcolm Hailey speaking on a motion in March 1921 when it was sought to reimpose the silver duty

[Sir Purshotamdas Thakurdas.]

which he on behalf of the Government objected to said the following. I am reading from the Proceedings of 19th March 1921, page 1335. He said:

"We were then told, as Dr. Gour has told us again just now, that we were taxing the savings of the poor man. It has, it is true long been a charge against India, a charge certainly levied against India by Europeans from the 17th century onwards, that it is a pit for the precious metals. A long succession of economists has deplored the Indian habit of hoarding the precious metals. As a matter of pure economics they were undoubtedly correct; but the circumstances of India require that we should apply some qualification to this condemnation. If metal is hoarded, it does not necessarily follow that the metal so hoarded is a luxury. I will admit that for the European silver is a luxury; for the richer Indian, except in so far as he seeks to meet the absolute necessities of ceremonial occasions, silver is a luxury; but is it a luxury for the poor man? He has no banking facilities; he is not sufficiently educated to have acquired the Savings Bank habit, and until he improves sufficiently by education to appreciate the investment habit, or until we can provide him with the necessary banking facilities, silver and gold are practically his only means of banking. To that extent at all events silver is not really a luxury, and I would deprecate any attempt to decide the immediate issue before us—a tariff issue—on the supposition that we are taxing a luxury pure and simple."

Sir, these words of Sir Malcolm Hailey put forward the real reason for the hesitation of many on this side of the House regarding the advisability of reimposing this silver duty. I readily recognise that the Honourable the Finance Member has initiated measures which are likely to insure substantial efforts in the direction of securing to the people and the masses facilities as early as circumstances will permit to enable them to bank their savings. But, Sir, those facilities cannot possibly come into operation within the next year, or even two years. The question, therefore, that strikes one is, if silver is to be taxed in order to impress on the people that it is no longer a precious metal which the people can rely upon for stability, what are the people of India to turn to? The obvious reply to my mind, Sir, can only be one, namely, gold. Gold is the one metal which the people can safely rely upon where their savings will not depreciate. If, Sir, the savings of the vast masses of India were in such figures as to justify their purchase of a metal which sells at round about Rs. 22 per tola against silver which today is less than eight annas per tola, one may say, let us ensure wide publicity and dissuade the masses from using silver as a metal in which to keep their savings. But the difference, Sir, between eight annas a tola, or less than eight annas a tola, and Rs. 22 a tola is rather great; the customs and habits of the masses and of the womenfolk are such that they cannot change their usages lightly. I therefore feel that the duty which is sought to be imposed upon silver, whilst it may artificially appreciate the price of silver in India, is not likely to lead to the results which the Honourable the Finance Member expects, namely, divert the attention of the people from silver as a means of keeping their savings. I am therefore afraid that it cannot be gainsaid that this is a tax on the savings of the masses of India. If the Honourable the Finance Member can give us any indication as to how he proposes to provide an effective substitute for the masses in which they can keep their savings in preference to silver, one may concede that this duty has some justification. But those, who have been thinking over this problem for months now, have not been able to find any such effective substitute, and I, therefore, feel that, as far as the next year, or two years, is concerned, this is sure to be a tax on the savings of the masses of India. For these

reasons, my electorate, the Indian Merchants' Chamber, have come to the conclusion that it is not desirable to agree to this import duty on silver and I support this amendment.

***Mr. R. K. Shanmukham Chetty:** Sir, the temporary reason which has induced the Honourable the Finance Member to reimpose the duty of four annas per ounce on silver is, as he himself pointed out in his budget speech, to improve our credit by displaying a strong financial position in the world. That is his temporary object, but incidentally he says he will appreciate the savings of the masses in silver and also give a protected market to the Government of India itself to hold large quantities of silver. Well, Sir, if the object of the Honourable the Finance Member is to show a surplus in the current year's Budget and thereby improve our credit, then I would submit that he has turned his attention to a very unfortunate duty indeed. I share with my Honourable friend Sir Purshotamdas Thakurdas that in opposing this duty, I do so with some feelings of hesitation. There certainly is the argument that this duty will appreciate the hoarding of the masses in silver but the arguments, that have been advanced, and there are not many arguments against it, in the course of the debate, are so strong that it must make the Honourable the Finance Member and this House consider this matter more deeply before agreeing to the imposition of this duty. Sir, the Honourable the Finance Member wants that the masses of India should realise that silver is no more a precious metal. This process of the realisation on the part of the masses of India in this direction will be accentuated if the Government of India will first realise that silver is not a precious metal and the proof of that realisation would be for them not to rely upon silver bullion as a covering for the paper currency reserve but to replace it entirely with gold. (Hear, hear.) So long as Government have got 100 crores of silver rupees in the Paper Currency Reserve and would want us to believe that, in estimating the adequacy of the Paper Currency Reserve, we must take into consideration the silver bullion also, so long as that is the point of view of the Government, it is no wonder that the masses of India should still cling to the belief that silver is a precious metal and a metal in which the savings can be invested. Sir, this question of the imposition of silver duty, as I pointed out in my budget speech is mixed up with the question of gold standard, of replacing the silver bullion in the Paper Currency Reserve by gold and I think that this is not the proper occasion when, just to enable the Honourable the Finance Member to strengthen his position by showing a surplus in his Budget, we must be stampeded into giving our consent to the imposition of this silver duty. My Honourable friend says in his budget speech that the proceeds of this duty will be utilised by him to finance the provinces in their undertakings in the nation-building departments. The object is certainly a very laudable one, but in executing that object, he would find that he is faced with very many difficulties. Sir, to my mind the responsibility of the Government of India in finding money for the Provincial Governments is of a more complicated nature than what one would imagine at the first instance. It is not enough if the Government of India find new sources of taxation and undertake to distribute the proceeds of those taxes to the Provincial Governments. We will be driven back once again to the very unwholesome practice that prevailed in the past of meeting out doles to the provinces, and the moment you have got in the coffers of the Government of India surplus money and consider schemes of distributing these to the provinces, you are faced with the various claims of the provinces, and the invariable

[Mr. R. K. Shanmukham Chetty.]

result is that every province complains that it has been treated unfairly. The right way of enabling the provinces to find money for spending on the nation-building department is to transfer to the provinces flexible sources of revenue, which will enable them to raise money, and not for the Government of India to set apart the proceeds of its taxation to be distributed amongst the provinces. This problem, since it is so complicated, is one which ought to be considered apart from the mere question of balancing the Budget. The Honourable the Finance Member in his speech to the Federation of Indian Chambers of Commerce, said:

"This is one of the questions on which I feel that I must pay attention and give weight to strong expressions of opinion from commerce and industry in India."

I hope he will act up to what he said to the Federation and give up this proposal of an imposition of duty on silver.

The Honourable Sir George Schuster: Sir, although the speeches on this measure have been few, the arguments advanced have been of a concentrated and closely reasoned nature, and perhaps require some more time than usual for reply. I will deal with the arguments of the three speakers who have given us their views this morning. My Honourable friend Pandit Kunzru based his principal objection I think on the fact that we do not require this revenue on financial grounds. He would rather leave us with a deficit of 30 lakhs and force us to search for economies than give us anything that looks like providing a surplus. With that general argument I shall hope to deal later. But I would like to make the position clear at the outset. Although on the estimates, as I have put them before the House, I do show a surplus of 70 lakhs, I feel that I am in the position of one who is asking for some sort of an insurance fund which is very definitely needed. It is not a surplus in the sense that it is surplus to our requirements. We are facing a period of uncertainty and if Honourable Members will go through in detail our basic estimates of revenue before we come to the additions which the new taxation will give us, I think they will find a number of items on which they might well criticise me as having inserted too optimistic a figure. It is quite true that it might be argued that the yield of the extra taxes which I have estimated for is estimated on a conservative basis. But the position which I want to emphasise to this House with all the seriousness at my command is that, taking the Budget as a whole, the estimates are not under the mark, and that to face such a year as we are now facing with a possible surplus of only 70 lakhs is not asking this House to provide us with more money than is really required to deal with the existing situation. I will revert to that argument again, because I wish to make clear to the House what I have in mind for the application of the surplus, if by good fortune we should realise it. But the point that I must insist on is that it is the actual needs of the situation and not these possibilities of the future which furnish the real justification for my demand for this additional revenue.

Then, Sir, my Honourable friend also referred to the evidence of Sir Arthur McWatters, given ten years ago, and tried to link up my present proposal with arguments concerned with the adoption of a gold standard. To some extent that position has been met by what fell from the next speaker, Sir Purshotamdas Thakurdas. I think he recognises that we are dealing now with a different situation. We are not considering this proposal in any sort of relation to proposals for the establishment of a gold standard. Times are changing and the importance of silver as a medium

of currency is steadily diminishing. That is a movement which is going on all over the world, and in our present proposals we are, I think, facing the realities of the situation. I fully admit that we are definitely treating silver as an ordinary commodity, and I ask the House to accept it that that is really the right way in which to regard silver. For that reason I need not, I think, deal more fully with that particular line of argument and I do not intend either to go fully into answering what my Honourable friend quoted from the evidence of Mr. Benjamin Strong. We are not attempting now permanently to maintain the internal value of silver at any particular level. The effect of our measure in this respect can only be a moderate one. But it certainly does have the effect of improving the internal value of silver as compared with its world value, and that effect is already fully evident in the actual Bombay quotations. I recognise that that only goes a small way to meet the needs of the case if we are considering the desirability of maintaining the value of the investments of the great masses of the people. But because it only goes a small way, I do not think that, on that ground, we should reject it. I agree with Mr. Benjamin Strong that if we attempted to go further than that, we should probably fail, and therefore we have contented ourselves with quite a moderate measure.

Now, Sir, turning to what was said by my Honourable friend Sir Purshotamdas Thakurdas, he indicated that he might have been able to support this measure and he could have found justification for supporting it, if it could be represented as something that was going to prevent deterioration in the value of the hoardings of the masses. I ask him at least to recognise that it has some effect in that direction.

Sir Purshotamdas Thakurdas: Very temporary, at the best.

The Honourable Sir George Schuster: Well, Sir, whether it is temporary or not in regard to the world situation is a question which none of us can answer, but it must have a permanent effect as regards the relative values of silver in India and silver outside. My Honourable friend referred also to other measures which might have an effect on the value of silver, such as a combination between the producing interests. As he knows, I was fully desirous of following up that particular suggestion, and we have thrown out an invitation to the world that we would be ready to co-operate in any arrangement for regulating sales of silver. But I agree with my Honourable friend that, in the circumstances, I should be deceiving the House if I represented that I thought that such an arrangement can be, or is likely to be, very effective. In saying this, however, I do not mean that we will not continue to pursue this idea and to do all that we can in that particular direction.

My Honourable friend asked me a particular question as regards imports by land. I can only tell him at the present moment that that is having our full consideration. I recognise that it is going to be a difficulty. Then, Sir,

Sir Purshotamdas Thakurdas: Do I take it that this measure is to be put through without dealing with that aspect of it?

The Honourable Sir George Schuster: I do not exactly know what my Honourable friend means by "without dealing with that aspect of it". We shall have to take, of course, measures for prevention of smuggling on all frontiers and those measures have our consideration. I do not know what, therefore, I can say further.

Sir Purshotamdas Thakurdas: What I want to know is whether there is a customs barrier at all on that side of the country and if so, whether this duty will be collected on that land barrier.

The Honourable Sir George Schuster: If it is found—and it will be our business to ascertain whether imports on a large scale come across any land frontier—if it is found that they are coming across on a large scale, obviously we shall have to deal with the matter.

Sir Purshotamdas Thakurdas: Do I then take it that Government wish to carry this measure through, if they can, without anticipating that? With a 20 per cent. duty, are Government likely to prevent effectively imports from the other side?

The Honourable Sir George Schuster: I have to point out that we have not yet carried this measure through. We are considering the matter and I can promise him that it will be dealt with in a business-like way.

Sir Purshotamdas Thakurdas: By executive order of the Government?

The Honourable Sir George Schuster: I do not think I am called upon to say any more than what I have already stated. I promise my friend to consider this matter. It is a matter which on each frontier involves different considerations, and I should have to go into a great deal of detail. I think it sufficient if I say that the matter has our attention and I think we can promise to deal effectively with it if it becomes an abuse on a large scale.

Sir, my Honourable friend concluded by referring to the arguments used by Sir Malcolm Hailey in 1921. I was prepared to have those arguments brought up against me. But I would say—and I think the speaker himself recognised the fact—that we are living in changed times and that we are now dealing with a situation which is quite different from that which existed in 1921. It has been represented, and Sir Malcolm Hailey was quoted in support of this view, it has been represented that this tax is a tax on the savings of the people, of the poor man. I have looked upon it from quite a different angle. I have looked upon it, so far as it affects the savings of the poor man, as a measure which will tend to improve the value of the existing savings, and if it is a tax at all, it is a tax which imposes possibly some sort of obstacle on the poor man investing more money in silver. It is not a tax on his existing savings. It has exactly the opposite effect to that. It definitely improves the value of those existing savings. Now, my Honourable friend said that it is useless for us to attempt to divert the attention of the poor from putting their money into silver until we have some other form of investments to put before them. I think, if we were to wait until every measure was perfected, it would be very difficult to proceed at all. What I feel on this particular aspect of the subject is that, taking a long view, it is desirable that there should be a gradual diversion of the savings of the masses from the so-called precious metals, a diversion of those savings into productive employment. That would be to the advantage not only of the poor themselves but also to the country as a whole. This measure may give a push in that direction, and I do not claim that it can be very much more than that. On the other side I would point out that opportunities are available already for the investment of such savings in Post Office Cash Certificates. Those have already found a hold. Opportunities are also available for depositing money in co-operative societies which are steadily developing. Both these outlets for savings are capable of much

greater development and I was pleased myself to hear one particular suggestion which was made in the course of the general discussion of the Budget, that we should offer a Post Office Cash Certificate of a smaller denomination than at present, so that there will be something more easily obtainable by the very poor man. I think there is a great deal that can be done in that direction, and, considering the steps that have been taken as regards banking inquiry and all the other steps which we have under consideration, I am sure my Honourable friend will not accuse me of being dilatory in this particular direction.

Sir, my Honourable friend, Mr. Chetty, presented my case in a different way. He said that my primary object was to raise a margin of revenue in order to improve the credit of the country and that the provision of a protected market for the sale of our own silver and the improvement of the value of the holdings of the masses were subsidiary objects. I do not much care in which order these particular objects are placed. But perhaps I am prepared to accept my Honourable friend's appreciation of the situation. I am in some difficulty in answering all the arguments because there are so many advantages that are present to my mind in this proposal. It is of course clear that, if on the one side I say it is going to give me a surplus for new objects, then on the other side I may be accused of asking for more money than I actually want. I hope I have made my position clear in that respect. But before I close, I want to say something about those further objects. I have also gained the impression that a certain amount of the opposition to this measure is based not so much on the measure itself, but because our critics would desire to see the Government taking some other form of action for maintaining the value of silver, and not only that, but also because they object to what has already been done as regards the sale of silver. Now, as regards other measures for maintaining the value of silver, what is present in everybody's mind is that the Government themselves should cease from selling silver. That is a matter on which, in that speech which my Honourable friend, Mr. Chetty, quoted, I said I would be prepared to give full weight to representative unofficial opinion in the country, but I would ask Honourable Members to realise that there are two sides to the question. Indeed I find the position of public opinion on this matter rather a curious one. Here we are in India possessing one of the largest consuming markets for silver, and here is the Government of India unfortunately in possession of a great deal of silver surplus to its requirements. Now we have heard many arguments about India being self-supporting in other matters,—salt, for example, and industry of all kinds. Is it a very extraordinary proposition, is it a proposition which justifies accusations almost of "robbery", that the Government should try to put itself in the position of satisfying, out of its own surplus holdings, India's own demand for silver? I should have thought, in ordinary circumstances, that that was a measure which would have commended itself to practically everybody in this House. After all the Government do not represent interests distinct from, and hostile to, the people; Government represent the public interest. (*A voice: "Question"*) We have this silver to dispose of; the people of India want silver; is it unreasonable that we should try to put ourselves in the position of directly satisfying those needs? And I want to point this out to those who object to our present proposal as diverting us from the policy which they want us to pursue. Undoubtedly the effect of providing ourselves with our own protected market—and we accept this—will be to provide a special reason for us to make our own sales in India to the direct advantage of the Indian market.

[Sir George Schuster.]

Now, to turn to the actual facts of the situation, I have already given the House figures to show what has been the result of our sales hitherto. We have sold—I will repeat the figures because I think it is so important that they should be understood—we have sold, in the last three and a half years, 67 million ounces of silver at an average price of just over 25½d. an ounce. Silver today in the world stands at just over 19d. The lowest price at which we ever sold silver is about 22½d. We have not therefore been responsible at all for the recent fall. We have sold no refined silver at all in the market since 13th December. During these 3½ years, we have disposed of silver which was obviously surplus to Government's requirements, because we still hold, as my Honourable friend Mr. Chetty himself has said, far more silver in our Paper Currency Reserve than we ought to hold. We have sold the surplus silver at a price which is more than 6d. an ounce hither than what we could realise for it today. It is said that we ourselves have been responsible very largely for that fall in price. But I maintain that our sales have been conducted with great discretion, and that we have not been responsible for that fall. I admit that India has been an important factor in the market; we could not help being an important factor in the market because it is within the knowledge of everyone that we do hold large stocks, and that rupees are steadily coming back from circulation to Government treasuries. That knowledge must have been a "bear" factor in the world's silver market. We cannot do anything to help it; it is a world tendency that is going on, and whether we had sold or not, our position would undoubtedly have tended to depress silver prices in the world. Well, if that is the case, and if, by anticipating what has happened, we have realised for the public benefit on a matter of 67 million ounces a profit, a price higher by 6d. an ounce, than what we could realise today, I think we can at least claim that that policy has been in the interests of the country. But I am told that that policy would be acceptable to this House if Government had used the proceeds for building up its gold reserves or its reserves in gold securities. We are told, "Instead of that, you simply use all this money for satisfying the Secretary of State". Obviously that is what has happened. The money has been converted into gold securities and has, shortly after that, been realised, and used for meeting commitments in London. But I think Honourable Members should go a bit further and consider what really has been the effect of that. It has not gone in meeting current expenditure at all. If Honourable Members recollect what I said in my budget speech last year, in reviewing the ways and means, position of the Government, I pointed out that, in the five years from 1923 to 1928, the Government of India had met, in capital expenditure in London, a total sum of £36½ million more than the net increase in its sterling debt. We have been all the time in the last few years incurring capital expenditure in London without corresponding borrowings against it, and I made it clear to the House that that process could not go on. We have been living on reserves, and that is where the proceeds of these silver sales have gone. If you follow out the position and go into those figures to which my Honourable friend Mr. Birla referred in his speech on another matter, if you trace how the holdings in sterling securities in the Paper Currency Reserve have decreased, you will find that that decrease has been far more than balanced by genuine productive capital expenditure undertaken in sterling. It has not been merely a matter of bolstering up exchange. The Government in fact—you may put it in this way—have made too great a demand on the remittance market by

expecting from its ordinary remittances to cover not only its recurrent expenditure, but also its capital expenditure, its new capital expenditure in London. By making that demand, it has been necessary to draw upon the Paper Currency Reserve. I am not saying that that is altogether a desirable result. It is not, because the Paper Currency Reserve is there for a certain purpose, and I, in justification of sterling borrowing, have always said that, when we incur capital expenditure abroad, we ought to increase our own capital to meet it. But still, if you are considering what has happened to India, and whether the position has been weakened or not, it is necessary to bear these facts in mind, and I might express the result simply in this way, that the £7 million odd, which has been realised by sales of silver, has ceased to be unproductive surplus silver lying in the treasuries of the Government of India, and has become locomotives, rails and railways, producing interest and materially improving the economic position of the country. That is the result; and there has been no weakening of India's position as the result of these transactions. On the contrary the economic position of the country has been strengthened, though I admit that the currency reserves have been weakened.

Now, Sir, I am asked to give some undertaking as to Government's future policy in regard to silver. There is nothing that I should like better than to give such an undertaking, because I am always anxious to meet the views of Honourable Members opposite. But I must consider my public responsibilities as well, and as we stand in possession of surplus stocks of silver, I must recognise the fact that there may be times when, in the public interest, we ought to take steps to realise them. My Honourable friend Mr. Chetty himself has said so; he has accused us of keeping a hundred crores of silver coin in our Paper Currency Reserve, and he would like to see them converted into gold. But how can you convert them into gold without selling silver, and how can you do that without incurring the charge of, at least, contributing to the depression of the world price of silver? I am at a loss to understand how I could, consistently with my obligations and responsibilities for the finances of the country, give any permanent refusal to sell silver. But, it may be said, "Government might do something short of that; let them say that they will not sell silver when it stands below 22d. an ounce or some figure of that kind". That at present might seem a reasonable request; but we must face the realities of the situation, and if the permanent level of price of silver settles down at something much lower than 22d., must we keep out of the market for all time for that reason? I think it would be very dangerous for me to give any undertaking of that kind. I am fully prepared to discuss this matter with any representative body in the country, and I should be very glad to have a conference on it and to go into all the aspects of the situation. That indeed is necessary before I could give any undertaking, and I think it is also necessary in order that there may be an understanding on the other side of the realities of the situation. In the meanwhile, I do think that I may, with some confidence, point to the past record of the Government. We have conducted, as I have said already, our sales with discretion, and when the market became weak, we stopped selling at once. We have sold nothing below a price of 22½d., and silver today in the world stands at just over 19d. and as I have said, we have sold no silver at all in the market since the 13th of December. I think, Sir, that I am justified in claiming that that gives us some right to ask the public to have confidence in us as to our future policy in the matter.

[Sir George Schuster.]

Now, Sir, to turn to the other aspect of the question, the general financial aspect,—the statement of the case that we are asking for more money than we really require. Now, I have many arguments, and I do not want to confuse those arguments, and that is why I selected for explanation at the beginning of my speech the primary foundation of my position, namely, that we do, to deal with the present immediate situation, require some margin in reserve. I made it clear that, whatever I had in mind as to the future application of the proceeds of this tax, providing there should be a surplus, that need would remain and would justify my present demand. I want to make that clear, and not to confuse that ground with what I am now going to say. But I do maintain that, when you go beyond that ground and consider the pledges which I have given and the purpose which I have made clear to this House, there are very special grounds for supporting Government when they ask for this money. We have had many points put up in the course of this debate, many demands for reduction of duties, and in answer to some of them I have already given definite undertakings. We are ourselves in this present Budget proposing a reduction in the export duty on rice. I want this money to make it possible for me to afford to give this reduction. We are faced with the disappearance of our opium revenue. That every one knows about. I want a margin to be available to meet the growing need which the gradual loss of this source of revenue will create. I have been asked, and the demand has been pressed very strongly, that an income tax-reform should be introduced, allowing losses incurred in trading in any one year to be carried forward to the next year. I have regarded myself as definitely pledged to introduce this change as soon as I could feel certain that the Government's financial position made it possible. It may mean, particularly when it is introduced at a time like the present, a very substantial loss. It can only be introduced gradually, picking up one year at a time, but if it is introduced now, it may mean a very substantial loss. If I am left without any margin of revenue, the prospect of such a reform must be indefinitely postponed.

Then in this Budget we have already made a start, I admit it is a small start, to adopt measures for the encouragement of sugar production. This start is sufficient, because no scheme is yet ready to require more money, but I fully realise that much heavier demands may come upon us in the future for the encouragement of the sugar industry. Indeed only yesterday the demand was put forward that the whole of the 180 lakhs which we are getting from additional taxation ought to be reserved for measures for the improvement of sugar cultivation. In that direction again advance will become quite impossible unless we have some margin.

Then again there is the question of strengthening the financial position of the provinces. My friend Pandit Hirday Nath Kunzru asked, why do the Government take this step when as regards every other step they say, "Let us wait until we get the Report of the Statutory Commission". I agree that is quite a good point, but I would simply remind him of the fact that, for the moment, I want this margin to meet the immediate situation, but that it is an additional argument in favour of this taxation, that we have behind us definite purposes which, I am sure, will commend themselves to this House and to everybody in the country. For we know that constitutional reforms will have very little chance of success unless more generous provision of revenue can be made for the provinces. Now, I am not going to be drawn into any reply as to the constitutional difficulties of effecting

this distribution. We all recognise the great difficulties that there will be in devising a scheme whereby money, which is collected through the agency of the Central Government, shall be distributed among the provinces. We have got to face that. It is one of the essential problems of the situation, and I think Honourable Members will find that it will have been very fully considered in the Report of the Statutory Commission and in the particular section of the Report which will contain the recommendations of Mr. Layton. It remains as one of the great tasks before us next year to deal with that particular question. The constitutional difficulties cannot be used as a valid argument against providing ourselves with funds. But apart from the needs of the provinces, I see other needs which I am sure will commend themselves to this House. Honourable Members know, because I have repeated it very often, what great hopes I hold for the results from the Banking Inquiry. There is no doubt that measures which we may wish to start as a result of the Banking Inquiry and experiments which we may wish to have carried out will require money. There are all sorts of needs of that kind.

I think, Sir, I have said enough on that subject to satisfy Honourable Members what is my purpose in asking for a financial measure which, if things go well, will put me in possession of a surplus. But then another argument is brought forward. It is said, "If you get this money before you want it, you are likely to be extravagant, you are not likely to resist demands from spending departments". Under that heading also I regard myself as pledged as fully as I possibly can be, because we have promised to carry out this Retrenchment Inquiry. I have given this House the most solemn undertaking that, pending the further examination by this Inquiry, no extravagance of any kind will be permitted, and I would ask the House to accept that undertaking. "But" I may be told "all that you have told us simply amounts to promises". On such a statement, Sir, I do feel, that I am entitled to ask Honourable Members to go back over the speeches which I have made in this House, and to point out to me any single promise which I have made which I have not carried out.

I have one more argument. The Honourable Mr. Chetty referred to my point about strengthening India's credit. I do attach very great importance to that, and I hope Honourable Members may have noticed, in the past few days, a very encouraging improvement in the prices of Indian sterling securities in London. According to newspaper figures, which I saw this morning—I have not verified them yet by direct telegrams—the Government of India $3\frac{1}{2}$ per cents. now stand at $67\frac{1}{2}$. They have risen since early in March from 58 to $67\frac{1}{2}$. Now, I do not claim all the credit for that. It is largely due to the cheapening of money in London. But British Government securities have not risen to anything like the same extent. Whereas $3\frac{1}{2}$ per cent. British Conversion loan has risen from $75\frac{1}{2}$ to $77\frac{1}{2}$, our $3\frac{1}{2}$ per cent sterling loan has apparently come up from 58 to $67\frac{1}{2}$. That is a rise of $9\frac{1}{2}$ points as compared with the rise of 2 points in British Securities. I do believe that, to some extent, that favourable turn in our credit in London has been due to the Budget containing strong financial proposals, and I would appeal to Honourable Members to take no step now which may convey the impression abroad that we are not out to take every possible step to maintain our financial position.

Beyond this, I would ask Honourable Members to read into this Budget an attempt to make a start in a constructive policy of development. I

[Sir George Schuster.]

agree that the first steps are small, but I think that in many departments the intention is very apparent and that policy cannot be carried out unless we have adequate funds. I would appeal to Honourable Members to trust my judgment in this matter and my judgment tells me this,—that this is the time to make a big move forward in strengthening our financial position. If we can put ourselves on a sound basis now, we can go forward undertaking in ever-increasing measure that constructive programme which the country so badly needs. If I might emulate my Honourable friend, Mr. Kelkar, and quote poetry, I would quote some very well known lines:

“There is a tide in the affairs of men
Which taken at the flood leads on to fortune;
Omitted, all the voyage of their lives
Is bound in shallows and in misery.”

Now, Sir, if we restrict our resources now, I look forward to a period when all our efforts will be “bound in shallows and in misery”, but if this House votes adequate funds, we shall have taken the turn of the tide, and, without any burden being felt by the country, will be able to advance to a programme of constructive work and great benefit.

Mr. President: The question is:

“That in Schedule I to the Bill, the proposed amendment No. 5 be omitted and the subsequent amendments be renumbered accordingly.”

The Assembly divided:

AYES—49.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lal, Diwan.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Ismail Khan, Mr. Muhammad.
Iswar Saran, Munshi.
Jehangir, Sir Cowasji.
Kelkar, Mr. N. C.
Kidwai, Sheikh Mushir Husain.
Kunzru, Pandit Hirday Nath.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.

Mitra, Mr. S. C.
Mody, Mr. H. P.
Munshi, Mr. Jehangir K.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Patil, Rao Bahadur B. L.
Prakasam, Mr. T.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rajan Bakhsh Shah, Khan Bahadur
Makhdam Syed.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvotham.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Venkatakrishnayya Choudhri, Mr. P.
Yakub, Maulvi Muhammad.

NOES—56.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Bhuto, Mr. W. W. Illahibakhsh.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Dutta, Rai Bahadur S. C.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.

Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Singh, Mr. Adit Prasad.
Slater, Mr. S. H.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad, Dr.
Zulfiqar Ali Khan, Sir.

The motion was negatived.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muham-
madan): Sir, I beg to move:

“In Schedule I to the Bill the proposed amendment No. 6 be omitted and the subsequent amendments be renumbered accordingly.”

Sir, item No. 45 of Schedule II of the Indian Tariff Act levies a special duty of 11 per cent. on cotton piece goods. Item No. 6 of Schedule I of the Finance Bill proposes to omit that item No. 45 in the Tariff Act; and thereby apply 15 per cent. *ad valorem* tariff for textiles to cotton piece-goods also. My amendment proposes to retain the special duty of 11 per cent. I find there is a section of non-official Members in this House who are for raising this duty for protection purposes. I wish to point out that, whatever variations they wish to make in this duty can be made appropriately in the other Bill, the protection Bill which we were discussing the other day. The advantages will be this. If my amendment is allowed, then the tariff duty of 11 per cent. will remain permanent, but if the House wants to make any change in the Tariff Bill that will come later on, the protection will be for three years only, for at the end of that period there will be an enquiry into the necessity for protection. I wish the House to bear this in mind, namely, that the rate of tariff protection will be revised after the period of three years. So that, instead of making a permanent alteration in the tariff to 15 per cent., it is better that the House should make a charge only for three years, if the House is so minded. Or if the House so desires, it can, even under the protection Bill, after referring it to the Select Committee,

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raise the duty to 15 per cent. without making any discriminating protection, or accept the amendment of Pandit Madan Mohan Malaviya. But it is desirable that no permanent disturbance should be made in the tariff by this Bill, because as I pointed out in my speech yesterday, the effect of such a tariff is to perpetuate an evil and where it is a question of great losses to the consumer and comparatively smaller gain to the Government, the tariff should never be high.

I also wish the House to realise that the existing system of taxation presses unduly upon the poor as a large number of the necessities of life are being taxed. I find from the proposal of Government that they want to stabilise the finances. These are not proposals of a temporary nature. The increase is not meant to be debited after a year or two to meet the exigencies of the present financial situation, but to stabilise the finances to meet provincial deficits. Sir, the unsuitability of these present proposals to meet provincial deficits has been referred to by other Members. I think the reference to it is unfortunate. It is to be hoped that when provincial autonomy is realised, it will be done by dividing the sources of revenue between the Central Government and the Provincial Governments in such a way that each would be free in its action as regards the sources of revenue, so that when the lines of division are drawn there will be no further scope for doles from one to the other. The very object of the Budget being not only to balance the Budget but also to keep a reserve so that they might contribute something to the provincial revenues, it is clear that Government wish to make these proposals permanent. Sir, when the cotton duties were raised to 11 per cent. it was hoped that the utmost limit was reached. It is now found that that hope has been dashed to the ground.

Sir, since reference has been made to the provincial deficits and the need for replenishing the provincial revenues, I ask, are there not alternative sources of revenue from which the provincial finances can be replenished? Are there not other alternative sources of revenue at the disposal of the Government of India by which the Central revenues can be replenished? I find that there are various suggestions in the Report of the Taxation Inquiry Committee. Why are not these valuable suggestions being utilised? I refer to this because the tariff duties are still being raised higher and higher, following as it were the line of least resistance. Because whenever an article is proposed to be taxed or the duty is proposed to be increased, there happen to be some producers of that commodity in the country who think it their duty to support it on the ground of affording protection. Sir, it is necessary that the conscience of Government should be roused and the conscience of the House also should be roused to find alternative remedies instead of laying the burden on the poor. Why not widen the basis of income-tax so that the net income from all investments may be taxed? That would relieve the financial difficulties of Government and at the same time Government will be in a position to give relief even in the matter of income-tax by raising the minimum amount that should be free and also reducing the rates of income-tax.

Then again, as reference has been made to the needs of the provinces, why not equalise the succession duties? It is a most inequitable system of taxation that prevails in the case of the succession duties, certain

communities are taxed, while others are not; certain provinces are taxed while others are not; certain assets are taxed while others are not. The European community to whom the old Succession Act applied have to pay duties not only on taking probates but also on intestate succession. What is the case in Bengal and other provinces to which the Hindu Wills Act applies? They are to pay duties on taking probates. The taking of probate is compulsory as regards Hindus, Sikhs and others but not so in the case of Muhammadans in Bengal and Assam, and not so in the case of people other than Europeans as regards other provinces. Is it not most inequitable? There is another succession duty for persons who are not bound to take out letters of administration or probate. They are to pay duties on only certain assets, *viz.*, debts due to the deceased. When they are to take succession certificates only, particular assets are selected, but that even not universally. They are to tax duties only in the case of their instituting a suit or rather getting a decree in court. Is not that a most inequitable system of taxation? If that be remedied, all difficulties of provincial revenues would be removed. Will not the Government of India in that case be able to keep to itself all the income from the receipts of income-tax? And the difficulties of the Government of India will be solved.

When I refer to these items I do not mean that these are the only remedies to meet the financial situation, but they are only illustrative. There are various methods of taxation which will be found to be more equitable than the present system of taxation which presses so heavily and unduly upon the poor, and it is the duty of this House to find a remedy. It is more a duty of this House than that of the Government to find a remedy instead of remaining content with simply making unavailing protests.

Pandit Nilakantha Das: Has the House any power to find a remedy in this Bill?

Rai Bahadur S. C. Dutta: You are not helpless. This House is not helpless in finding a remedy. The House can suggest a remedy. If you reject the Government's proposal it will be an indication that there should be a halt, a pause in the present system and an inquiry as to the basis of revising the financial system. I hope there are many suitable remedies which may be adopted by joint consultation between the Government and this House by instituting an inquiry. There was such an inquiry by the Taxation Inquiry Committee. Its results are available. Now there is this remedy that I suggest. The House, instead of remaining content with mere unavailing protests, must adopt this remedy. That will be a warning to the Government. There was no proposal of cut in the Budget of the Honourable the Finance Member. There was a discussion in this House as to the responsibility of non-official Members. If the Honourable Members have studied the Budget and found no remedy, no proposal for a suitable cut, then it might be considered that the Budget of the Honourable the Finance Member is unassailable. The Honourable Member, Sir Cowasji Jehangir, raised a very important point and there was some discussion in this House and the Honourable the Finance Member also echoed the same sentiments. Some explanation was given on behalf of the non-official Members. One reply was that the non-official Members are not responsible, because they did not know whether it was possible for the Honourable the Finance Member to make a

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saving and whether it was possible to make large cuts because large policies could not be discussed in the course of the budget discussion. But it was possible to discuss and suggest cuts as regards new services, new expenditure. Those proposals for cuts as regards new services might be pressed to a division, if the explanation given be unsatisfactory.

Mr. President: What is the Honourable Member doing? This is not the general discussion of the Budget.

Rai Bahadur S. C. Dutta: I am only discussing the duty of the Members of this House.

Mr. President: He must bring a separate motion for that purpose. The Honourable Member must at present restrict himself to the amendment.

Rai Bahadur S. C. Dutta: I am speaking to the amendment whether it is not the duty of this House to balance the Budget, that is the point I am discussing, and this arises on that question whether it is the duty of this House to balance the Budget. Then there was another discouraging circumstance in this case. It was this, that it would have been useless for non-official Members to make suggestions for cuts as there would be no opportunity to put them to the vote. The Honourable the Finance Member has got his Budget granted. But he is not bound to spend all the amount. He can effect savings. I therefore ask this House to accept my motion.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, it is very generous of you to call me to support my Honourable friend. I wish the Honourable Members of this House who are absent from this House had heard him when he was delivering his interesting speech. In fact, those who were present listened to him with that respect and with that attention which the speech of my Honourable friend deserved. What was he proposing? He was proposing a reduction of duty which will benefit the poor, and as soon as this fact became apparent to the Members of the House, the small number of Members who were present began to listen to him with rapt attention, and the Chair also was pleased, seeing the cogency of the reasons advanced by him, to permit him to go on. Now, what was he pleading for? To keep the clause as it is. In fact, I would favour the abolition of all duties. I myself am a free trader. I do not believe in protection except in cases of basic industries of national importance. Protection may benefit the capitalists, and we are at times taken to the slaughter house to the detriment of the interests of the poor. Here my friend, coming from far off Assam, the land of coolies, and where the conditions of life are so trying, I think he was right and just in pleading for a reduction in the price of *dhotis*. That is what he was doing, and I hope this simple fact will appeal to every Member of this House who is asked to support a measure which will enable the poor to get sufficient clothing to cover themselves by lowering the price of cloth and to have enough cloth during winter to protect them from cold.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): May I point out, Sir, that in winter woollen cloth is necessary, not cotton cloth.

Mr. Amar Nath Dutt: Woollen cloth is for rich people, not for the poor men, half-fed and half-clothed, not having even anything to cover themselves with. I know of labourers who cover themselves during winter with *chattais* made of palm leaves. They know of no woollen cloth. Here my Honourable friend was pleading for cotton goods only, and I think this has also elicited some amount of sympathy from my friend. Sir, I beg to support the amendment.

Mr. President: The question is:

"That in Schedule I to the Bill the proposed amendment No. 6 be omitted and the subsequent amendment be renumbered accordingly."

The motion was negatived.

Mr. M. S. Aney (Berar Representative): I do not want to move my amendment No. 21.*

Pandit Nilakantha Das: I have got, Sir, two amendments in my name, Nos. 22 and 23. They practically come to the same thing. Amendment No. 22 is that:

"In Schedule I to the Bill, for the proposed amendment No. 7 the following be substituted:

"7. Item No. 4 of Schedule III be omitted'."

That is, this amendment is to abolish the export duty on rice that is now levied. Many of my friends will wonder how I have induced myself to propose the abolition of all export duties on rice. In this country where by tradition and environment practically it must be the policy that no foodstuffs should be exported, any difficulty which is put in the way of exporting a foodstuff like rice should *prima facie* commend itself to our people, but today I am in a very peculiar position. Though ordinarily it should be a common theory, especially in such a poor land, and especially in my constituency, Orissa, that no foodstuffs should go out, today I find I shall have to propose this amendment rather forced to propose it under circumstances that, I may say, have been created by this heartless Government. Whenever we think of rice export duty, it is the general tendency of Honourable Members to look to Burma. I have never myself been to Burma. Though export of rice is necessary there, I cannot exactly depict from my experience what the condition of the ryot there is. I may read passages from here and there, but that reading often times would suggest things which would never bring the actual state of affairs home either to myself or to my friends. I shall speak here of what I know from my own experience, in my own constituency.

I do not know what element of world conditions in the rice trade have entered into our Indian conditions for producing the present depression. But as far as I can see, it is the ratio muddle which first began this depression, and in a vast agricultural country like India the effect of one set back at big centres like Bombay and Calcutta has its repercussion in the villages, and for a time it goes on. In the appreciation of the rupee to the 1s. 6d. ratio, the difference in price to the exporter, rather the disadvantage, is theoretically only two annas in the rupee. I do not know how it has come about that the price of rice or paddy today in my place has gone down by something like 60 to 80 per cent. People have not been

*"That in Schedule I to the Bill, the proposed amendment No. 7 be omitted."

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able to sell their rice for the last three years. I am not going to take the figures in the statistics reports and accounts that are published. Some of my friends may think that the export of rice has increased during the last three years. May be, for rice is the only article of the peasant in rice-growing areas to be turned into cash for everything else that is necessary for living and carrying on husbandry. Less price may well mean more export. But whether the export is more from Burma, or Cochin, or Orissa, or Bengal, I do not exactly know, nor do I care to know. For I see the facts and the conditions with my own eyes. What are the conditions about rice in my constituency? I will illustrate the whole subject by a description of it and I believe the entire situation in the rice-growing parts of the country cannot be otherwise.

In my constituency the ryot gets very little. Gentlemen in this House will not be able to understand at once what settlement operations mean in my own part of India. These settlement operations are going on in Orissa and in some districts in Bengal; in some districts it has ended, and in other districts it is going on still; and you will be surprised to learn, Sir, though the general circular of the Bihar Government has been to the effect that the ryot will have to pay four annas increase in the rupee, this 25 per cent. under the rules has been manipulated to an extent that in some cases it amounts to an increase of 100 per cent. For certain lands of one of my friends in a village it has increased from Rs. 80 to Rs. 169.

This is not however a singular case. Here in this connection I must give to the House some information which may not be palatable to some. Last year some of my friends in my constituency were thinking of launching civil disobedience on this issue, I mean, non-payment of land taxes.

2 P.M. They would have done it, successfully, for the people are utterly helpless and have practically lost all interest in land they hold. Though they may not often be theoretically so much in favour of readily taking to civil disobedience in this particular item of non-payment of land tax, it is their inability to pay which would have at once driven them to resort to this method of securing relief. They don't often know where they would land if they adopted that weapon, but they do not mind it. They have been driven to this kind of desperation in matters of life and particularly of property on account of settlement and other operations in that uncared for land of Orissa. But I may inform you, Sir, we have got to pay our land tax mostly not to the Government direct, but to the intermediaries, i.e., zamindars. Many of our zamindars are absentee landlords who spend most of their time in Calcutta and other places. In the first quarter of the last century when Orissa was annexed, our land revenue was farmed out in Calcutta without our people knowing anything about it. Thus most of our zamindars were created and sold in Calcutta. However, Sir, this was the difficulty for which non-payment of land tax could not be undertaken. Now in addition to the crushing land tax, Sir, there are also the Chowkidari tax and other taxes paid directly and my friends in some parts of my constituency are probably thinking of resorting to such a tax, if non-payment of taxes is to be undertaken.

Sir, my object here is to give you an idea of the heavy land tax in my constituency, and when the land tax is growing, the ryot cannot get any money for his rice to make his two ends meet. The rate of rice, I mean paddy, which was 2½ years ago Rs. 5-12-0 per bag, is now Rs. 3-8-0 per bag (a bag means 2 maunds), and the cultivating ryot who is taxed sometimes Rs. 8 to Rs. 12 or sometimes much more per acre cannot, at the present rate of rice, expect a margin even from the gross produce of his land. Sir, the produce of the land in our parts varies from 5 to 12 maunds of paddy per acre, which at the present price will bring him say, from Rs. 9 to Rs. 21. Out of this, he will pay the expenses of cultivation and land tax, and invest in stock and cattle, and then maintain himself and his family, educate his children, spend on ceremonies, and what not. Now you have seen the margin, Sir. You can well realise, at the present rate for rice, to what straits the ryot has now been reduced. If perchance one of his bullocks dies, he will have not only to sell away all that remains after paying his land tax, but will either mortgage or sell his land, and by so doing he will be utterly ruined. If the Honourable Member could find time to come to my constituency, at least once during his term of office, I should be very pleased to show him personally how, if the price of rice is not increased, there will be complete ruination among the ryots of Orissa.

Then again, Sir, after levying the protective and revenue duties to an enormous extent, you are going today again to raise the price of cloth which is a primary necessity of life, and you are also going to raise the price of sugar. You are virtually preventing the poor ryot from taking a bit of sugar. At such a juncture you don't think of abolishing or substantially reducing the duty on rice. You expect the poor ryot to fill your treasury by all means possible, injudicious as many of them are; still you are not adopting measures by which you can increase his purchasing power.

In their proposal, Sir, the Government are proposing a reduction of 9 pies out of 3 annas which is the present export duty on rice. I am simply surprised at the money-making propensity of our friend the Finance Member. The money will safely come into the treasury, but where will the 9 pies go to? Will it not in this case also find its easy way to the middleman's pockets? I wonder how the poor salt only has the peculiar misfortune of conveniently transferring all the small reductions in its duty into the pockets of the middleman. From those Benches the argument has always been flung at us that the money obtained by the reduction of four annas out of the duty on salt will go to the pockets of the middleman; it will not benefit the consumer. The four annas in the rupee will go to the pockets of the middleman, when it is the case of salt. When it comes to export duty on rice, 3 pice in three annas will clean go to the pockets of the cultivator who sells his rice. Of course, the argument was given more definitely in the time of the predecessor of my Honourable friend over there, and he may refresh his departmental memory by looking into the previous proceedings of this Assembly.

There is another question about adjusting the Budget. It has been referred to and discussed by Members on all sides. The theory seems to be that if we cut down some duty, if thereby Government's income comes down by a substantial amount, we are to find the money. Some Honourable Members feel even anxious to find the money. But we must not forget that only

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some items of the Tariff Act are before us to discuss in this Bill. We have not to consider the whole question from the very bottom. We are not even allowed to propose an increase of income on any item, if we desire it. Our duty is to reduce and not to increase, for the entire State purpose is not being here adjusted in consultation with us. It does not matter if, on account of our amendments, there comes to be more or less money in the pockets of the Government. That is their look out. They have got, I may suggest incidentally, enough money at least in their reserve funds, if nowhere else, to borrow from, though the funds are only in account, and not in actual cash reserve anywhere as I had painfully to learn the other day in connection with Railway Reserve in the Standing Finance Committee for Railways.

Mr. President: These are general observations. The Honourable Member will realise that we are now on amendments.

Pandit Nilakantha Das: I am simply making the point that, if reducing this duty affects the Government purse, we are not concerned. I am doing so, for many of my Honourable friends have referred to this aspect of the question.

Mr. President: That applies to every amendment.

Pandit Nilakantha Das: I am in a very awkward position, Sir, for many of my friends seem to be under a misapprehension of the entire situation, and I must clear the misapprehension before I count upon their support and votes.

Mr. President: I cannot allow repetition of the same argument.

Pandit Nilakantha Das: No, Sir, I have already done with that aspect of the question. Now, I would simply say this. Even this nine pies reduction will simply mean, according to their own arguments, a loss to the Government purse. It will come to nothing, no help so far as the cultivator is concerned. It will go to the pockets of the middleman. Therefore I hope you will agree with me when I say that, when the Government have agreed to the principle of reduction at a loss to their own purse, let them come to the logical issue arising out of their own measure, and apply the reduction reasonably and usefully by reducing to its entire extent, i.e., abolishing this rice export duty. Sir, I move the amendment.

(Mr. K. C. Neogy stood up.)

Mr. President: Does the Honourable Member want to speak?

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Yes.

Mr. President: Then, we had better adjourn now.

The Assembly then adjourned for Lunch till a Quarter Past Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Three of the Clock, Mr. President in the Chair.

Mr. K. C. Neogy: Sir, I hesitate to support the rather drastic proposition which has been advanced by my Honourable friend, Pandit Nilakantha Das, though I have a good deal of sympathy with what he said in support of the amendment. It is a very complicated question. If the prices of food-stuffs fall below a particular limit then the producer suffers. If, as a result of stimulating export, a comparative scarcity is produced prices are raised, and then the consumer suffers. It is very difficult therefore all at once to say as to whether the Government of India should be called upon to surrender a large amount of revenue which they have budgeted under this head, for the purpose of stimulating export without knowing what the effect of that stimulation may be upon prices generally. I specially regret the absence of my Honourable friend U. Tok Kyi from the floor of the House on the present occasion, because it will be remembered that the question of the abolition of the export duty on rice came up for discussion more than once in this House at his instance. When we consider the question of export of rice, Burma looms very large before us. Although other rice-producing provinces like Bengal and Madras come in for considerable quantities by way of export, the difference in the quantities exported from Burma on the one hand and from the rest of India on the other is so large that for all practical purposes we might almost omit from our consideration the cases of the other provinces. It is for this reason particularly that I regret the absence of my Honourable friend U. Tok Kyi. Sir, the Honourable the Finance Member, in his budget speech, has justified this slight reduction in the export duty on the ground that the fall in prices all the world over has affected the Indian producer very adversely. That, of course, is a correct statement of the position though it does not give us an entirely complete picture of the position, Sir, on going through the official review of the trade of India for the year 1928-29, one finds that it is not merely the fall in prices that has affected the position of the Indian grower, but it was also the appearance of other competitors in the field, particularly in Europe, that complicated the situation. For instance we read that so far as the eastern markets are concerned, the depression was due mainly to the fact that both Indo-China and Siam had bumper crops in the season 1927-28. Then with regard to the European market the position appears to be as follows: The United States of America, Spain and Italy have taken to the production of rice in fairly large quantities since the end of the war. Exports from these countries have been mainly to Europe and these exports have affected the market for Burma rice in the European countries.

Now, Sir, there is a further fact, namely, the embargo which the Japanese Government have imposed on the import of rice, particularly from India, as far as I know. We, at one time, were under the impression that the Japanese Government were forced to take this action in retaliation of the Indian cotton yarn protection measure which was passed by this Legislature in 1927. As a matter of fact, Mr. Jammadas Mehta at one time put a question in this House, drawing the attention of the Government to the necessity of raising this question of discriminatory action on the part of the Japanese Government at the League of Nations. But, Sir, we read in the official chronicle that the Japanese Government were forced to this decision as a result of the bumper crops which they had in their

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own country during successive years, and it is for this reason that the prohibition against imports is still supposed to continue in that country. My principal point is that it is not enough for Government to adjust the tariff for the purpose of stimulating export, but they ought to have a sort of constructive policy in this matter, for I find that, so far as the European markets are concerned, this reduction in the tariff will not be of much avail to the Burmese rice producer, because, as I read in this official publication, "The competition of the American and other overseas countries in European markets has been facilitated by the system of grading and better marketing methods that the rice producers of those countries adopt". Now, my Honourable friend the Honourable the Finance Member proposes to reduce the tariff by nine pies out of three annas. This can hardly enable the Burmese rice producer to compete in the European markets against better graded rice which is being supplied in those markets.

The next point is this that the present depressing condition of the rice market is due not merely to the low prices that obtain all the world over, not merely to the bumper crop that Burma had in the past, but also to the large imports of rice into India from abroad during those years when prices were abnormally low. I have collected a few figures which will explain the position.

In 1925-26, India imported 649 tons of rice from abroad valued at Rs. 1,27,000 and odd. In 1926-27 the figure went down to 289 tons which was valued at Rs. 66,313. In 1927-28, when there was already a slump in the Indian market we find that the quantity of rice imported into India from abroad went up to 68,954 tons valued at Rs. 92,14,804. Then again in 1928-29 the quantity went up much further, 1,25,426 tons valued at Rs. 1,79,32,000 and odd. Now, Sir, on a reference to the prices I find that during this period the declared values per cwt. of exported rice from India was Rs. 8-1-7 per cwt. in 1926-27; it fell to Rs. 7-13-1 in 1927-28, and to Rs. 7-5-9 in 1928-29. And it will be found that when the prices fell in the years 1927-28 and 1928-29, and when we imported abnormally large quantities of rice in these years, the average prices at which those quantities were imported were below the Indian prices by about a rupee; that is to say, the other countries were dumping their extra stocks of rice into India just at the moment when our own home market was in a very depressed condition. It does not appear that Government took any action to regulate these imports on the lines that the Japanese Government did; and here I want to ask the Honourable Member in charge whether it is not necessary for Government to have a constructive policy in this matter beyond a mere tariff adjustment.

Now, Sir, dealing again with the prices, I find that in the month of January, 1930, which is the latest period for which we have got published figures, the declared value per cwt. of rice exported from India stood at Rs. 6-15-6, which is much below the corresponding figure for 1928-29, which was Rs. 7-5-9. I think the House will realise that the present seriousness of the position has been brought about, not merely by the glut in the home market, but also by the large imports that we are having from abroad. I undoubtedly recognise that the imports have begun to diminish of late months, and we may not be faced with a similar situation as we were in 1928-29. But I want Government, on this occasion, to make a statement of their policy as to whether, if similar circum-

stances were to be repeated, they would take any effective action for the purpose of regulating imports at a time when they would embarrass the Indian market. The present policy which Government maintain in regard to the export and import of food-stuffs is that of the open door. Government say, "Dump your rice, dump any kind of food-stuffs that any country may have, in India, no matter whether it embarrasses our position or not; and if on the other hand any other country wants to take away our food grains like rice and wheat from India, we will not stand in the way". In the one case a situation like that which faces us today will arise; in the other case there may be comparative scarcity and high prices. In this connection I am reminded of what happened when the system of food control was in operation during 1918-19; the recklessness with which the control system was operated for the purpose of mobilising India's supply of food-stuffs for the benefit of the allies was brought out very clearly in the report which Sir Charles Innes (then Mr. Innes) wrote in his capacity as Foodstuffs Commissioner. The Report was published in 1919, and I would just quote one sentence from that Report to show that Government absolutely failed to recognise their responsibility in the matter of conserving a sufficient stock of food-stuffs in the country in those days.

Mr. Innes, referring to the situation in 1919, said that the situation was so serious that he found it "difficult to see how India could have come through 1919 as well as she did". That is to say, the information at the disposal of the Government of India in those days was not such as to enable them to estimate the quantity of food-stuffs that was in the country, and when Mr. Innes found that there were not very many deaths from starvation, when he found that Indians had really survived the system of food control, he said that he found it difficult to see how India could come through 1919 as well as she did. Then he began to speculate what this could be due to. He said that there must have been some reserve stocks in the past. Unfortunately, however, when Government find that the statistics which are published under their own authority do not support any pet contention of theirs, they say that these statistics cannot be relied upon in these matters, but when it suits them they say, "Here you are; these are the statistics which show that we are perfectly justified in allowing so much of your food-stuffs to be exported". Mr. Innes, it is interesting to know, was constrained to observe that the reserve stocks about which he speculated must now be very depleted; that is to say, at the end of 1919, Sir Charles Innes thought that there were practically no reserve stocks in India of food-stuffs. Therefore we can begin with a clean slate from the end of that period. Now, I want to know from Government whether they have been able to find out what the present condition is, what minimum quantity of food-stuffs should be conserved in the country for the purposes of meeting the human needs of the people, and whether the present export policy enables the country to retain that minimum quantity of food-stuffs. That is a very important question which Government cannot absolutely neglect; for although it is a fact that at the present moment we are faced with an excess of stocks, supposing for the sake of argument that as a result of the stimulation of export which my Honourable friend desires to bring about by this amendment, a much larger quantity of food-stuffs is exported than would be desirable in the interests of the people, what would happen? My Honourable friend Pandit Nilakantha Das has done very well in bringing

[Mr. K. C. Neogy.]

forward this particular motion so as to enable this House to confine its attention to the very important questions that are involved in this question of export of rice. The primary and most elementary test of the efficiency of a Government would be whether its administrative policy enables the people to have a sufficient quantity of food-stuffs at their disposal. Now, Sir, I very much hope that when my Honourable friend, the Commerce Member or the Finance Member, whoever replies to the debate, gets up to speak on the motion, he will give us an idea of the policy of the Government in regard to the export of food-stuffs, and not merely confine himself to the narrow issue of this present amendment.

Mr. Amar Nath Dutt: Sir, I beg to support the amendment from another point of view, which has been foreshadowed by my Honourable friend, Pandit Nilakantha Das, but very vaguely. You must not forget that India is an agricultural country, and you must not forget that upon the prosperity of these millions of agriculturists depends not only their own happiness but also the happiness and prosperity of those who live upon them, I mean the landholders and the gentry. In Bengal which is a rice-producing province, if you take into consideration the case of an ordinary farmer, you will find that the produce which he gets from his field is not sufficient to cover the expenses of cultivation after paying rent. I will give a concrete example. A farmer has ordinarily 20 *bighas* of land to cultivate. The cost of cultivation per *bigha* is Rs. 15 or 16, to grow paddy. The ordinary output of a *bigha* of land is about 7 or 8 maunds. That means the average farmer gets about 150 maunds of paddy as his produce while the present price of paddy being Rs. 2-2-0 per maund brings him about Rs. 300. This does not even cover the actual cost of cultivation. I wish my Honourable friend, Diwan Chaman Lall, had been here. He always champions the cause of labour. But he champions only the cause of industrial labour and not agricultural labour. That is my grievance against him. If you take into consideration the actual state of things that prevails in rice-producing districts, you will find that these labourers are starving because they have to meet the cost of cultivation after paying rent. In the present year they are unable to pay their rents to the landlords. I am informed that farmers are unable to pay their rent as the price of paddy has gone down. This affects not only the agriculturists, but also the upper classes of people who live upon the produce of these agriculturists. My friend, Mr. Neogy, has been pleased to point out that there is another difficulty, that if the price of rice rises, the consumers will suffer. I quite appreciate it, but I know that people living in towns always favour that the price of rice should be cheap. Those coming from the city will probably support cheapness of the price of rice. But we have to judge it—both from the point of view of the consumers as well as from the point of view of those who produce paddy, and I believe that, unless all other prices go down, the paddy-producers will be hard-hit and it will bring about absolute ruination of the agriculturists. In Bengal, at least 90 per cent. live on agriculture and it is only 5 per cent. who live in towns who are benefited if the price of paddy only goes down. This proposal of my friend, Pandit Nilakantha Das, will save the agriculturists to a certain extent by increasing the export of rice. With the present export duty it is not possible for the agriculturists to export rice, so as to compete with other countries which export rice not only to other countries but also to India, the granary of the world. I therefore ask the Government to consider the circumstances put forward by Mr. Neogy as to how the imports from other countries of food-stuffs should be stopped in the interests of the agriculturists here.

But that is outside our province. So far as the present amendment is concerned, I have to suggest to them that they must take away the export duty on rice if they want to benefit the agricultural population of India. The condition of the agricultural population in Bengal villages is very grave, for I know from my own experience while going about from one village to another the granaries of the farmers are all empty as they had to sell the whole of their produce, and if this state of things continues, Bengal will witness one of those horrible spectacles which it witnessed during "Chhiattarer Mannantar" i.e., the famine of 1770, not for want of food grains, but for want of money amongst the agriculturists. If you go to the houses of these farmers, you will find that not one of them gets a full meal, not to speak of clothes to cover themselves. So I beg to lend my support to the amendment of Pandit Nilakantha Das, and if that fails, of course I shall come to my own amendment which will give the Government something. (An Honourable Member: "What does it give?") One pice. But I may tell the Government that, once for all, they must lay down their policy with regard to the net savings of the agricultural masses of the country.

The Honourable Sir George Rainy (Member for Commerce and Railways): I shall speak very briefly, Sir, on this amendment, and with special reference to what fell from my Honourable friend Mr. Neogy. He pressed Government to say whether they had anything to put before the House in the way of a constructive policy, apart from the reduction in the amount of the rice duty, which finds place in the Bill. The first point he raised was that it is not only the low price, due to bumper crops in several countries simultaneously, which was hitting the Burma rice, but also the improved methods of grading and other methods of putting rice on the market adopted in other countries, which had injured the Burma trade. That is an aspect of the matter which has been constantly present to the mind of the Government of India, and our feeling was that it might be of real benefit to the trade if part of the money raised by the export duty could be spent on improving the quality of the rice, and the methods by which it is put on the market. At the same time if the attempt is made to do that directly from Central revenues, we are at once faced by constitutional difficulties arising from the distinction between Provincial subjects and Central subjects. These difficulties can sometimes be got round by means of legislation imposing an export cess, the proceeds of the cess being spent by committees representing the trade concerned for the benefit of the trade. I daresay some Honourable Members may have noticed that His Excellency the Governor of Burma, addressing the Burma Chamber of Commerce in Rangoon the other day, specifically put this suggestion before them as a matter for their consideration, that it might be to the benefit of the trade if a small export cess were imposed on rice, a burden which the trade might be able to bear now that the export duty had been reduced, and that the proceeds might be spent on agricultural research and on the improvement of marketing methods, including grading. The matter therefore stands there for the moment, and the next move lies with the trade itself. But the Government of India believe that a good deal could be done in that way which should be beneficial to the Burma rice trade.

[Sir George Rainy.]

My Honourable friend went on to suggest that measures might be necessary or desirable to regulate the import of food-stuffs from abroad, when prices were low and also to regulate exports. If there was a danger of the stocks in the country becoming unduly depleted I do not question the importance of matters of that kind, but I could not go with him when he referred to what happened in the year 1919. I have a rather vivid recollection of what the situation was at that time, and a very perilous situation it was. We were approaching the end of a period of four or five years during which the trade in food-stuffs had been controlled, and the Government of India and the Provincial Governments had been doing their best both to regulate prices, and to ensure that adequate supplies were always in existence in every part of the country. This was a very difficult task. In 1919 the danger that threatened was this, that, since prices were controlled and the price barometer gave no indication of what was happening, we might find ourselves suddenly faced by the fact that, in particular areas, there was an absolute shortage of grain which, owing to the difficulties of transport at that time, could not be made good. In two or three parts of the country that position was very nearly reached. But when the channels of trade are open and food-stuffs are moving freely, then we can trust the price barometer to give us warning when danger exists, and personally I should always be afraid of taking measures which might have the effect of obscuring what was really going on and eventually lead to a really dangerous situation. I do not think myself there is any great danger that stocks in India might become unduly depleted so long as we are living under normal peaceful conditions, and if they did, the experience of 1928 and 1929 clearly shows that imports from abroad would at once begin.

As regards the other question, namely, the regulation of imports, I fully sympathise with my friend, Mr. Amar Nath Dutt, when he referred to the hardship inflicted on the agricultural classes when the prices of food-stuffs fall very low. But we have to remember that when a great deal of grain from outside Bengal comes into Bengal, the great bulk of it comes from Burma and not from abroad. It would be very difficult indeed to say to Burma that they ought not to send rice into Bengal, because the effect would merely be to transfer the loss occasioned by low prices from one part of India to another. The whole question of the low price of primary food-stuffs does create a very difficult problem. It is a matter which the Government of India will certainly keep under close observation, but I cannot say myself that at the present moment I can see any way to a satisfactory solution which would lead to an immediate amelioration of conditions.

Mr. K. C. Neogy: May I say, Sir, that when I referred to the importation of rice, I did not mean the imported stuff from Burma, but the imported rice from overseas.

The Honourable Sir George Rainy: I quite understood my Honourable friend, but when I referred to importations from Burma I had in mind what Mr. Amar Nath Dutt said about conditions in Bengal. As regards the importation of rice from overseas, there were very heavy imports in 1927-28 or in 1928-29—in one of these two years, I forget which—but I am not sure that that is likely to be a normal feature in future years. At that time there had been short crops in two or three provinces. It was largely a question, as I see it, whether Burma rice or rice from some other countries came in, one or other was almost certain to come. It did not appear to me

at that time that there was any very serious problem. As regards the admission of rice from other countries, I think that concludes what I have to say. I would like to repeat that this whole question of the problem created by the low price of food-stuffs is one that the Government of India will certainly keep under close observation.

Mr. President: The question is:

"That in Schedule I to the Bill, for the proposed amendment No. 7, the following be substituted:

'7. Item No. 4 of Schedule III be omitted'."

The Assembly divided:

AYES—16.

Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lal, Diwan.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji Chaudhury.

Mukerjee, Mr. Saradindu.
Patil, Rao Bahadur B. L.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Venkatakrishnayya Choudhri, Mr. P.
Ziauddin Ahmad, Dr.

NOES—44.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur Sardar.
Jehangir, Sir Cowasji.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: Pandit Nilakantha Das.

Pandit Nilakantha Das: I don't want to move it*, Sir.

Mr. Amar Nath Dutt: I also don't want to move my amendment†, Sir; but I should like to move the next amendment if you will permit me, I mean amendment No. 25.

*"In Schedule I to the Bill, in the proposed amendment No. 7, the words 'Two annas and,' be omitted."

†"In Schedule I to the Bill, in the proposed amendment No. 7, for the words 'Two annas and three pies,' the words 'three pies' be substituted."

Mr. President: Schedule I is finished?

Mr. Amar Nath Dutt: Yes, Sir.

Mr. President: Then I can put it to the vote. The question is:

"That Schedule I stand part of the Bill."

The motion was adopted.

Schedule I was added to the Bill.

Mr. President: The question is:

"That Schedule II stand part of the Bill."

Mr. Amar Nath Dutt: Sir, I beg to move:

"That in Schedule II to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the first entry under the head 'Letters' the following be substituted:

"For a weight not exceeding two and a half tolas ... Half an anna'."

Sir, we find that, in the Bill, for a weight not exceeding 2½ tolas, one anna has been put. With regard to this, Sir, I submit that there can be no two opinions on the non-official side for a reduction of the postal rates which were increased at a time when conditions were quite different in the country. There were high prices then, and Government had to give something to their servants to enable them to keep their bodies and souls together. They had to make some contribution to the Imperial Exchequer to enable the Government at home to carry on the war in Europe with which the people of India had no concern. Every one will remember the happy days when we had postal communications with our relations by spending one pice. (*An Honourable Member:* "Were they happy?") Yes, they were happy days. It has been our sad luck to be under foreign domination for nearly eight centuries before which we had happier days. In a poor country like India, Government will not be justified in maintaining the present postal rates, which were raised in war time. I do not wish to say anything against the Honourable Member in charge of this Department, for I know that he has full sympathy with our views. In a few months he will be one of us and will be as eager for this reduction as we are. But I know as a member of a foreign bureaucracy his hands and feet are tied. He is the victim of a system.

Mr. President: Order, order. I wish the Honourable Member would restrict himself to the merits of the amendment.

Mr. Amar Nath Dutt: People can write in a very small hand in a post card, but at times there are confidential communications. (*An Honourable Member:* "You are old"). Both young and old have to write confidential communications, but I am past that age. Be that as it may, we have to send confidential communications. I will give you an instance. The lawyers have to write to their clients informing them of the dates fixed for hearing of cases. If any of the parties happens to be a friend of the post master in the village, he gets access to the information and uses it to the detriment of the opposite party. The letters may not be delivered to the addressee. My friend Diwan Chaman Lall would like to do away with postage rates altogether. It will be a millenium when the labouring population gets free postage. But that day is far off. But I make an appeal

to the Honourable Member in charge to do something to reduce the postal rates before he lays down the reins of his office, which he has held so worthily for the last five years, to the credit of the race to which he has the honour to belong. I appeal to him to do this little service to his countrymen.

Sir, I am asked by my friends to go on. If I am now to dilate on the necessity for cheap postage, I can submit before you several things which will convince you of the necessity of cheap postal rates. There are communications of merchants, which can not be conveyed within the brief space of a post card. These merchants have to send small accounts and if they are to pay four pice every time, it is a real hardship. I do not think that Government should be eager for revenue always and not see to the convenience of the public. Really it affects the poor man more than anybody else. We may not mind these things very seriously, but we know that probably, next to the salt duty, it is the postal rates that affect the poor man most. Unfortunately, in these days of so-called civilisation, which has been introduced in our country, replacing our ancient civilisation, no one can do without communicating with his people living abroad. People have to leave their villages for distant places in search of work. They have to keep up communications with their relations, and to charge such people one anna every time is very hard indeed. It may not appear high to many of the gentlemen here, who are well fed and well clad with good head dresses, but it matters much for those poor people who have to leave their wives and children behind and go to distant places, 100 or 200 miles away. I am only concerned with people who go abroad. People from Bengal go to Madras and the people from Bihar and Orissa side come to Bengal. In fact my Honourable friend, Mr. Gaya Prasad Singh's people have overflowed Bengal, and they find it very difficult to communicate with their people at home on account of high postal rates. I found these people could not really afford to write one letter a week on account of the high postal rates. They have at times to remain without a letter for one month even. That is a thing which ought to appeal to every one of us. I think there should be no difficulty in reducing the postal rates. You can have other kinds of taxation, on heavy stationery and other things so that Sir Darcy Lindsay, Sir Hugh Cocke and other people, who take away so much from this country, might pay in the shape of postage stamps. Also on heavy stationery the Government could collect more postage revenue. Make them pay two annas. Of course, we cannot propose constructive suggestions for increase of taxation, but if we had the power to do so, we could propose taxes which would affect the rich and the middle class gentry but not the poorer classes of people.

Sir, with respect to letters, the only argument that can be advanced is that they need not write long letters. In fact as I have already said long letters have often to be written. Besides there may be some confidential communications and certain other communications which have to be made and they have necessarily to be written in covers. For these reasons I think the Government ought to reduce the postal rates for letters to half anna. Let them retain the one anna in case of more heavy stationery.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muhammadan): I have an identical amendment in my name. But I shall support the amendment moved by my Honourable friend, Mr. Amar Nath Dutt, and if that fails I shall move my alternative amendment.

Mr. President: The Honourable Member must move his alternative amendment first.

Rai Bahadur S. C. Dutta: Only if the amendment moved by Mr. Amar Nath Dutt fails.

Mr. President: No, the Honourable Member must move his alternative amendment now.

Rai Bahadur S. C. Dutta: Very well, Sir. I beg to move:

"In Schedule II to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, before the existing entries under the head 'Letters' the following new entry be inserted:

'For a weight not exceeding one tola ... Half an anna'."

My amendment as well as the amendment of my Honourable friend, Mr. Amar Nath Dutt, aims at restoring the postal rates to what they were before. My Honourable friend's amendment proposes half an anna for a minimum of $2\frac{1}{2}$ tolas, whereas my amendment fixes half an anna for a minimum of one tola. I wish only to add this, that so far as we know, there is no loss on the postal side of the Department so far as it is considered a commercial department. The loss is not on the postal side.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): That is not correct.

Rai Bahadur S. C. Dutta: It may be that there is loss on the telegraph side.

The Honourable Sir Bhupendra Nath Mitra: That is not a correct statement.

Rai Bahadur S. C. Dutta: Anyhow we find that larger concession rates are given for various publicity purposes, for press telegrams and otherwise. These are the objects for which concession rates may be admissible, but then it comes to this, that the Department is not run on commercial lines. I therefore hope that my amendment will be accepted.

The Honourable Sir Bhupendra Nath Mitra: Sir, I much regret that it is not possible for me to respond to the appeal so eloquently placed before the House by my Honourable friend Mr. Amar Nath Dutt, because there is nothing really behind that appeal. My Honourable friend, I think, tried to reinforce his appeal by suggesting that when I went over and sat with him I should probably make a similar appeal, but I can assure him that that position is not likely to be reached at all.

I should at the outset like to mention to the House the financial effect of the amendment moved by my Honourable friend Mr. Amar Nath Dutt as well as that moved by my Honourable friend Rai Bahadur S. C. Dutta. The cost of the amendment moved by my Honourable friend Mr. Amar Nath Dutt will, as I have stated in previous years, be something like 170 lakhs a year and the cost of the alternative amendment moved by my Honourable friend Rai Bahadur S. C. Dutta will be something like 150 lakhs a year and the reason why there is this small difference between

these two estimates is one which I have also explained at length in previous years. As my Honourable friend Mr. Dutta was not in the House then I think it might interest him if I were to read one passage from the proceedings of this House on the 27th March, 1929. The passage is this:

"The reason" (i.e., the reason of the small difference in the case of the two measures) "is that the experience in every civilised country including India, is that if a reduction is made in the initial unit of weight on which the lowest rate is charged, the bulk of the traffic almost immediately tends down to that initial unit. In 1921-22 in deference to the wishes of this House, we had a rate of postage of half an anna for a weight not exceeding half a tola. The traffic carried on this initial rate of half tola was found to be about 80 per cent. of the total traffic and the traffic carried at the next higher rate of $\frac{3}{4}$ anna which was charged for weight exceeding half a tola but not exceeding one tola, was 10 per cent. of the total traffic."

That is the reason, Sir, why even the alternative proposal of my Honourable friend Mr. S. C. Dutta will cost us as much as 150 lakhs a year.

Now, Sir, on several occasions in this House in the last five years I have explained the policy which I have been consistently following in the matter of the Postal and Telegraph Department. That policy has three fundamental elements; first, that the Department should be self-supporting, that is, it should pay for the cost of the services which it renders to the public out of the fees which it levies from the public for these various services. That being so I regret I cannot subscribe to the views which have been expressed by my friend Mr. Amar Nath Dutt. It is not possible for the Department to dispense charity. Indeed, charity must begin at home; and that brings me to the second of what I called the fundamental elements of my policy, and that is that the service should be maintained in a state of efficiency and that for this purpose the service conditions of the employees, and particularly of the lower subordinate staff should be improved to a reasonable extent. (Hear, hear.) The third element is that the service should be developed, particularly by the extension of facilities in rural areas. (Hear, hear.) In regard to that third item it may interest the House if I give them some figures. In the five years ending 1924-25, we increased the number of post offices by 745. In the four years ending 1928-29 we have succeeded in increasing the number of post offices by no less than 3,804 (Hear, hear), and of that number over 3,000 have been opened in the rural areas. I am sorry that the financial position of the Department has interfered with further development in this direction in the year 1929-30, and our efforts have been confined to making permanent about a thousand experimental post offices which had been in existence at the beginning of the year. Next year also I regret the grant for this development has had to be restricted for financial reasons.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadian Urban): Sir, will the Honourable Member tell us what was the loss during the periods he mentioned paid from the general revenues to the Postal Department?

The Honourable Sir Bhupendra Nath Mitra: I shall come to that presently.

Now, Sir, with regard to what I called the second fundamental element of my policy, namely, the improvement of the service conditions of the employees, and particularly of the lower subordinate staff, to a reasonable extent, the House is fully aware of the various measures which have been adopted in this connection during the last four years and the effect of the measures is reflected in the rise in the cost of the lower subordinate

[Sir Bhupendra Nath Mitra.]

staff. The cost on account of pay charge alone of the non-gazetted staff has risen from about Rs. 565 lakhs in 1924-25 to about Rs. 730 lakhs in 1930-31, and that is a rise of about Rs. 165 lakhs. In addition to that there has been some increase of about 15 lakhs in allowances of various sorts, that is, compensation for working in special localities or house rent allowances, etc. As I said last year, though we have done a good deal in the direction of improving the service conditions of these subordinate employees, the task is not yet complete. In particular, the strength of the subordinate staff and of the subordinate supervisory staff will have to be re-examined with reference to certain investigations in regard to time-tests enforced by the Department which were conducted last year by an officer of the Department and a member of the Service association, and in regard to which both these gentlemen came to unanimous conclusions. The other important items in regard to which a further move will be required are the grant of a weekly day of rest to the staff where they do not now get it, the provision of an adequate leave reserve for postmen and inferior servants, the provision of pension for people who at the present moment are on a non-pensionable basis, and the improvement of pension of men who are in inferior service. I personally should have liked to have done something in these various directions before I left charge of the department, but financial considerations have made that impossible.

Now, Sir, with regard to what I called the first element of my policy, it was possible to follow that in the years 1925-26 and 1926-27. Unfortunately thereafter there was a very material fall in the revenue of the Department. That was due partly to trade depression, and partly to causes over which the Department has no control. One of these latter has been brought out, I see, in the Appropriation Accounts of the Accountant-General for the year 1928-29. In January 1928 the stamp duty of one anna on cheques and bills of exchange was dispensed with. Owing to the system of unified revenue and postal stamps, apparently the bulk of the loss of revenue arising from that cause has fallen on the Postal Department. We have recently had under consideration what action the Department should take in that connection. In view of the fact, however, that the constitution will shortly come under revision and it would be difficult to interfere in the meanwhile with financial adjustments with provincial Governments, the Department found itself unable to pursue the matter. Even in spite of these special causes and of the trade depression, the revenue of the Department has increased from 997 lakhs in 1924-25 to 1,120 lakhs in 1929-30 and is likely to increase to 1,151 lakhs in 1930-31, that is, an improvement in 1930-31, as compared with 1924-25, of 154 lakhs. The working expenses, unfortunately, have risen from 888 lakhs in 1924-25 to 1,126 lakhs in 1930-31. That is an increase of 238 lakhs. Of this increase of 238 lakhs, 64 lakhs have resulted from the completion of the process of commercialisation of the accounts. We have to provide in 1930-31 for 35 lakhs for Depreciation for which no provision was made in 1924-25 and on the actuarial basis we have to provide for 29 lakhs more for Pensions. But the biggest item, as I have already said, is an increase of about 180 lakhs in the pay and other allowances of the subordinate employees, i.e., mostly the lower subordinate staff.

There is one point which I should like to impress on the House in this connection,—I have referred to it on several occasions in the past,—and

that is that the number of highly paid officials in this Department is very low. The subordinate staff will number about 135,000 in 1930-31 having risen to that figure from about 120,000 in 1924-25 and here it will be noticed that the increase in the lower subordinate staff is certainly not higher than the corresponding increase in the revenue. When you look at what we call the gazetted staff, the total strength provided for in the Budget is 609, against a strength of 606 in 1924-25. Of that 609, 473 consist of people whose maximum pay does not exceed Rs. 800 and there are only 136 people who belong to what are known as the superior civil services, i.e., their pay goes up to Rs. 1,000 or beyond. Then, again, Sir, we do not employ among these gazetted officers an unduly large number of men of non-Indian domicile for whom special concessions are required. Indeed, the non-voted expenditure in the Department amounts to only 12 lakhs of rupees out of a total expenditure of 11 crores, and there has practically been no rise in that figure since 1924-25.

I know, Sir, that the policy to which I have referred at length has the general approval of most of the Members of this House, and I am extremely grateful to my Honourable and learned friend, Mr. Kelkar, for having commended the policy while speaking in this House on the 4th March last. I know that the policy is appreciated by the subordinate staff itself. When I was in Bombay, last December, several of the unions of these various subordinate employees were kind enough to present me with an address, this being perhaps the first time in the history of the Department when the lower subordinate staff have presented an address to an out-going Member of Council. I thought that their action displayed a want of worldly wisdom because certainly from their point of view it was most unprofitable to pay homage to the setting sun. But still they did it and I may be permitted to quote to this House a passage from that address. The passage is this:

"It was also in your term of office that all grades of officials of this great department were brought into close touch with those who govern their destinies. What some years ago was an ethereal substance in the clouds is now being felt by us all as human flesh and blood which we can meet and greet. It is needless to say that this contact makes for mutual good and is in the interests of both those who govern and those who are governed."

Now, Sir, if I am entitled to any credit for what has been done for these people in the last four or five years, surely the House is entitled to the fullest share of that credit; for it is due to continued pressure from Members of this House that that action has been taken. The pressure began with my Honourable friend, Mr. Jinnah, in the early days of 1925 just after I had taken over charge of my present portfolio, and it has been continued practically from day to day by the various Members in various quarters of this House. I hope, Sir, that this House will feel no hesitation in turning down not only the amendment of my Honourable friend, Mr. Amar Nath Dutt, but all the other amendments which propose a reduction in the existing postal rates. (Applause.)

Mr. President: The question is:

"That in Schedule II to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, for the first entry under the head '*Letters*' the following be substituted:

'For a weight not exceeding two and a half tolas ... Half an anna'."

The motion was negatived.

Mr. President: The question is:

"That in Schedule II to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, before the existing entries under the head 'Letters' the following new entry be inserted:

'For a weight not exceeding one tola ... Half an anna'."

The Assembly divided:

AYES—26.

Abdoolah Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Lalchand Navalrai, Mr.

Mitra, Mr. S. C.
Mukerjee, Mr. Saradindu.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
Siddiqi, Mr. Abdul Qadir.
Singh, Kumar Rananjaya.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Venkatakrishnayya Choudhri, Mr. P.
Ziauddin Ahmad, Dr.

NOES—52.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur Sardar.
Jehangir, Sir Cowasji.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.

Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mohammad Ismail Khan, Haji Chaudhury.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. M. S. Aney: I move the amendment that stands in my name and which is as follows:

"In Schedule II to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1908, for the entries under the head 'Postcards' the following be substituted:

'Single	...	...	...	Quarter of an anna.
Reply	...	...	...	Half an anna'."

Sir, this is a hardy annual, and I do not think I can add any new arguments now in support of the amendment which I am now moving.

My Honourable friend, Mr. Amar Nath Dutt, has practically given out all the arguments which I could have very well advanced in support of it. My Honourable friend, Sir Bhupendra Nath Mitra, has pointed out to us that the policy which he has pursued has had the general appreciation and approval of this part of the House, and I say that he is right when he says that. I may not be one of those Members who are very vocal in appreciation of the work he has done, but I can assure him that our standing fast to this demand does not mean any want of appreciation on our part of all the good work that he has undoubtedly done during the time he has been in charge of his Department. I want to assure him of that in the first place. But still, in spite of the great work he has done, for which not only Members on this side have expressed their appreciation, but his whole staff are also grateful to him, we still maintain that the retention of the postal rate at half an anna is a wrong which requires to be remedied. This is one of the standing wrongs which came into existence on account of certain emergent conditions, and this wrong is still left unremedied, in spite of the fact that those emergent conditions have passed away. We are still carrying in the form of this half anna postcard the burden which was imposed upon us at a very difficult time. Therefore we want our annual protest to be recorded, and we hope, if not this year, at any rate in the near future, the wrong will be remedied. Immediately when the Government find that they are in a position to do something to help to relieve the burdens of the people, their attention should be arrested and directed to this wrong at once, and not to any other measure of giving relief. It is one of those wrongs which requires to be remedied first, because it was the poor man who was made to pay out of his pocket to contribute to the treasury in times of difficulty. So when the Government are in a better position, they must immediately remove that burden and allow him to have the benefit of his pice postcard. This pice postcard is a privilege which he has enjoyed for a very long time. For some time the Government have robbed him of that privilege. We ask that that privilege should be restored to him, if not now, at least when they are in a position to do so. But I know that they won't do it if we do not record our protest annually, and for the sake of recording that protest I am moving my amendment.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, every year I also have either moved an amendment in favour of the pice postcard, or have supported an amendment that was moved by another Honourable Member. It is not desirable that, when amendments are moved here, the Honourable Member should proceed on a different basis and ask for appreciation. I am rather surprised at the appeal which my Honourable friend made in the last part of his speech, that he would even allow all his amendments to be vetoed if the Honourable Member's work is appreciated. While appreciating his work and while giving him his due, I would submit, Sir, that the House will be well advised in supporting this amendment. Now, I will refer the Honourable Member to the speech which he delivered in this House on the 27th March, 1929, when he was pleased to say:

"It was not in the best interests of the Department or its customers that we should try to conserve the relatively small surplus which the Department was likely to produce from year to year, so that at the end of a long term of years, it might grow to a figure which would permit of a reduction in, say, the postcard rate."

[Pandit Thakur Das Bhargava.]

So I understand that he has always been in favour of the reduction of the rate for postcards, and he is himself responsible for the formulation of the policy which would ultimately lead to the reduction in the rate for postcards. My submission has always been, and is even today, that, whatever opinion the Honourable Member in charge of this Department may hold, I always stick to the opinion that it is not a commercial department. The institution of the post office, Sir, is a feature of the civilized administration of every State, and all the servants employed in the post office are public servants. I don't understand in what particular sense the view that this Department is a commercial department has been maintained. In my humble opinion, if this view was accepted in relation to the Telegraph Department, this Department ought to have been abolished long ago. And similarly in regard to other departments, the view that such and such a department is a commercial department cannot be justified.

Now, Sir, whatever may be said about letters, so far as postcards are concerned, I do not think it will be disputed that they are used very largely by very poor people in this country. The pice postcard has really endeared itself to the poor people of this country, and the rate, which was increased in the year 1922 as a war measure, is really telling very heavily upon the poorer classes of this country. If you compare the earning capacity of a poor man in India with that of a national of some other country and also compare the postage rates in this country with those prevailing in that country, you will find that the rates prevailing in this country are not really very low, and I know of no other argument which has been adduced by the Honourable Member in charge, which can justify the keeping of the present rates. As a war measure, the price was doubled, and there is no reason why that price should be maintained today. If you look to the figures of postcards, Sir, you will find that the years 1919-20, 1920-21 and 1921-22 have been years of great prosperity so far as the number of postcards used by the people is concerned. Then, as soon as the price was raised, there came a drop, and even now we have not been able to make up that drop, and I understand that the number of postcards used in the year 1927-28 was less than the number used in 1921-22, and the community in general has not used the postcard in the way it should have been used if normal development were allowed. I understand, Sir, that the reduction in the rate of the postcard would mean the cost of another 70 lakhs or so to the State, and that it is difficult to find out this amount. The Postal Department, commercially speaking, Sir, is not a losing concern, and if these 70 lakhs could be supplied by the general revenues of the country, it will be easy for the Department to reduce this rate. Now, when there was a deficit in the Budget to the tune of 4 crores 40 lakhs, Government were able to devise several methods. So what is the difficulty? Can't 70 lakhs be found out from some other source so that a measure of this character may help the poor people? This year the income-tax is increased by 70 lakhs, and it is a surplus at present in the Budget. Cannot this surplus be used for reducing the rate of the postcard? Even if it cannot be, I consider that the income-tax payers of India would rather like to pay one pie more and see the rate of the postcard reduced (An Honourable Member:

5 P.M.

"Question"). It may be, Sir, that some people may not like that idea, because one of my friends here has questioned it; but all the same, I think I am voicing the popular opinion, when I say that many people will gladly like to pay an extra one pie by way of income-tax if the rate of the postcard can be reduced to help the poor people.

Then it was said, on the last occasion, and it may be said today, that the reduction of the rate for postcards will not benefit the poorer classes of this country, and I know that my friend will quote Mr. Joshi on this point. But it is no use quoting him. After all, the income-tax comes from the middle classes, and you can raise the income-tax which will be realised from the middle classes if you think that these postcards are used largely by them. If we were to find out what part of the revenues of the country is contributed by the middle classes, and if an attempt were made to apportion out to see what part is used in respect of such departments as are more useful to the middle classes, I don't think this sort of computation or accounting would lead to the result that the interests of the middle classes are not considered by the Government. Even if it does not benefit the poorer classes, I may here say on their behalf that the rate of the postcard should be reduced. I do not think that this year the rates can or will be reduced. I know that the Government can carry the day, but I can certainly predict that when the representatives of the poorer classes of my countrymen come to this House, they will reduce the rate of the postcard as a first measure, and as my friend says, they will restore the price to its former rate, and there is much significance in what he says. I am sorry that the interests of the poor people are not properly looked after by the Government. The Government cannot realise that a person who earns six pice per day, whenever he has occasion to use a postcard, is hard put to it, and it is most unfortunate that Government should treat measures of this character with such light-heartedness. I appeal to all Members of this House, especially to the non-official elected Members, to vote in favour of this amendment, keeping in view the interests of the poorer classes.

Mr. Amar Nath Dutt: Sir, there is a similar amendment standing in my name, and in supporting this I shall be very brief. The arguments I have already adduced to reduce postage of letters apply *mutatis mutandis* to the case of postcards with greater force, because postcards are used by the poorest amongst us. Sir, while I yield to none in my appreciation of what has been done by the Honourable Member in charge of the Department for the amelioration of the service conditions of the lower paid subordinate staff of the Postal Department, and also, while appreciating the boon which he has conferred during his tenure of office upon his own countrymen in the shape of opening thousands of post offices, I must point out that the figures which he quoted, which are quoted every year in this House may be characterised in the words of a former Finance Member as nothing but jugglery in figures. These can be made to fit any theory the Honourable Member may choose to advance. That is the admission of an ex-Finance Minister, who now adorns the office of a Governor of a province. He said, "I have in my Department men who can give figures in such a way as to mean anything". I trust the Honourable Member in charge was not in that department at that

[Mr. Amar Nath Dutt.]

time. I have a shrewd suspicion about these figures. We do not get the real details. They proceed on the assumption that certain expenses must be incurred, and they ask us to give the money. That is not the proper way. I beg to submit that at least this question of the postcard should not be lightly treated by any Member, be he an Indian or an European, because it affects the poorest in the country and I hope every one of us will vote for this amendment.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): I oppose the motion for one particular reason and it is this, that the Postal Department is at present working on a large deficit, and I believe that, if we cut down the income of the Postal Department by any method, then certain very necessary improvement in the pay and allowances of the subordinate staff, especially postmen and others, who do the hardest work in the Postal Department and in the service of the country cannot be effected. There are a large number of postmen who work from day to day, whether it is in the heat or whether it is in the biting cold of the winter, in rain or sunshine. They go on every day of the year from door to door and do their work with great honesty and with great efficiency. I have experience of their needs as I am in personal contact with them. They are not receiving the salaries which they ought to receive, especially in large cities, for example in a place like Delhi. The allowances which they get in a city like Delhi for house accommodation are very small. They get two or three rupees. I ask Honourable Members if it is possible for a man to get a decent house or even a house in which he can squeeze in a moderate family at that rate. It may be said that the allowance is only to help him. His salary ranges between Rs. 20 and Rs. 25 and does not go beyond Rs. 25. Some of them are literate and have even passed the Matriculation examination. How can they manage to live in decency or reasonable comfort on that salary or allowances? Therefore I feel that, if we cut down the income of the Post Office, it will be impossible to give any relief to these men. Sir, I yield to none in my sympathy with the hardships of the poor. I can claim without exaggeration that I am as much in contact with the poor, even extremely poor people, as my friend Mr. Thakur Das Bhargava, but I have not as yet heard of a poor man complaining about the price of postcards.

Mr. President: I think the Honourable Member in charge is quite able to defend himself.

The Revd. J. C. Chatterjee: I am only pointing out that it is not correct to say that there is any real burden on the poor man owing to the cost of postcards, for the simple reason that the poor man does not write many postcards. He probably uses a postcard once in six months, or once in a year, but I have never heard him complaining of the price of the postcard. There are a great many other things of which the poor man complains; he complains of lack of house accommodation, of the high price of food or clothes. I have honestly never heard of a man complaining of the price of a postcard. He sometimes pays much more to have a card written for him. That being so, I think it is very much better not to decrease the price of the postcards, because nobody is really overburdened by the present price of the postcard, whereas the revenue of

the Post Office, if maintained, will really benefit the lower paid staff and especially the postmen, mail runners, sorters and humble public servants of the Postal Department.

Pandit Nilakantha Das: While I was listening with attention to the speech of my Honourable friend opposite, I seem to have heard him say that the post offices are growing in numbers and that is being done on account of the income from postcards and envelopes. Will he kindly explain how the increase of post offices does not produce more and more money, the Postal Department being a commercial department? The percentage of profit ought to grow with expanse of the market in any commercial concern. Does he not proceed on this principle? Should he go on increasing the post offices more and more at the cost of the taxpayer? That is the question which I want to ask my Honourable friend, the Member in charge of the Postal Department.

The Honourable Sir Bhupendra Nath Mitra: I am afraid my friend Pandit Thakur Das Bhargava is very unkind to me. He pays no attention to what I say every year on this subject of the reduction of the post card rate. This year again he has tried to argue from the fact that there was a large drop in the consumption of postcards in the year 1922-23, that that reduction was due to the doubling of the post card rate as a result of which the poor man ceased to partake in a large measure of that facility. As I have explained on previous occasions, that drop was really due to trade depression and slackness in business which supervened on the trade boom that followed the Armistice. It is for a similar reason that there has been a fall in the revenue of the Postal and Telegraph Department in the last two years. To that I have already referred when I was dealing with the first amendment of my friend Mr. Amar Nath Dutt. That fact also answers the question which has been put to me by my friend Mr. Nilakantha Das. It is true that we have opened additional post offices and thereby offered extended facilities in rural areas; but owing to the trade depression the letters and post cards conveyed by the department have not shown the anticipated growth and that has affected the revenue. That fact also supports the unsoundness of the proposition placed before the House by my friend Mr. Thakur Das Bhargava. Now, if it is true that the poor man makes considerable use of the post card, then the fact that we have increased the number of post offices in rural areas in the last five years should have helped us appreciably in the matter of our revenue. But the correct position in regard to the poor man has already been explained by my Honourable friend Revd. Chatterjee; and the same attitude has been taken on previous occasions by various other Members in this House, including my Honourable friend Mr. N. M. Joshi, who are all familiar with the requirements of the poor man. The point is that the poor man does not possess the requisite degree of literacy and therefore it is not possible for him to make any extensive use of the post card.

I fully realise the real character of this debate. That was explained by my Honourable friend Mr. Aney to whom I am grateful for the kind words he said about me. It is the registration of an annual protest which may some day lead to a reduction in the post card rate. When financial

[Sir Bhupendra Nath Mitra.]

equilibrium has again been restored in the department, and the outstanding demands of the lower subordinate staff have been complied with to a reasonable extent, I hope the time will come for some reduction in the post card rate. My Honourable friend Pandit Thakur Das Bhargava also said that when Honourable Members on the opposite side came and occupied these Benches they would forthwith reduce the post card rate. I would ask my Honourable friends opposite to ponder over that proposition a bit. I think my Honourable friend Sir Hugh Cocke the other day referred to the fact that in England the Post Office now yields a profit of something like £9 millions. But even so, the Labour Government there have not thought it appropriate to bring down the post card rate or any postage rate in that country. I think in that connection I quoted on a previous occasion from a speech of Mr. Snowden where he definitely explained why these postal rates could not be brought down.

I am sorry that my Honourable friend Mr. Bhargava did me an injustice; for I certainly did not appeal to my Honourable friends opposite that out of deference to me they should turn down this proposition. All I said was this: that in view of the action that they have consistently taken in this matter of the improvement of the service conditions of the lower subordinate staff in the department, they should turn down this amendment. Sir, the acceptance of this amendment would cost about 90 lakhs a year and I cannot possibly accept it.

Mr. President: The question is:

"That in Schedule II to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Postcards' the following be substituted:

'Single	...	...	...	Quarter of an anna.
Reply	...	...	...	Half an anna."

The Assembly divided:

AYES—33.

Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Kidwai, Sheikh Mushir Husain.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Mitra, Mr. S. C.

Mukerjee, Mr. Saradindu.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Neogy, Mr. K. C.
Rajan Bakhsh Shah, Khan Bahadur
Makhdum Syed.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Sarda, Rai Sahib Harbilas.
Singh, Kumar Rananjaya.
Singh, Mr. Adit Prasad.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Venkatakrishnayya Choudhri, Mr. P.
Ziauddin Ahmad, Dr.

NOES—51.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur
Sardar.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.

Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Mohammad Ismail Khan, Haji
Chaudhury.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Row, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Schedule II was added to the Bill.

Mr. President: The question is:

"The Schedule III stand part of the Bill."

Mr. Amar Nath Dutt: Sir, I beg to move the amendment that stands in my name and which runs as follows:

"That for Part I.A. of Schedule III to the Bill the following be substituted:

PART I.

Rates of Income-tax.

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—

	Rate.
(1) When the total income is less than Rs. 5,000	Nil.
(2) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000.	Four pies in the rupee.
(3) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000.	Five pies in the rupee.
(4) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000.	Six pies in the rupee.
(5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000.	Nine pies in the rupee.
(6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000.	One anna in the rupee.
(7) When the total income is Rs. 40,000 or upwards	One anna and six pies in the rupee."

[Mr. Amar Nath Dutt.]

Sir, when submitting this amendment to the Schedule with reference to the Income-tax Act, I carefully considered the income of the several classes of the Indian people before putting down at what rates they ought to be taxed. My first difference with Government as regards the Schedule is with respect to incomes between Rs. 2,000 and Rs. 5,000. They want to tax the people whose income is over Rs. 2,000, that is, whose income is less than even Rs. 175 per month; but I want that people whose income is just slightly over Rs. 400 should not be taxed, but people drawing Rs. 425 and over may be taxed. My reason is this; ordinarily a gentleman having two or three children and a wife, a daughter to educate and two sons to be sent to college can hardly maintain himself and his family with Rs. 400 a month. And he already pays several taxes to Government in the shape of land revenue, house rent and so forth. Income-tax should be assessed only upon such people who do not pay any tax for the maintenance of the Government of the country, but in India these people generally pay various other taxes and they are hard-pressed for this income-tax. So I ask that people whose income is below Rs. 400 a month should not pay any income-tax at all. Then the difference is with respect to those who belong to a class whose income varies from Rs. 400 to Rs. 800, that is to say, from Rs. 5,000 to Rs. 10,000 a year. For them I would not have any rate save and except 4 pies in the rupee. I consider that to be rather a high rate, but as Government at the present moment require money, and the Finance Member has to find out ways and means in the shape of some Tariff Bill, I would not exempt these men, but they may be assessed at 4 pies in the rupee.

With respect to those getting more than Rs. 800 a month, and up to Rs. 1,250, I may take them to be at least gentlemen who are well placed in life. Considering our Indian standard of life, we may say that a gentleman who draws Rs. 1,000 a month is well placed in life and he can be asked to pay at the rate of 5 pies in the rupee. (*Munshi Iswar Saran*: "Question.") Of course there are different standards of living. For gentlemen who have to go abroad every year and live for six months in the cold climate of England and enjoy the company of white men and women instead of their own countrymen, an income of Rs. 1,000 or even Rs. 10,000 may be nothing. I know crores of money have been spent in that way. Then people whose income is between Rs. 15,000 and Rs. 20,000 may pay six pies in the rupee. Then I come to people whose income is between Rs. 20,000 and Rs. 30,000 a year. These are generally men of the class or classes similar to those who have risen to the rank of District Magistrates and District Judges from the rank of Deputy Magistrates or Munsiffs and have been fortunate enough to get listed appointments. At one time their income was Rs. 250 or 300 a month, and so they can afford to pay some income-tax. They can pay a little more income-tax, nine pies in the rupee. People who get more than Rs. 2,500 a month are rich men, and they may be taxed one anna in the rupee. I have no objection to these rich people being taxed at that rate. Then with regard to people who get more than Rs. 40,000 a year, that is people like High Court Judges, Secretaries to Government, etc., people who draw Rs. 4,000 a month or over, should be taxed certainly at the rate of one anna and six pies in the rupee. In support of these figures, I think, Sir, I need hardly waste the time of the House by saying anything more,

because an elaborate examination of the reports of the debates of the Legislative Assembly will show the reason why we ask for a reduction of this tax every year, and I think I need not waste the time of the House by repeating the same arguments year after year. But when I put these figures before the Honourable the Finance Member, I can assure him that I have carefully considered the matter and come to these rates which no reasonable man can decline to accept.

The Honourable Sir George Schuster: Sir, I have calculated what would be the cost of the amendment proposed by my Honourable friend. It would reduce our receipts from income-tax by 325·7 lakhs on the basis of the statistics for 1928-29. I do not feel, Sir, that it is necessary really to do more than to state that bare fact. Instead of getting an additional revenue from income-tax, we should lose this very large sum and the finances of the Government could not be carried on on that basis. I dealt with an amendment of this kind last year in the course of the debate on the Finance Bill, and pointed out that the limit of exemption stands considerably lower in England than it does in India. I do not think that any case has been made out for raising that limit. Of course, every tax is an objectionable measure. But if money has to be found, I think the present income-tax is a very fair way of raising a part at least of what is required to meet the Government's expenditure. Sir, I must oppose the amendment.

Mr. President: The question I have to put is:

"That for Part I-A. of Schedule III to the Bill the following be substituted:

"PART I.

Rates of Income-tax.

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—

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(2) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000.	Four pies in the rupee.
(3) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000.	Five pies in the rupee.
(4) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000.	Six pies in the rupee.
(5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000.	Nine pies in the rupee.
(6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000.	One anna in the rupee
(7) When the total income is Rs. 40,000 or upwards	One anna and six pies in the rupee."

The motion was negatived.

Pandit Thakur Das Bhargava: I do not move amendment No. 32.*

Rai Bahadur S. C. Dutta: Sir, I move:

"That in Part I-A of Schedule III to the Bill, in entry (1), for the word and figures 'Rs. 2,000' the word and figures 'Rs. 3,600' be substituted."

I only wish to add that the cost of living has altogether increased. The house rents in towns have increased; municipal rates and cesses have

*"In Part I-A of Schedule III to the Bill, the words 'Hindu undivided family' be omitted."

[Rai Bahadur S. C. Dutta.]

increased; prices of food-stuffs and other things have also increased; so there is a case for raising the minimum exemption.

The motion was negatived.

Pandit Thakur Das Bhargava: Sir, I beg to move:

"That in Part I-A of Schedule III to the Bill, the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 4,000 ... Nil.

and consequential amendments be made in entry (2)."

I take this opportunity of thanking the Honourable the Law Member for the kind sympathy that he has been pleased to show to the main proposition I moved while considering the Finance Bill. This particular amendment proceeds upon the policy which the Government themselves have accepted in regard to super-tax. As the House is well aware, the Government have made this concession in regard to super-tax in favour of the Hindu undivided family, though they have regarded the minimum income as Rs. 75,000 instead of Rs. 50,000. Now, I do not think there is any undivided family which has got members less than two in number, so that if there are two members, then the minimum income comes to Rs. 2,000 which is the minimum income for all others. Therefore, I am submitting that if this amendment is accepted by the Government, they do not decrease the minimum taxable income of the individual. Now, Sir, I understand that this will involve something like 25 lakhs or so. But, Sir, this is exactly the premium which the law lays upon the separation of the Hindu family by the Income-tax Act. If it is realised that this matter in the Income-tax Act is a sort of penalty to the Hindu undivided family, I would submit that the amount involved is not material. I have purposely refrained from sending in amendments to the other parts of this Schedule, whereas they would have been quite relevant and perfectly consistent with the main purpose of this amendment when they related to incomes of more than Rs. 4,000. But that I have purposely done because I understand that the Government have been pleased to go into this matter. But as that policy will take some three or four years, I made bold to suggest this amendment now as this will bring relief to the poorest families of the Hindus. If a Hindu has got an income of Rs. 2,000 and if a family has got its income of Rs. 2,000 and there are five members constituting the family, that means you are taxing an individual who is getting only Rs. 35 a month while in any other case you cannot tax any undivided family unless an individual gets an income of about Rs. 183 a month. I would therefore submit that as a fair test of the coming justice in regard to the Hindu families, this amendment may be accepted by the House.

The Honourable Sir George Schuster: Sir, as regards the loss of revenue involved, I understand that my friend is moving the second of the three amendments standing under No. 34. I think my Honourable friend is about right in his estimate of the loss of revenue. According to the figures of 1928-29, it would be just under 20 lakhs. Sir, I have always been myself in a difficulty in dealing with this question which has come up several times before, for I have always found myself unable to understand the argument which is advanced in this case. I appreciate that in certain cases, there may be hardship to an Hindu undivided family and

those cases we propose to examine. But in the ordinary case, any ordinary head of a family, as I pointed out in the debate the other day, may have wife and two or three children. The whole of the income comes in his own name and he has to pay tax on that income. He gets no allowance in respect of his wife or his children and I fail to see why, in the case of a Hindu undivided family, the total income of the family should be split up into shares, whereas in the case of an ordinary family, if the income is that of the head of the family, it should be treated as income of one man only.

I feel that if the arguments on which my Honourable friend has based his proposal were to be accepted, a great deal of injustice would be done to other families. That, Sir, is the sort of point which will have to be discussed when advantage is taken of the promise made by my Honourable colleague, the Law Member, that a Bill should be put up and discussed between the proposers and the Government and eventually circulated for opinion. In the meanwhile, Sir, although anxious to do justice when it is possible or rather to remove an injustice whenever it is possible, I am afraid that I must on behalf of the Government oppose this amendment.

Mr. President: The question is:

"That in Part I-A of Schedule III to the Bill the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 4,000 ... Nil.'

and consequential amendments be made in entry (2)."

The motion was negatived.

Pandit Thakur Das Bhargava: Sir, I beg to move that:

"That in Part I-A of Schedule III to the Bill the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 3,000 ... Nil.'

and consequential amendments be made in entry (2)."

Sir, I have been hearing the views of the Honourable the Finance Member on this point, and I understand that he feels some difficulty in accepting the principle of the proposal which I have been submitting for his consideration every year. Now, I may point out a case in which an individual is getting an income of Rs. 3,000 contributed by his sons or daughters. In that case it is individual income, so far as this income is concerned. This is his own income and the man will not be free from being taxed on account merely of the fact that he belongs to an undivided Hindu family. But so far as the joint ancestral property is concerned, it may be that in that property a man may acquire some sort of title or interest by birth. May I just illustrate my point by referring to a family in which there are two or three earning members. In that case, Sir, it might happen that their joint income, the income of three or four members, may come up to Rs. 2,000; in that case they may have usually their wives, children and all of them living together; but all the same their income would be added together and they will be taxed as a Hindu undivided family. It is in regard to this case that hardship occurs. Now, Sir, so far as the principle of this amendment is concerned, Government themselves are committed to it. As I submitted in reference to my last amendment, what they propose in relation to the super-tax applies on all fours to the present case.

[Pandit Thakur Das Bhargava.]

In the case of super-tax under Part II of (Schedule III, the rates proposed are:

"In the case of every Hindu undivided family:

- (i) in respect of the first twenty-five thousand rupees of the excess ... Nil.
- (ii) for every rupee of the next twenty-five thousand rupees of such excess ... One anna and one pie in the rupee."

So that they themselves have fully realised the justice of the case and have raised the minimum taxable income of a Hindu undivided family by 50 per cent. Now, this is exactly what I ask in relation to poor families. So what justification is there for making that sort of concession in regard to rich families who have to pay super-tax and not extending the same thing to poor families whose income is less than Rs. 3,000? My humble submission is that it will not be difficult for a rich family to pay income-tax and even super-tax, however unjust it may be, but in regard to the poor man it will be very difficult even to pay income-tax. I would therefore beg the Honourable the Finance Member to accept my amendment. So far as this particular amendment is concerned, he cannot meet it with the argument which he has been pleased to place before the House in relation to my previous amendment. Sir, I move.

The Honourable Sir George Schuster: Sir, I do not wish to enter into any lengthy discussion of this question at this moment. I hope there will be an opportunity afforded fully to thresh out the several aspects of this question if we follow the procedure suggested by my Honourable Colleague, the Law Member. I fully recognise that the Honourable the Mover of this amendment has a certain amount to say on his side if his argument is that the present system is illogical. I quite agree it is illogical that in the case of income-tax no distinction should be made whereas in the case of super-tax a distinction is made between a Hindu undivided family and an ordinary individual, but I am afraid that the acceptance of that lack of logic in the present system cannot induce me to accept the present amendment. I feel that the whole matter requires a great deal of further study before we can deal with it. My Honourable friend said that, in the case of several adult members of one family each of whom is earning an income, all the income will be pooled together and taxed accordingly. But according to my information, the earned income of a member of a Hindu undivided family is not ordinarily combined with the family income for the purposes of assessment. I understand that it may be so combined if the member of the family has received a special education at the cost of the family and if the income is earned by virtue of the qualifications which that special education has given him, but in other cases, according to my information, the individual earnings of each member are treated separately. However, this is a matter which will be inquired into, and I submit to this House that a great deal of study is necessary before we can tackle this matter. If cases of that sort of injustice do exist, those are cases which might be remedied, but on the other hand I would point out to my Honourable friend, in support of what I have said before, if you take the case of an ordinary father with one infant child who is earning no income at all, that would constitute a family of two as he says, and I cannot see why, in the case of a Hindu family of that kind, the income should be treated as divided into two shares, whereas in the case of a

non-Hindu family, it should be treated as the income of the head of the family. That is the point which I was making. However, I do not intend to carry the argument any further now. The amendment which we now have before us would cost rather over Rs. 10 lakhs, and until this matter is further examined, I am afraid, that, on behalf of the Government, I must oppose it.

Mr. President: The question is:

"That in Part I-A of Schedule III to the Bill the following be added to entry (1):
'But in case of Hindu undivided family when the total income is less than Rs. 3,000 ... Nil.'

and consequential amendments be made in entry (2)."

The Assembly divided:

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

AYES—25.

Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Lalchand Navarai, Mr.
Malaviya, Pandit Krishna Kant.
Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji Chaudhury.

Mukerjee, Mr. Saradindu.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Rang Behari Lal, Lala.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Singh, Kumar Rananjaya.
Singh, Mr. Adit Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Tatuley, Mr. S. D.
Venkatakrishnayya Choudhri, Mr. P.

NOES—51.

Abdoola Haroon, Haji.
Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Chetty, Mr. R. K. Shanmukham.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. O.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur Sardar.
Jehanqir, Sir Cowasji.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. O.
Rajan Bakhsh Shah, Khan Bahadur Makhdom Syed.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I beg to move:

"That in Part I-A of Schedule III to the Bill for entries (2), (3), (4), (5), (6), (7) and (8) the following be substituted:

'(2) When the total income is Rs. 2,000 or upwards ... Five pies in the rupee.'

Sir, the present income-tax incidence is on a graded scale. It is a scale which rises from 5 pies to one anna and six pies. It is 6 P.M. five pies on a total income of Rs. 2,000 or upwards but less than Rs. 5,000; it is six pies in the rupee on a total income from Rs. 5,000 up to less than Rs. 10,000; nine pies in the rupee on an income between Rs. 10,000 to Rs. 20,000; one anna in the rupee on a total income of Rs. 20,000 to Rs. 30,000; one anna and three pies in the rupee on Rs. 30,000 to Rs. 40,000, and one anna six pies in the rupee on an income of Rs. 40,000 or upwards. Now, Sir, my amendment is that the income-tax should be calculated at the rate of only five pies in the rupee on all income and there should be only one flat rate, and not on a grade scale as at present existing. Sir, it may be said that my amendment is a novel one and without a precedent, and as such it should not have been made. But if the House will bear with me for a brief few minutes, and if they are open to conviction, I shall be able to satisfy them that there is a precedent, that income-tax was levied at only one rate up to the year 1916, and incidence of the tax also was not so high as it is now. Now, Sir, it may be said that the income-tax is a direct tax and some of the English economists have said that a direct tax is better than an indirect tax. This may be true in countries which are rolling in gold and whose resources are not exploited and where people are living happily; but it is not true of a country like India where the resources are all exploited, where industries are not at all supported and where the majority of the people live from hand to mouth. In a country like this, to have income-tax is tantamount to oppression, and if the incidence is unjust as it is at present, it is certainly very objectionable and goes to ruin the country.

Sir Hugh Cocke (Bombay: European): I am extremely sympathetic to the Honourable Member's amendment, but may I ask him now it is going to help the masses?

Mr. Lalchand Navalrai: I know the difficulties of the Government, but that is no reason for their not doing the thing to which they are pledged. I will presently show you that, before the war, the incidence was only 5 pies in the rupee. There was only one scale. If the income-tax was raised for the purpose of war exigencies, why is it that Government have not done anything for the last 14 years to revert to the method of income-tax which existed up to 1915?

Sir Hugh Cocke: My question was how this was going to help the masses. The income-tax is not a tax on the masses at all.

Mr. Lalchand Navalrai: I think it is a mistake to say that it is not a tax on the masses. In this country an income of Rs. 2,000 is not the income of a rich man. I would go further and say that it is certainly the income of a poor man if the living and other expenses of people are taking into account. It is not only the income that you have got to consider. You are charging on the gross income, and you do not consider

how many children the man has, what his family is and what his expenses are. Those are the considerations that you have to bear in mind. I would also be able to show to the House on the same reasoning, that even the income of Rs. 15,000 cannot be said to be the income of a very rich man.

Now, Sir, I want to tell the House that the income-tax incidence is a very high one. I have certainly my sympathy for the Honourable the Finance Member. I submit that it is not his fault as he has joined his office lately. I do have sympathy with him on that account, but I certainly cannot congratulate him on his increasing the incidence now. When we tell him that there should be a reduction, his reply is, "How are the expenses of Government to be carried on?" There are several ways of reducing expenditure. In a country like India, where taxation is already very high and where the new taxation is considered oppressive and is operating as a great hardship, why should new taxes be raised?

Now, Sir, I will show you what the history of the income-tax is, and what has been its incidence. The income-tax commenced in the year 1860, and it commenced with an incidence of 2 per cent. My contention that it should not be graded and that it should be flat five pies in the rupee will be borne out by this history. In 1860, it was 2 per cent. In 1862 it was raised to 4 per cent. In 1863 it was reduced to 3 per cent. In 1865, there was a great stir, and Government had to yield to it and it was abandoned. In 1867 again it reappeared as the licence tax at 2 per cent. Then in 1868 it became a certificate tax. In 1869 it became income-tax again, but the incidence was only one per cent. In 1873 it was totally abolished, but it was revived in 1877. It was governed by local Acts till 1886, when the Central Legislature came in and an all-India Income-tax Act came into existence. What do we find in 1886? In 1886 we find that income was assessed at 5 pies in the rupee, and that continued till 1915. Now, in the Manual of Income-tax you will find that from 1886 to 1915, Rs. 2,000 to Rs. 5,000 were assessed at 5 pies in the rupee, Rs. 5,000 to Rs. 10,000 at 5 pies in the rupee, Rs. 10,000 to Rs. 25,000 at five pies in the rupee, Rs. 25,000 upwards also at five pies in the rupee. Thus there was one rate and it continued until 1915. Then, Sir, the war began and during the war there was a revision made. Government came with an appeal to the House to raise it and they raised it and raised it abnormally. The Legislature agreed and came to the help of the Government at a time of distress. It is only after their distress is over that we are distressed by the Government. Since then, representations have been made and they have not been heeded at all. I submit that that is not reasonable at all. Now, Sir, to proceed with the history of this income-tax. This uniformity of tax was done away with in 1916. In the place of five pies on incomes of Rs. 2,000 to Rs. 5,000, the old position was maintained. On incomes between Rs. 5,000 and Rs. 10,000 it was made into six pies. Then, from Rs. 10,000 to Rs. 25,000 it was at once raised to nine pies. From Rs. 25,000 and upwards it was raised from five pies uniform rate into 12 pies.

(At this stage Mr. President resumed the Chair.)

This was in 1916. It went on up to 1918. In 1918 again there was a revision made and some pies were increased. In 1921 again where it was 12 pies in the rupee, they made it into 14 pies, and where it was 14 pies, they made it into 16

[Mr. Lalchand Navalrai.]

pies. In 1929, again, it was increased in the place of 14 pies to 15 pies and in the case of 16 pies it was increased to 18 pies. It will be observed, Sir, that the Honourable the Finance Member now makes an appeal in his Budget to increase the rate by one pie on incomes of Rs. 15,000 and over. That would bring it to 16 pies where it is 15, and where it is 18, it would bring it to 19 pies. This is the history that I have placed before the House. This shows clearly that there was a precedent before when there was a uniform rate. At present the only reason for this increase is that there is a deficit. If there is a deficit that can be met from many other ways, from retrenchment and from several other ways if the Honourable the Finance Member is pleased to consider it in that direction. The income-tax is a very unpopular tax. People are suffering very much from it and it is therefore not at all reasonable that it should be increased. On the contrary, I submit in fairness and justice, just as history shows, just as the precedent shows and just as the distress of the country at present shows, it should be reduced. I therefore submit that I have made out a case, and a very strong case for showing to the House that five pies was the uniform rate before the war and that after the war the income-tax has increased by leaps and bounds and that it should be brought to the pre-war level, by accepting my amendment.

Mr. President: Is there any income-tax in the Indian States?

Mr. Lalchand Navalrai: I do not know, Sir.

Sir Hugh Cocke: Sir, it is hardly considerate for the Honourable Member at this hour of the sixth day of the week to get up and make a suggestion of this sort and to go into the history of income-tax rates during the last ten years. I thought that the Honourable Member was going to make a humorous speech as his amendment is obviously a humorous one, for he suggests the altering of the income-tax rates, which at present range from five pies in the rupee to one anna seven pies in the rupee, into a flat rate of five pies in the rupee. He spoke of benefiting the masses, as if any of the masses were interested in this proposal at all. If the Honourable Member wants to give any relief to the lower paid people who are subject to income-tax, why does he not limit his proposition to Item II? But he brings down the whole of the rates on Items 2 to 8, to five pies, so that the man in receipt of an income of Rs. 50,000 who now pays, and who can very well pay a tax at the rate of one anna seven pies in the rupee, should be taxed at five pies. It is obviously a ludicrous suggestion and it would cost the Government many crores of rupees.

Pandit Nilakantha Das: I am not here to make a speech on the amendment, but some points arose incidentally on which I feel inclined to explain to the House what the real situation is. The Honourable Member from the European Benches stated that the poorer man does not pay any income-tax. My Honourable friend Mr. Lalchand Navalrai contended that those who earn Rs. 2,000 a year are poor men, and therefore the income-tax falls on poor men. Yes, it is something to say that the poor man is taxed, but actually the man earning more than Rs. 2,000 must not be said to be a very poor man in this country. But as a matter of fact, the theory is that all taxes percolate down to the poor man and they are realised from the poor man in the long run. This theory is a truism. When, for instance, we propose an increment of pay of the officials, don't we take into account the income-tax which those officials

have got to pay? Does not the merchant pay the income-tax out of his earnings out of the pockets of the poor man ultimately, and does he not take that into account at the time of fixing prices? Thus in every item of income we tax do we not ultimately realise the tax money from the poorest of the land, though directly we do not tax the poor man? And a real economic insight into the subject will make it clear that all taxes that we levy are ultimately realised from the poor man.

But I wish to give you here a particular instance which I know, where the poor man, the poorest of the poor, directly pays the income-tax. I have experience in my constituency of some very rich men who are money-lenders and they are taxed very heavily on account of their great income in interest. As I was saying the other day, Sir, these are the people who are selected by our officials, and officially minded non-officials sometimes to serve as members on banking committees, on co-operative societies and co-operative banks, and these are the people who are known as bankers and men who can deal with economic problems of the country, and what do they do? My own relatives and my own servants have often approached them for loans, big or small. What do they do? At the outset these money-lenders say, "Before you take this loan, say of Rs. 200 or Rs. 500, you must pay the income-tax". Before the loan is given, some percentage is deducted for the prospective payment of income-tax, so that if the borrower writes the bond, say for Rs. 1,000 he gets only, say about Rs. 940 or so. This is the custom that has been going on amongst the money-lenders. I daresay and I know as a matter of fact many of our money-lenders are used to this vicious practice and a money-lender is a money-lender after all all over India, and mostly we depend on money-lenders for this income-tax. Now, my Honourable friends will realise that directly the poorest of the poor, the most needy who ought to be helped by the Government in every way and the indebted peasants are the persons who pay this tax. Therefore the argument that the poor man does not pay this income-tax either directly or indirectly has no meaning. Realising this, I think, my Honourable friends will be guided in their votes.

The Honourable Sir George Schuster: Sir, I need only add to this discussion a plain statement of fact, that this particular amendment would cost the Government seven crores and 28 lakhs. I think, Sir, that that puts it out of court as a practical proposition, however much we may desire to see reduction of taxation under all heads.

Mr. President: The question is:

"In part I-A of Schedule III to the Bill for entries (2), (3), (4), (5), (6), (7) and (8) the following be substituted:

'(2) When the total income is Rs. 2,000 or upwards ... Five pies in the rupee'."

The motion was negatived.

Rai Bahadur S. C. Dutta: Sir, I beg to move:

"That in Part I-A of Schedule III to the Bill for entry (2) the following be substituted:

'(2) When the total income is Rs. 2,000 or upwards, but is less than Rs. 5,000 ... Three pies in the rupee'."

Sir, this is a very modest proposal and I hope this will be accepted by the House. I need say only this in favour of its acceptance.

The Honourable Sir George Schuster: Sir, this amendment would cost Government 58½ lakhs. I am afraid that on that ground I must oppose it.

Mr. President: The question is:

"That in part I-A of Schedule III to the Bill for entry (2) the following be substituted:

(2) When the total income is Rs. 2,000 or upwards,
but is less than Rs. 5,000 ... Three pies in the rupee."

The motion was negatived.

Mr. Saradindu Mukerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, my amendment does not touch the pockets of the Finance Member. There is a great deal of chaos in the interpretation

Mr. President: Will the Honourable Member read the amendment first?

Mr. Saradindu Mukerjee: My amendment runs as follows:

"In part I-A of Schedule III to the Bill, in entries (2), (3), (4), (5), (6), (7) and (8), before the words 'total income', the words 'net and actual' be inserted."

The Honourable Sir George Schuster: Sir, I rise on a point of order. I shall be very glad to discuss this amendment with the Honourable Member out of this House. I would suggest however, on a point of order, that in a Bill which is a Bill to fix the rates of the tax, an amendment of this kind, which is going to alter the whole basis of assessment and which involves very complicated considerations and calculations of income is, strictly speaking, out of order. I know, Sir, that on previous occasions you have been prepared to take a wide interpretation of what is in order. But I would submit to you that, in the present case, as the time has got very late, and as this raises very complicated issues, my Honourable friend might be prepared not to move his amendment and to discuss the complicated issues involved with the Income-tax Department. I would be very pleased to give him every assistance that I can to understand the matter but if he moves his amendment I shall be bound to oppose it.

Mr. President: Is the Honourable Member satisfied with that?

Mr. Saradindu Mukerjee: My idea is that, if the Honourable the Finance Member gives instructions to the Department to interpret the total income properly, I may withdraw my amendment. What I mean is that, in coming to the actual figure of income-tax, these Income-tax Officers all take upon themselves the role of Advocates-General, and instead of finding out the actual income the man has, they try to take advantage of a hypothetical income which he might have derived two or three years previously.

Mr. President: The Honourable Member has heard what the Finance Member has said. If he is satisfied, he need not move his amendment; otherwise he may move it.

Mr. Saradindu Mukerjee: I have submitted to the Honourable the Finance Member that, if he gives orders to the Department I could meet them and explain my point of view, in which case I will be prepared not to move my amendment.

The Honourable Sir George Schuster: I have already said that I was prepared to arrange with the Income-tax Department to go fully into this matter with my Honourable friend. I am not prepared to give any undertaking which would imply that the income is not being assessed in a proper manner now; and if that is what my Honourable friend wants, I am afraid I cannot give him such an undertaking. But I would advise him to discuss the matter with the experts who are available here, and I think he will be prepared to modify his views on the subject.

Mr. Saradindu Mukerjee: Very well, Sir. I do not move my motion.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, the amendment which stands in my name and which I now move runs as follows:

"In Part I-A of Schedule III to the Bill for entries (4), (5), (6), (7) and (8) the following be substituted:

(4) When the total income is Rs. 10,000 or upwards, but
is less than Rs. 20,000. Nine pies in the rupee,

(5) When the total income is Rs. 20,000 or upwards, but
is less than Rs. 30,000. One anna in the rupee.

(6) When the total income is Rs. 30,000 or upwards, but
is less than Rs. 40,000. One anna and three pies in the rupee.

(7) When the total income is Rs. 40,000 or upwards
One anna and six pies in the rupee."

The purport of my amendment is to maintain the *status quo*, that is to say, the present rate of income-tax and super-tax, and with that object in view I have, as Honourable Members will find not only tabled this amendment but another amendment which has the same purpose in view. I shall now give my reasons for asking Honourable Members to support this amendment. As I have already submitted, I want that the income-tax and the super-tax should be levied at the same rate as has been in force hitherto, and there should be no increase of one pice either in the income-tax or in the super-tax. My present amendment deals with income-tax but the reasons which I now give against the enhancement of the income-tax apply equally, *mutatis mutandis*, to the increase of super-tax. I shall therefore make one speech and give the Honourable Members my reasons why there should be no increase at all.

Sir, the House is aware of what I said at the general discussion of the Budget. I then pointed out that a great deal of the deficit of which the Honourable Finance Member has complained is due to abnormal and transitory causes, and that the Retrenchment Officer who has been appointed to effect retrenchments on the civil side and the retrenchments that the Military Department are effecting in their own expenditure, ought to be sufficient for the purpose of balancing the Budget. In any case I pointed out that the Finance Member has resisted any change of policy during the transitory stage through which the Government of India are passing. He appealed to this House not to ask him or the Government of India to launch upon any large proposal for a change of policy pending the reforms consequent upon the report of the Statutory Commission, and on that ground he asked that there should be a political as well as an economic amnistie. If you do not wish to make any change of policy, do not also make any change in the rate of taxation. But unfortunately while he is against any change of policy, he persists in saddling the country with additional taxation to the extent of 5 crores and odd. We have therefore to

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fight the ground with him inch by inch, and I am afraid this is the last ditch. But at the same time I hope Honourable Members will rise to the occasion and stand up like one man and resist this most odious burden which is sought to be thrown upon the tax-payers of this country. Honourable Members are aware that the effect of the tax being levied upon one class or community does not rest upon that class or community at all. It passes on,—this is one of the economic problems,—it passes on to the general community. Take for instance, a very simple case. If a doctor is in the habit of charging a fee of Rs. 16 for a visit, and he has to pay a heavy income-tax and super-tax, he reimburses himself by immediately raising his fee to Rs. 25; and a doctor who charges Rs. 2 per visit raises his fee to Rs. 3. And thus it goes on. Therefore let Honourable Members once for all believe the great, grand economic truth that whatever may be the circle of people upon which the tax is immediately levied it is distributed like a small wave in the ocean. It gets on expanding, expanding and expanding till it reaches the uttermost corners of the earth. That is exactly how these taxes react upon the life of the nation at large. Therefore, let not any Member in this House for one moment remain in a state of delusion by thinking that this is a rich man's tax and the poor man is free from it, and therefore he need not give his helping hand to the relief of the rich man. The interests of the rich and the poor in this respect are identical.

Now, Sir, Honourable Members on the other side are aware and if they are not aware they will very soon be convinced, that the Indian Income-tax Act is not only about the most obnoxious, but about the most inequitable Act that any Government could place upon the Statute-book. I, Sir, as a responsible Member of this House, speaking with due reserve—and I have before me the Statutes of the United Kingdom, Australia, South Africa, Canada and the United States of America and I shall not weary this House by going through all of them—I wish to bring out a few salient points which will at once convince this House how unjust, inequitable and extortionate is the Indian Income-tax Act when compared, let us say, with the income-tax and super-tax laws of the United Kingdom, and when we remember that this tax was placed permanently on the Statute-book in 1886 and the plausible reasons that were then given by the then Finance Member, they are the reasons which we have become accustomed to hear from his successors with as little credence as must have been given to the exponent of the law in 1886. What did he then say? Gentlemen, he said, this is the year of deficit. The deficit is caused by the heavy fall of silver and also by our commitments in the Burmese war. Moreover, he said, Russia is showing signs of aggression and therefore we have to fortify our frontiers and therefore we require about a crore of rupees, about £66,000, and therefore this tax is levied for these transitory causes. That was the motive and the purpose for the enactment of general income-tax law in 1886. It was then never suggested that it was to be a permanent burden on the country. It was a thin end of the wedge driven in 1886, inserted by Sir A. Colwin, the Finance Member, who told the then Members of the Imperial Legislative Council that it was more or less a passing phase and the burden was necessitated by passing events. But since 1886 the tax has remained and as the Honourable Member, Mr. Lalchand Navalrai pointed out, it was at a small flat rate and consequently the people got used to it. When they got used to it and the Government felt that they had now become sufficiently inured to it, they super-imposed upon the people of this country an additional burden in the shape of a super-tax, and

Honourable Members will remember the reasons which were given in 1917 for the levy of the super-tax. The history of the super-tax will be found not in connection with the discussion of the Super-tax Act, but in connection with the discussions of the Finance Bill of that year, and Sir William Mayer, the then Finance Member, suggested the imposition of the super-tax as a war measure. The Honourable Mr. Sarma, afterwards a Member of the Executive Council said, well, if this is going to be a mere war measure, I will introduce an amendment to the effect that the Super-tax Act should last during the period of the war only and six months thereafter. But this was resisted by the Finance Member. As a matter of form, he said it was much better to have a permanent statute and then repeal it than to have a statute limited for a certain time. Consequently the opposition was disarmed and the Members of the old Imperial Council permitted the Super-tax Act to be passed. What has been the result? The war was over in 1918 and it is now 12 years that the super-tax has been imposed and there is no sign either of its remission or of its reduction. The old promises are forgotten. The old reason that was given for the imposition of this tax is ignored and to add, as it were, insult to injury, the present Finance Member has the temerity to come before this House and ask the elected Members of the popular Chamber to perpetuate this odious burden by increasing it by one pie. Honourable Members will remember the implication of any proposal if it is carried by this House by their votes and voices. They should resist, as I have said with the utmost power that they possess this further imposition of income-tax and super-tax if only on the ground that the super-tax was intended to be a transitory or temporary measure for a temporary period and that the Government are morally bound to repeal it. If they wish that another tax should be levied, they should come with a fresh Act and ask this House to pass it, and it is then and then only that they would be justified in having a permanent measure of super-tax on the Statute-book. I say this, Sir, for this reason. Honourable Members will find that, during the short time that they had been Members of this House, every session, every Session of the Legislative Assembly, we are treated to small, puny looking Bills of about two sections, sometimes three sections and sometimes only one section. They are all *ad hoc* Bills to rectify here or to tighten the screw there, and all for the purpose of tying up the poor assessee in the meshes of the fiscal department of the Government. But while they do this, they do not seem to have any regard whatever either to the feeling or to the agony of the assessee. The assessment in this country, the highest maximum assessment in this country, is 6 annas 6 pies super-tax, in addition to the income-tax, which Honourable Members will find is equally if not in excess of that which obtains in the United Kingdom, and when I said, at the opening of my address, that this is by far the most odious Act and a more inequitable Act than the English Act, I said I spoke with reservation and with the full possession of facts.

Let me give Honourable Members a comparative history of the assessments in England and in this country, and they will at once realise the gross injustice of the Indian Income-tax Act. In England—I am relying for my information upon the only book that is available in the Library here, third edition of Sander's Income-tax and Super-tax Act 1923 edition. Honourable Members will find at page 18 of this book, that in England, at any rate, up to 1923-24 the assessment was for five years. Here Honourable Members will find that, until 1917-18, the assessment used to be for three years, following the English law, but they found that they could

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not put the assessee to auction every three years, and the result was that thereafter they started annual assessment. Now, the history of this annual assessment is—every assessee will bear witness to the fact—that from the year's beginning to the year's end half your life is spent in answering questions and in producing accounts which, as often as not are rejected as incomplete or unreliable, and the taxing authorities use their own information, sometimes true, sometimes false, for whatever it is worth, and assess you according to their estimate. Now that I regard as gross injustice. Against this, what is your remedy? In England you have your remedy by an appeal to the Income-tax Commissioners. Mark the words "Income-tax Commissioners". I do not wish to labour this point further, but I would ask what is the remedy of the assessee in India? He goes from the income-tax officer to the Assistant Commissioner of Income-tax. It is just as if I was robbed by a highway man on my way to the House and the Government said, "Your appeal would be to his chief brigand". Now, is this fair or just? They are all servants of the same Department; they scratch each other's backs. The income-tax officer assesses you, he goes, and you appeal against his assessment to his brother officer, and that brother officer will assess you, against which another higher brother officer will hear your appeal. If there is anything in the British Empire truly Gilbertian, it is this Indian income-tax assessment and appeal. Is there anything more monstrous? And yet Honourable Members are accustomed to this dose of annual poison; they have become used to this annual administration of toxin; they don't see anything wrong in it, any more than Honourable Members here and Honourable Members outside see the gross injustice that is being done in the vicarious administration of the criminal law, merely because they have got used to it.

Now, I wish to bring it home to you that, if you really wish to have a right of appeal, that right of appeal means and implies an appeal to a tribunal which is disinterested, independent and impartial, and which is at any rate not interested in the accumulation of wealth for the Chancellor of the Exchequer; otherwise, if the right of appeal is only to the departmental heads, the Chancellor of the Exchequer may send down a demi-official letter and say, "Dear Mr. So and So: You don't seem to be wide awake to your duties. Last year the income-tax from your province was so much; this year it has fallen by so many lakhs; what could have been the reason for it?" Well, that is enough to shake the poor income-tax officer.

The Honourable Sir George Schuster: On a point of order, Sir. Is the Honourable Member at all in order?

Mr. President: Not at all.

The Honourable Sir George Schuster: I suggest to my Honourable friend that, if he wishes to narrate his relations with the Income-tax Department, he should ask me to lay on the table of the House all the correspondence that has passed between him and the Department during the last three years.

Sir Hari Singh Gour: I am stating, Sir, to this House, not my own views or my own experience; I am stating to the House what is the common experience of every Member of this House. Am I wrong? (Several Honourable Members from the Non-Official Benches: "No, no".) Well, that is the position.

Sir Darcy Lindsay (Bengal: European): You are not talking to the amendment.

Sir Hari Singh Gour: I say that, if you wish to give a man a right of appeal, then give the right of appeal to an independent tribunal unconnected with the assessment. Now my third point is, under the English Income-tax Act you have what is called, "earned income" and "unearned income". On earned income is allowed a reduction of one-tenth up to £200.

Mr. D. G. Mitchell (Legislative Department: Nominated Official): One-sixth.

Sir Hari Singh Gour: My friend says it is one-sixth. That is better than one-tenth. I stand corrected. Under the English law every assessee gets a certain reduction under personal allowances for his wife and for his children, and he further gets allowances for his dependent relations. Now, do you get any allowance here at all? Again, under the English law an assessee, if he has got children at the Universities, gets allowances for the children in the Universities.

The Honourable Sir George Schuster: Does my Honourable friend then wish to adopt the English income-tax rates—4s. in the £?

Sir Hari Singh Gour: I shall reply to the Honourable the Finance Member by saying, "I am quite prepared to pay you 4s. in the £ if you will give us the English income". What is the comparison between India and England? Then, Sir, there are distinctions under the Australian Income-tax Act and certain other Dominion Income-tax Acts between precarious income and certain income. Take, for instance, a doctor or an engineer who has a precarious income; when he is hale and hearty he carries on his profession, but when he is struck down by disease or by other disability which disqualifies him from work, how is he going to pay? How is he going to live at all? Now so far as this country is concerned, they have no such distinction between incomes which are precarious and incomes which are certain, between earned and unearned incomes. Then, Sir, I think my Honourable friends of the European Group will support me at least on one point. Their representatives have been complaining about a double super-tax. Persons who invest in joint stock companies pay a certain rate of income-tax on their dividends because these are deducted at their source, but on the top of it all that income is lumped together with their ordinary income and upon that the assessee is super-taxed. Representations have been made by the Chambers of Commerce and by others about the levy of this double super-tax, but the general reply of the Finance Department is *non-possumus*. I wish, therefore, to point out to the House that, if Government wish to follow the analogy of the English law, they must, at any rate, follow the spirit of the English law. That they have not done, and now they ask this House not only to confirm what was a transitory measure, remember, not only confirm, but to enhance the rates which were fixed under that transitory measure of 1917. Honourable Members should be fully cognisant of the implication of their vote. They voted for this measure in 1917, because the unreformed Imperial Legislative Council had not a majority of elected representatives; it was the legislative side of the Executive Government to which certain Members were sworn in as Additional Members. The complexion of the House has now been altered, and we are representatives of the people here, and if you are to allow this income-tax and super-tax to be raised—it does not matter whether it is even by one pie; today it is one pie, it may perhaps be one anna tomorrow—if you allow your tax to be raised, be sure you will be self-condemned. You will not be hereafter heard to say that, "this

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is a bad measure to which we have never agreed. It was a temporary measure; it is a measure which we should like to revise; it is a measure which we should make more equitable". You will never be heard, because by your own action and your vote you shall have ratified the acts of the Legislative Council of 1917. Sir, these are briefly my grounds for opposing the enhancement of the income-tax. Let me add two more grounds.

I have said, and I wish to recall that fact, I have said in the course of the general debate, that you cannot permanently add to the taxes of the people of this country unless you justify a case of permanent necessity. That there is no case of permanent necessity is now made manifest by the Finance Member's own speech. We have the silver duty which, according to the conservative estimate of the Finance Member, will bring one crore of rupees. According to Sir Purshotamdas Thakurdas, if I understood him aright, it will bring in at least two crores of rupees, and I said the other day, striking a golden mean, that if it does not bring two crores, it will at any rate bring $1\frac{1}{2}$ crores. That will give at least 50 lakhs of surplus over the estimate, and that I submit, will fill in the gap that will be created by the throwing out of this income-tax and super-tax. Therefore, there would be really no deficit after that. There are other cases like the cotton duties. If the cotton duties are passed in the manner suggested by one of the non-official Members, that will also bring in additional revenue in the country. In any case, I do not fear for one moment that, by throwing out this proposal of Government for the increase of income-tax and super-tax the Finance Department will be put to any difficulties.

My second reason is that we are now in the last year of our elections. The country is in a state of tremendous ferment, and there is political unrest. Do you think that you will be settling the country down to a state of peace if you were to go out of this House and go to your constituents and say that during our three years of stuardship we have saddled upon them additional taxes to the tune of $5\frac{1}{2}$ crores of rupees? The country is not in a mood to bear any additional burden. The Finance Member has himself ascribed the deficit of the last three years to the world depression in which India has taken her share. Now, I ask him, is that depression not likely to be further depressed if you were to saddle upon this country these heavy taxes? I therefore submit that, on the general ground as well as on the special grounds which I have mentioned, this House should unitedly, especially the elected Members of this House at any rate, I hope will conjointly oppose the Honourable the Finance Member's proposal for the increase of income-tax and super-tax.

Mr. Fazal Ibrahim Rahimtulla: Sir, I have given notice of a similar amendment, and that is the only justification I have for rising to say a few words. I think, Sir, it is a cruelty to inflict a speech on this House at this late hour, and therefore, Sir, I will only deal with one important point and sit down. We are proposing this amendment, Sir, as one which we think to be reasonable, having regard to the fact that this House has agreed to accept all the taxes that have been proposed by the Finance Department. The Honourable the Finance Member's position in this House is not at all enviable. From the introduction, up to the Finance Bill's progress, he has been listening to subjects of all sorts on the face of the earth

Mr. President: What about me?

Mr. Fazal Ibrahim Rahimtulla: I entirely sympathize with you, Sir, and that is the reason why we are also sitting with you to finish the work. But the position of the Finance Member is different in this respect. He is expected to reply to all the subjects raised by the non-official Members; he is expected to make replies to all the points raised by this side, because he is in charge of the Bill. Now, the point I wish to make, Sir, is regarding the carrying forward of losses. That point was touched upon by Sir Purshotamdas Thakurdas, and I wish also to emphasise it in view of the taxes that have now been passed by the House. I will first take three years. A man for instance makes a loss of Rs. 5 lakhs in the first year; in the second year he makes a profit of Rs. one lakh, and in the third year he again makes a loss of Rs. 75,000. The result is that during these three years he loses about Rs. 25,000. Now, Sir, without taking into consideration any of these facts, the income-tax that he has to pay for the year, I may say, is Rs. 9,000 and approximately Rs. 4,500 super-tax. Therefore, in addition to Rs. 25,000 loss, the man has to incur an additional loss of Rs. 13,500. Sir, there has been a good deal of agitation on this score, and numerous representations to the Finance Member, and I hope he will be good enough to take these points into consideration and get rid of the injustice that is now existing.

Sir Cowasji Jehangir: Sir, I shall be very brief. My friend Sir Hari Singh Gour has made rather a severe attack upon income-tax officers, and he appealed to the non-official Benches and asked whether they all agreed with his statement. I do not think he was given a very satisfactory reply from this side, and I therefore should like to openly dissociate myself with the attack that he made on income-tax officers, specially so far as my Presidency is concerned. I have no idea of the circumstances under which my friend is placed in his province, so far as the Income-tax Department is concerned, nor do I know anything about the officers of the Income-tax Department of his province. But so far as the Bombay Presidency is concerned, I would like to say that the attack made by him is unfair and that the income-tax officers do their very best to perform their duties justly and fairly. They may make mistakes; they are only human. The system may be wrong, but wrong as the system may be, it is unfair to criticise the officers of the Bombay Presidency.

Sir Purshotamdas Thakurdas: Sir, I desire to support very briefly the point made by my friend Mr. Fazal Ibrahim Rahimtulla. I wish to make it clear that, as far as I am concerned, I am not anxious to vote for this amendment if the Finance Member can hold out a promise of relief in the direction indicated by the Mover. What we feel is . . .

Mr. President: That has nothing to do with this amendment.

Sir Purshotamdas Thakurdas: It has, Sir; if I cannot get the assurance I will have to vote against the taxation and for the amendment.

Mr. President: I am not concerned with that.

Sir Purshotamdas Thakurdas: If the Honourable the Finance Member is not able to give a satisfactory reply

Mr. President: It is not relevant to the amendment.

Sir Purshotamdas Thakurdas: The amendment is that the income-tax should be retained as at present. I say I may oppose this amendment if the Finance Member gives us an assurance

Mr. President: In regard to some other matter.

Sir Purshotamdas Thakurdas: No, Sir; in connection with this matter under the head of income-tax and super-tax, the assessment of income-tax being in a manner that three years' loss can be written off before assessment is made. I developed the point previously. I therefore feel, Sir, that, where an increase in income-tax or super-tax is sought, it is very necessary that Government should remove the grievances of the community concerned, and I particularly refer to the commercial community.

I want to say just one word regarding the strong words used by my friend, Sir Hari Singh Gour, regarding income-tax officers . . .

Sir Hari Singh Gour: I think both Sir Cowasji Jehangir and Sir Purshotamdas Thakurdas are wrong.

Mr. President: Perhaps the Honourable Member was referring to income-tax officers in his province.

Sir Hari Singh Gour: No, Sir. I was describing only the system which arose out of the Act. I was not dealing with any province at all. I was only dealing with the system.

Sir Purshotamdas Thakurdas: I do not propose to talk either of the Bombay Presidency or of the Central Provinces, I am thinking of India as a whole, and I say it is very inadvisable and very wrong to criticise those officers who are trying to do their best under circumstances, which in many cases are most difficult. The income-tax officer has a very unpleasant duty to do as a tax gatherer and I feel that I ought to completely dissociate myself from the words used by him such as "high way robber" and "brigand".

The Honourable Sir George Schuster: Sir, I propose to respond to the note struck by my Honourable friend Mr. Fazal Ibrahim Rahimtulla and to be as brief as possible. I should like at the outset to express my personal gratitude to my Honourable friends, Sir Cowasji Jehangir and Sir Purshotamdas Thakurdas, for what they have said about income-tax officers. There is no class of public servant in this country who has a more unpleasant duty to perform than the income-tax officers. The great majority of the staff in that Department are Indians. They are doing their work, as far as I have been able to see, in a most able and conscientious manner, and although perhaps occasional mistakes are made, and although there is no country in the world where income-tax officials are popular, I do feel that they deserve whole-hearted support in their extremely difficult task.

Before I say a few words on the general question before the House, I should like to take up the suggestion which was made, both by Mr. Fazal Ibrahim Rahimtulla and Sir Purshotamdas Thakurdas that I should give some undertaking about the principle of carrying forward business losses. I regard myself as already pledged in this matter. I have made definite statements on various public occasions. My pledge as I interpret it is this. I am pledged, as soon as I am satisfied that the revenue position will stand it, to make a start with the introduction of this principle of carrying forward losses. I would like to make it clear, because I never like saying things which might be understood to mean more than I intend, that there will be difficulties in introducing this principle with full effect at once. If, for example, we were to say, "From today onwards

three years' losses may be carried forward", the result on our revenue might be quite overwhelming. We shall have to start by degrees. I have already issued instructions, before these debates, that a start should be made in collecting statistics, so that we may know what the first step is going to cost us, and I give this House a definite undertaking that I regard this as a first charge on Government revenue. My own present idea is that we shall have to start it step by step, picking up one year first and then carrying it on to two years, and then to three years. Whether we can go beyond three years, I would not like to say at present, but it is my present opinion that that should be the limit. To the extent which I have now explained I regard myself, I have already regarded myself, as pledged to give effect to this principle.

As regards the main proposal, I have already spoken at length on the general situation today. I can only sum up the position as follows. We want the money. I think I am justified in interpreting the votes that have been given in this House as showing that a majority of this House have accepted my general statement of the financial position. My proposals, as I put them forward were intended to be a balanced whole, and I should regard the balance as completely upset if this proposal for a slight increase in the income-tax were not included. Speaking personally, for myself, I could not have reconciled it with my conscience to bring forward a big programme of taxation without introducing a fair proportion of taxation which directly falls on the class which I represent. The Honourable Mover of this amendment has tried to persuade this House that, whatever form of taxation you adopt, the burden will be felt by the poor man. That, Sir, is an argument which I cannot accept. It is quite obvious that an increase in the salt tax is more directly felt by the poor man than an increase on the higher rates of super-tax. I cannot believe that taxes can be passed on in this way. My Honourable friend quoted the case of the doctor who would put up his fees by, I think, he said 40 per cent., when the income-tax is increased by one pie. In that case my proposals ought to be highly popular in the medical profession. But it is obvious that it is impossible to pass on taxes in this way. Consider only the whole class of Government officials. They cannot pass on this tax. They cannot come and ask for an increase in their pay; and the sort of tax which I am proposing which falls on incomes of 15,000 and over, will very largely be paid by the class of Government officials. I would point out that the burden of this tax is a small one. It only represents an increased charge of half per cent. on incomes of Rs. 15,000 and over and I think the class on which this burden will fall can definitely afford to pay it. It has been argued that the whole programme of taxation which I have put before this House will tend further to increase the depression which prevails in the country. I maintain, on the contrary, Sir, that the purpose which lies behind these taxes is one which offers hope for improvement in the economic development of the country. I agree that, as regards income-tax it cannot be claimed that any such direct effect will be felt, but I do maintain that the undertaking which I have given as regards the introduction of this principle of carrying forward losses, illustrates what is in my mind in introducing this tax. There are certain forms of taxation which are hampering burdens on industry, and the reason why I hold out a response to the suggestion which has been made is that I think that if we are to introduce this principle of carrying forward losses it would be a definite encouragement to business. This

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extra pie on incomes over Rs. 15,000 will not appreciably hamper business, but I hope it will put me in possession of funds which will enable me to make that redistribution of the burden of taxation which will relieve the main burdens on active industries. Sir, I do not think it is necessary for me to say any more and I hope, to use the words of my Honourable friend, Sir Hari Singh Gour, that this House will rise to the occasion and pass this last and most just item in my programme of taxation.

Mr. President: The question is:

"That in Part I-A of Schedule III to the Bill for entries (4), (5), (6), (7) and (8) the following be substituted:

- '(4) When the total income is Rs. 10,000 or upwards, but is less than Rs. 20,000. Nine pies in the rupee.
- (5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000. One anna in the rupee.
- (6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000. One anna and three pies in the rupee.
- (7) When the total income is Rs. 40,000 or upwards. One anna and six pies in the rupee."

The Assembly divided:

AYES—17.

Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Gour, Sir Hari Singh.

Gulab Singh, Sardar.
Lalchand Navalrai, Mr.
Mukerjee, Mr. Saradindu.
Patil, Rao Bahadur B. L.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Sarda, Rai Sahib Harbilas.
Sinha, Mr. Rajivaranjan Prasad.
Venkatakrishnayya Choudhri, Mr. P.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Cressar, The Honourable Sir James.
Dalal, Dr. R. D.
Das, Mr. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur
Sardar.

Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir
Bhupendra Nath.
Mitter, The Honourable Sir
Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: Does the Honourable Member Mr. Lalchand Navalrai wish to move his amendment No. 40?

Mr. Lalchand Navalrai: Yes, Sir. I beg to move:

"For Part I-B of Schedule III to the Bill the following be substituted:

'B. In the case of every company and registered firm, whatever its total income ... Five pies in the rupee'."

Sir, the principle on which I move this amendment is the same as that which I put forward before the House a little while ago in moving my amendment No. 35. In this case also, it will be seen that from 1886 to 1916 the rate of income-tax was a flat rate of five pies in the rupee, but it was raised in 1916 as a war measure to 12 pies in the rupee and it now stands at one anna six pies in the rupee which again is now sought to be raised to one anna seven pies in the rupee. The reason that is given for not reducing it is that it will cause a loss to the Government in revenue. That will be the reason given for every reduction that is asked for. I do not think that is a reason that will appeal to the House. I expect that, if this reason was known to the House which raised this tax in 1916 to this abnormal extent, it would not have sanctioned it. I would therefore ask this House to accept my amendment.

Mr. President: I take it that the Honourable Member's reply is the same as he had given a little while ago.

The question is:

"For Part I-B of Schedule III to the Bill the following be substituted:

'B. In the case of every company and registered firm, whatever its total income ... Five pies in the rupee'."

The motion was negatived.

Schedule III was added to the Bill.

Mr. President: The question is that clause 4 stand part of the Bill.

The motion was adopted.

Clause 4 was added to the Bill.

Sir Purshotamdas Thakurdas: Sir, I beg to move the amendment which stands in my name and which runs as follows:

"After clause 4 the following new clause be inserted, namely:—

'4A In Schedule II to the Indian Tariff Act, 1894—

(a) after Item No. 43BB, as inserted by Section 4, and under the head 'Metals' the following Item shall be inserted, namely:—

'43BBB. Silver plate, silver thread and wire (including so-called gold thread and wire mainly made of silver), silver leaf and silver manufactures, all sorts not otherwise specified . . . *Ad valorem.* 38 per cent.'

(b) in Part VI, under the head 'Metals' the Item which reads 'Silver plate, silver thread and wire, silver leaf and silver manufactures, all sorts not otherwise specified', together with its serial number, shall be omitted."

[Sir Purshotamdas Thakurdas.]

I have referred to this amendment twice in my speeches in the course of the debate on this Finance Bill. I do not wish to say much more, particularly as Government have indicated their intention of accepting this amendment. I will only say one word. I have not referred to what is known as imitation gold thread under this as I understand that this is not made out of silver. If it is made out of silver it will be included in the higher duty and therefore imitation gold thread has not been referred to at all by me in the amendment.

The Honourable Sir George Schuster: Sir, I accept my Honourable friend's amendment.

Mr. President: The question is:

"That after clause 4 the following new clause be inserted, namely:—

'4A In Schedule II to the Indian Tariff Act, 1894—

(a) after Item No. 43BB, as inserted by Section 4, and under the head 'Metals' the following Item shall be inserted, namely:—

'43BBB. Silver plate, silver thread and wire (including so-called gold thread and wire mainly made of silver), silver leaf and silver manufactures, all sorts not otherwise specified. . . . *Ad valorem.* 38 per cent.'

(b) in Part VI, under the head 'Metals' the Item which reads 'Silver plate, silver thread and wire, silver leaf and silver manufactures, all sorts not otherwise specified', together with its serial number, shall be omitted."

The motion was adopted.

Mr. President: The question is:

"That clause 1 stand part of the Bill."

Sir Purshotamdas Thakurdas: Sir, I have an amendment to clause 1 which I beg to move. It runs thus:

"In sub-clause (3) of clause 1, after the figure '3', the comma, figure and letter '4A' be inserted."

The main reason for inserting this here is that Government are unwilling to increase this duty on silver manufactures and gold thread beyond a period of one year. I have agreed to it and have embodied it in my amendment on the understanding that, during the course of the year, Government will refer the question to the Tariff Board. If, however, Government are unable to secure a report from the Tariff Board before the next Budget, I take it that Government will continue this in the next Finance Bill also.

The Honourable Sir George Schuster: I think, Sir, that my Honourable friend has correctly stated the position. If we cannot carry out an inquiry which will give the country an opportunity to decide whether this higher duty is justified or not, it is obviously fair that the duty should be continued. But I have every hope that it will be possible to carry out the inquiry this year.

Sir Purshotamdas Thakurdas: On this understanding I do not think I need say anything further.

Mr. President: Does the Honourable Member wish votes to be taken on this amendment?

Sir Purshotamdas Thakurdas: No, Sir, as Government have accepted it.

Mr. President: The question is:

"That in sub-clause (3) of clause 1, after the figure '3', the comma, figure and letter '4A' be inserted."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and Preamble were added to the Bill.

The Assembly then adjourned till Eleven of the Clock on Monday, the 24th March, 1930.

LEGISLATIVE ASSEMBLY.

Monday, 24th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

ANNOUNCEMENT OF RESULTS OF INDIAN CIVIL SERVICE EXAMINATIONS.

800. *Maulvi Mohammad Shafee Daoodi: (a) Has the attention of Government been drawn to a grievance in the Indian Civil Service examination regarding the undue advantage which a candidate from the United Provinces has over those from other Provinces in knowing the result of his examination, as published in the *Pioneer* of October 13, 1929, under the heading, "A Civil Service Examination Grievance" of October 14, 1929, under the heading "Another View", by the *Justice* of Lucknow, of October 18, 1929, under the heading "The Public Services Examinations"?

(b) Will Government be pleased to state whether the result of the Indian Civil Service Examination is announced simultaneously with that of the Provincial Civil Service Examination, so that the candidates from all the Provinces may know the result at one and the same time? If not, will Government explain the reason?

(c) Do Government propose to rectify the oversight, if any, by introducing a system which may not prejudice any examinee from any Province?

The Honourable Sir James Crerar: (a), (b) and (c). The attention of the Public Service Commission was drawn to the articles in question and they have taken steps to ensure that in future the results of these two examinations are published simultaneously.

REPORTED THREATENING BEHAVIOUR OF CERTAIN SOLDIERS AT VICTORIA TERMINUS STATION.

801. *Mr. Sarabhai Nemchand Haji: (a) Has the attention of Government been drawn to the incident which took place on the 8th June last at the Victoria Terminus in the Poona Passenger Train leaving that station at 10-45 p. m. in which certain soldiers of the Royal Warwickshire Regiment, 2nd Battalion, were reported to have behaved threateningly towards some Indian fellow passengers of theirs, chucking away the luggage of one of the passengers, taking up the seat that he had occupied previously and threatening to throw another out of the window if he dared to take up any further the cause of the injured passengers? If so, has any complaint been made to the authorities concerned by the aggrieved parties, and what steps have been taken in connection with the same?

(b) Will Government be pleased to make a statement on the subject particularly indicating the steps they propose to adopt in future to avoid the repetition of such outrageous incidents to the Indian travelling public?

Mr. G. M. Young: (a) The attention of the Honourable Member is invited to the reply given to his question No. 989 on September 26th, 1929. A complaint was made to the military authorities, and enquiries were held both by them and by the railway authorities. A complaint was thereafter filed in September in the Court of the Chief Presidency Magistrate against one of the soldiers. It does not appear to have been proceeded with. I am, however, inquiring how the matter stands and will inform the Honourable Member of the result.

Mr. Sarabhai Nemchand Haji: With reference to the old question of mine mentioned in the reply, may I know on which date that question was put, because I do not remember having put such a question before?

Mr. G. M. Young: 26th September, 1929.

Mr. Sarabhai Nemchand Haji: I did not put any question on that day, Sir.

Mr. G. M. Young: I was not in the House, of course, last September. I have only got a copy of the official record. Mr. Sarabhai Nemchand Haji asked a question No. 989 on the 26th September, 1929, and a reply was given.

Mr. Sarabhai Nemchand Haji: It may be that the question was on the agenda on that day, but I am sure I did not put the question.

Mr. President: The Honourable Member may not have asked that question. But the practice is that unless a Member says that he does not want to put any question, the question and answer are entered in the proceedings.

Mr. Sarabhai Nemchand Haji: Sir, you stopped allowing any further questions that morning about the time my questions were going to be reached and so those questions were not asked at all.

Mr. President: The Honourable Member must read the proceedings. If he reads the proceedings he will find that the question and answer do appear there.

DRAFT INTERNATIONAL CONVENTION ON THE TREATMENT OF FOREIGNERS.

802. ***Mr. Sarabhai Nemchand Haji:** Has the opinion of the Government of India been invited on the draft International Convention on the treatment of foreigners? If so, do Government propose to invite the opinions of Indian commercial associations with a view to forwarding them to proper quarters?

The Honourable Sir George Rainy: The draft International Convention on the Treatment of Foreigners was discussed at a Conference held at Paris in November last. The decision arrived at was that the Delegates should submit to their Government for consideration all documents relating to the work of the Conference and ask them to forward to the Secretariat of the League before the 1st June, 1930, any observations and suggestions which they may wish to make with regard to those documents. The

documents are still awaited. When they are received, Government will consider the feasibility of consulting commercial opinion before communicating their views to the Secretariat of the League.

Sir Hari Singh Gour: Will the Government consider the advisability of consulting this House on the subject?

The Honourable Sir George Rainy: I am afraid that if the replies have to reach the League of Nations before the 1st of June, there may be no possibility of consulting this House.

Sir Hari Singh Gour: Is it necessary that Government must send the replies by the 1st June? In view of the fact that there will be a Simla Session, will it not be advisable for the Government to place this matter before this House and take the opinion of this House on a very important question like this?

The Honourable Sir George Rainy: I do not think it has been the practice of the Government at the stage which this question has reached to bring such questions before the House. It is at the stage between signature and ratification that in certain cases Conventions are brought before the House.

Sir Hari Singh Gour: Is the Honourable Member quite sure about the practice in regard to the Washington Convention? Because if I remember aright, it was first raised and discussed by this House before Government took the final action.

The Honourable Sir George Rainy: I should be quite ready to consider whether this is a suitable case in which to take the opinion of this House before sending our own opinion.

CONSULTATION BY THE LEAGUE OF NATIONS *re* MARITIME COASTING TRADE.

803. ***Mr. Sarabhai Nemchand Haji:** (a) Has the attention of Government been drawn to the consultation proposed to be held by the League of Nations on the subject of maritime coasting trade; if so, when is the consultation going to take place?

(b) Has any questionnaire been issued by the League of Nations in this connection? If so, do Government propose to invite answers from Indian Commercial Associations to the questionnaire?

The Honourable Sir George Rainy: (a) The Advisory and Technical Committee for Communications and Transit of the League of Nations has referred to its Permanent Committee on Ports and Maritime Navigation the examination of the meaning which the different States attach to the term "coasting trade" and the law and practices relating thereto. I presume that this is the consultation to which the Honourable Member refers. The Government of India have received no information in regard to any general Conference of the League of Nations on this subject.

(b) In connection with the above enquiry, the Government of India have received a questionnaire from the League of Nations. As the questionnaire only asks for information in regard to the present position of the coasting trade of India under the existing laws and regulations, the Government of India do not propose to consult commercial associations before replying to the questionnaire.

Mr. Sarabhai Nemchand Haji: Would the present position regarding this point include the question of the Coastal Reservation Bill as reported by the Select Committee of this House?

The Honourable Sir George Rainy: That is no part of the existing provisions of the law.

Mr. Sarabhai Nemchand Haji: But, Sir, would the attention of the authorities at Geneva be drawn to the fact that non-official efforts are being made to bring about a change in this matter?

The Honourable Sir George Rainy: I do not think, Sir, that that naturally arises under any question in the questionnaire.

Mr. Sarabhai Nemchand Haji: Would not the whole purpose of the replies of this Government be misleading to the International authorities if their attention was not drawn to the pending legislation?

The Honourable Sir George Rainy: No, Sir. When they ask merely for information as to the present position, I do not think they would naturally expect to receive information as to mere possibilities.

SLOOPS OF THE ROYAL NAVY REFITTED OR REPAIRED IN THE ROYAL INDIAN MARINE DOCKYARD.

804. ***Mr. Sarabhai Nemchand Haji:** Will Government please state the number of sloops of the Royal Navy that have been either refitted or repaired in the Royal Indian Marine Dockyard during the last two years, and if so, what payments have been received for the same?

Mr. G. M. Young: A statement has been called for, and will be communicated to the Honourable Member on receipt.

CONSTRUCTION OF NEW VESSELS BY THE ROYAL INDIAN MARINE DOCKYARD.

805. ***Mr. Sarabhai Nemchand Haji:** (a) Is it possible to use the Royal Indian Marine Dockyard for the construction of new vessels? If so, will Government please state the size of the vessels that could be built there?

(b) Will construction have to be confined only to war vessels, or would it be possible to build mercantile vessels as well? If so, of what tonnage?

Mr. G. M. Young: (a) Yes, Sir. Every kind of boat, barge and steam trawler can be constructed in the Royal Indian Marine Dockyard, Bombay. If and when the dockyard is expanded, it will be in a position to undertake the construction of sloops suitable for the Royal Indian Marine up to 2,000 tons.

(b) With expansion of the dockyard it would be quite possible to build ships for the mercantile marine up to probably about 3,000 tons.

Mr. Sarabhai Nemchand Haji: With regard to part (b) of the question, in view of the fact that it would be possible, with the enlargement of the dockyard, to build mercantile vessels, will Government consider the advisability of preparing a scheme under which such vessels could be built in these Government dockyards when they are ready?

Mr. G. M. Young: The Government have that matter under consideration.

ADVERTISING THE WORK OF THE ROYAL INDIAN MARINE (DOCKYARD).

806. ***Mr. Sarabhai Nemchand Haji:** Will Government please state if they take any steps to make the work of the Royal Indian Marine more known than is the case? If not, do they propose to do so?

Mr. G. M. Young: Yes, Sir. It has already been decided to publish the annual Administration Reports of the Royal Indian Marine and of the Marine Survey of India, in future, for general information. The report of the Flag Officer Commanding on the reorganisation of the service was published in an official communiqué, and considerable prominence was given to it in newspapers. Admiral Walwyn has also instituted a practice of visiting ports, other than Bombay, with his ships in order to acquaint the public in those ports with the character and functions of the reorganized force.

Mr. K. C. Roy: May I ask the Honourable Member what is the position as regards the proposed Royal Indian Navy which is to supersede the Royal Indian Marine?

Mr. G. M. Young: If the Honourable Member refers to the Indian Navy Discipline Bill which was introduced in this House two years ago, the position is that Government are waiting for some indication from this House or from the public that the Bill should be proceeded with again.

Mr. Sarabhai Nemchand Haji: Is it not the fact that the public are waiting for some signal from the Government that their policy has changed in the matter and that the Government propose to trust the people of this country as against the orders of the British Cabinet?

Mr. G. M. Young: I am afraid I am unable to answer that question.

Mr. K. C. Roy: May I ask what actually happened to the Bill which was passed by the British Parliament for creating the Royal Indian Navy?

Mr. G. M. Young: It was passed, that was all.

Mr. Sarabhai Nemchand Haji: With reference to the Administration Report of the Royal Indian Marine referred to by the Honourable Member, may I know when it is proposed to publish such an Administration Report?

Mr. G. M. Young: I cannot give the date. I do not remember at what time of the year the Report comes out.

Mr. Sarabhai Nemchand Haji: When does the naval year begin?

Mr. G. M. Young: I think the reports are for the financial year.

CONSTRUCTION OF NEW SHIPS FOR THE ROYAL INDIAN MARINE.

807. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if any orders for the construction of new ships for the Royal Indian Marine have been placed during the last 18 months?

(b) If the answer to part (a) is in the affirmative will Government be pleased to state whether it is usual to invite tenders before the final orders are placed?

Mr. G. M. Young: (a) Yes for one new sloop.

(b) The sloop is being built under the orders of the Admiralty and I am not aware of what their practice is in the matter of inviting tenders.

SEPARATION OF THE ROYAL INDIAN MARINE BUDGET FROM THE MILITARY BUDGET.

808. ***Mr. Sarabhai Nemchand Haji:** Is it a fact that the amount of money annually allotted to the Royal Indian Marine and remaining unspent within a year lapses into the general fund of the Military Budget? If so, have Government considered the advisability of separating the Royal Indian Marine Budget from the Military Budget with a view to enable the Royal Indian Marine to have the full benefit of the amounts allotted to it from year to year?

Mr. G. M. Young: The answer to the first part of the question is in the negative, the second part does not therefore arise. The Royal Indian Marine have the full benefit of savings effected within their separate budget allotment.

RECRUITMENT FOR THE ROYAL INDIAN MARINE.

809. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state the parts of India to which recruitment parties are sent in order to secure fresh supplies of men for the ships of the Royal Indian Marine?

(b) Have Government received representations from certain districts or castes to the effect that their claims for recruitment for the Royal Indian Marine are being disregarded by Government? If so, will Government please state the action they propose to take in the matter?

Mr. G. M. Young: (a) Recruiting parties were formerly sent regularly to the Ratnagiri district, which used to be practically the sole recruiting ground for the Royal Indian Marine before its reorganization. At the time of reorganization, it was the intention of Government to send recruiting parties to this area only until such time as the Royal Indian Marine was enlarged, when they expected to go further afield. Since the force was reorganized on a combatant basis, and service was made permanent and pensionable, the popularity of the Royal Indian Marine with this community has heavily declined: and the last recruiting party that went to Ratnagiri failed to obtain any good recruits. Attempts were made accordingly to get recruits from elsewhere, and parties have been sent to the Punjab, principally to the districts of the Salt Range, where the service seems to be popular and recruits of an excellent stamp are readily forthcoming.

(b) The only representation of the kind suggested in the question came from the Bhandari community in 1926. I quoted their resolution in answer to Mr. Aney's question No. 324 on the 25th August, 1927. I would add that there is nothing to prevent youths of the Bhandari or any other community from presenting themselves at the Royal Indian Marine Depot for recruitment if they wish.

Mr. K. C. Roy: Will the Honourable Member say whether recruiting parties will be sent to Chittagong?

Mr. G. M. Young: Government have considered the question of recruitment from Chittagong, and I have no doubt they will keep it in mind.

RECRUITMENT OF INDIANS FOR THE ROYAL INDIAN MARINE.

810. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state how far the Royal Indian Marine has been reorganised during the last few months?

(b) Is it a fact that the force has been short of the full numbers in the ranks of the executive officers and the engineer officers?

(c) If the answer to part (b) is in the affirmative, are Government prepared to make up the deficiency by recruiting Indians only, with a view to utilise the existing vacancies for the purposes of Indianising these services more rapidly?

Mr. G. M. Young: (a) The reorganization may now be considered as complete.

(b) and (c). There has been some shortage, owing mainly to the time it took to introduce the open competitive examination for the service. There does not appear to be any difficulty, however, in obtaining British candidates for either branch of the service. Indian candidates have so far only been forthcoming for the Engineer branch. Two Indian candidates for this branch passed the examination held last November. As I have already informed the House, three executive vacancies are being offered for competition among the cadets of the "Dufferin" at a special examination to be held in May this year. In view of these facts, Government do not propose immediately to increase the proportion of Indian vacancies, but they have that possibility constantly in mind.

Sir Hari Singh Gour: May I ask if any Indian has so far been appointed to the combatant ranks?

Mr. G. M. Young: To the executive branch?

Sir Hari Singh Gour: To the officer's rank.

Mr. G. M. Young: Yes, but to the executive or engineer branch?

Sir Hari Singh Gour: I mean both.

Mr. G. M. Young: I have just said, in answer to the main question, that two cadets have succeeded in entering the Engineer Branch. They have not yet been appointed, but they have gone to England for training.

RECRUITMENT OF SEAMEN.

811. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state the exact method of recruitment of seamen at the major ports of India?

(b) What is the exact manner in which the registers of serangs lascars, firemen, stewards and butlers are maintained at these ports?

(c) Is it a fact that in Bombay the licences for the supply of seamen have been issued to one party only for the last 40 or 50 years?

(d) If the answer to part (c) be in the affirmative, do Government propose to issue licences to other brokers? If not, do they propose to establish a regular Bureau of Employment attached to the shipping office?

The Honourable Sir George Rainy: (a) The large majority of Indian seamen are recruited at the two major ports of Bombay and Calcutta. As regards the method of recruitment at Bombay, I would refer the Honourable Member to the reply I gave to starred question No. 691 asked by Mr. S. C. Mitra on the 23rd September, 1929. At Calcutta the seamen required for vessels belonging to the British India Steam Navigation Company are recruited at the Company's offices by its own officers. In the case of the other shipping companies, the sukhanies are selected at an open muster held at the Shipping Office. At present the other ratings are recruited largely through the medium of the licensed brokers. Arrangements have, however, recently been made for the introduction of the following alternative methods of recruitment. According to the first method, the shipping companies will maintain registers of the Serangs and Butlers in their regular employ, and these ratings will be selected by the Companies' officers at their own offices the lower ratings being selected by the Companies' officers with the aid of the leading ratings. The second method is intended for those companies who may not find it possible to make the necessary internal arrangements for the recruitment of seamen at their own offices. An employment register of serangs and butlers will be maintained at the Shipping Office and these ratings will be selected by the Companies' officers at an open muster held at the Shipping Office. The lower ratings will be recruited as in the case of the first method by the Companies' officers with the aid of the leading ratings.

(b) Employment registers of Serangs and Butlers are maintained at Bombay and Calcutta. The registers show, *inter alia*, the ship on which the rating has obtained employment and the date on which he signed on.

(c) The three licensed brokers at Bombay are members of the same firm. This firm has held this business for many years.

(d) Government do not propose to issue licences to other persons, nor do they at present contemplate the maintenance at the Bombay Shipping Office of employment registers for lower ratings.

STATEMENT SHOWING THE NUMBER OF INDIAN OFFICERS HOLDING CERTAIN RANKS IN STATE RAILWAYS.

812. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to lay on the table a statement showing the numbers of Indian officers holding the following ranks in each of the State Railways:

- (1) Heads of Departments.
- (2) Deputy Heads of Departments.
- (3) Divisional Operating Superintendents.
- (4) Divisional Traffic Superintendents.
- (5) Executive or Divisional Engineers?

Mr. A. A. L. Parsons: The Honourable Member will find this information in the Classified List of State Railway Establishment, a copy of which is in the Library of the House.

CARRIAGE OF PIECE-GOODS FROM BOMBAY TO CALCUTTA BY RAIL AND STEAMER.

813. ***Mr. Sarabhai Nemchand Haji:** (a) Has the attention of Government been drawn to the Statement of the Agent of the Great Indian Peninsula Railway that the rate of piece goods from Bombay to Calcutta *via*

Nagpur has been reduced from Rs. 3-8-3 to Rs. 1-8-0 with a view to compete against the carriage of piece-goods from Bombay to Calcutta by steamers?

(b) Has the policy of the Agent of the Great Indian Peninsula Railway been endorsed by the Government of India?

Mr. A. A. L. Parsons: (a) The answer is in the affirmative except that the rate in question has, I understand, been reduced from Rs. 3-7-3 first to Rs. 2-5-0 and then from Rs. 2-5-0 to Rs. 1-8-0 and Government are not aware that the Agent of the Great Indian Peninsula Railway stated that the rate was reduced from Rs. 3-8-3.

(b) Yes.

POWER SUPPLIED BY THE HYDRO-ELECTRIC CONCERNS FOR THE SUBURBAN SERVICE OF THE GREAT INDIAN PENINSULA RAILWAY.

814. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to lay on the table a statement showing:

- (a) the cost per unit of power supplied by the Hydro-electric concerns for the suburban service of the Great Indian Peninsula Railway;
- (b) the minimum quantity of electric energy in terms of units the authorities of the Great Indian Peninsula Railway have agreed to pay for irrespective of the actual consumption;
- (c) the actual consumption in terms of units supplied by the Hydro-electric concerns to the Great Indian Peninsula Railway month by month during the last 12 months ending 30th June, 1929; and
- (d) the payments made with reference to (c) for the power consumed by the Great Indian Peninsula Railway for their suburban service?

Mr. A. A. L. Parsons: The information is being collected and will be furnished to the Honourable Member when ready. As possibly other Members of the House may be interested, I will lay the statement containing the information on the table of the House as soon as an opportunity occurs.

TRAINING OF INDIANS IN MARINE WIRELESS.

815. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to state whether they have taken any action for the training of Indian youths in Marine Wireless as referred to in the speech of His Excellency the Viceroy at the Annual Meeting of the Federation of Indian Chambers of Commerce and Industry at Calcutta in December, 1928? If so, will they be pleased to give the details of the scheme they propose to inaugurate?

The Honourable Sir George Rainy: A scheme for the training of wireless operators on the Training Ship "Dufferin" was considered by the Governing Body at their meeting held on the 4th July last. After careful consideration, the Governing Body resolved that they were not in favour of the training of wireless operators on the "Dufferin". The matter is still under consideration.

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Sir Hari Singh Gour: May I ask what was the reason for the unfavourable decision of the Governing Body?

The Honourable Sir George Rainy: The difficulty was this, that, if it were merely a question of wireless training, a course of nine months might be sufficient, but the ordinary course is three years on the "Dufferin" and it is not considered desirable to have boys on board under training for so short a period, as nine months. I am not yet satisfied that the difficulties might not be overcome, and we are making further inquiries about it.

FELLOWSHIPS OFFERED TO INDIA BY THE ROCKEFELLER FOUNDATIONS.

816. ***Dr. B. S. Moonje:** Will Government be pleased to state:

- (a) whether any Fellowships were offered to this country by the Rockefeller Foundation either in the year 1928 or 1929, and if so, the date when the offer was received and the number of Fellowships offered;
- (b) whether applications were invited from the different provinces for selection of candidates for the award of these Fellowships, and if so, the last date for receiving the applications;
- (c) the procedure adopted by the Government of India for the selection of candidates to be recommended to the Rockefeller Foundation for the award of the Fellowships;
- (d) the date or dates on which the various Provincial Governments sent in the lists of candidates with their recommendations for the award of the Fellowships;
- (e) the date when the Government of India forwarded their recommendations to the Rockefeller Foundation;
- (f) the names of persons recommended by them for the award of the Fellowships and of the subjects chosen by them; and
- (g) the nature of the reply received from the Rockefeller Foundation with regard to the names recommended by the Government of India?

Sir Frank Noyce: (a) No Fellowships were offered in 1928. In October, 1928, Government enquired from Dr. J. F. Kendrick, who is the representative of the Rockefeller Foundation in India, whether it was proposed to award any Fellowships to India in the near future, and if so, when. Dr. Kendrick replied in January 1929, that the Foundation did not set aside any definite number of Fellowships for Indian students but that if there were deserving men, he had no doubt that Fellowships could be secured for them.

(b) Yes. Local Governments and Administrations were asked to submit their recommendations, if possible, by the 31st March, 1929.

(c) The candidates who are nominated by Local Governments and Administrations and who fulfil the conditions prescribed by the Rockefeller Foundation as to qualifications and prospects of employment are arranged in order of preference by the Scientific Advisory Board of the Indian Research Fund Association and the final selection is made by the Rockefeller International Health Board itself.

(d) The recommendations from Local Governments were received between the 25th March, 1929, and the 5th June, 1929.

(e) The list of candidates drawn up in order of preference by the Scientific Advisory Board was forwarded to Mr. Kendrick on the 6th July, 1929, together with the original applications.

(f) A list showing the names of the applicants and the subjects chosen by them is placed on the table of the House.

(g) Government were informed by Dr. Kendrick on the 31st October, 1929, that the applications had been received in New York only on the 5th September and that all available funds for fellowships in the East had been allotted by then except one which had been earmarked for an officer in connection with co-operative arrangements for rural health work in Burma. Only one Fellowship was, therefore, awarded to Dr. Fenn who was serving in Burma. Dr. Kendrick, however, added that the applications would be kept on the file of the Executive Committee of the Rockefeller Foundation and would be given due consideration, should funds become available for 1930.

Statement referred to in the reply to part (f) of question No. 816, regarding Rockefeller Foundation Scholarships.

			Subjects selected for study.
1. Dr. Ramaswami Subramanian.	Madras	.	Public Health administration, Epidemiology with special reference to Malariology.
2. Dr. Walajanagar Vijayaragava Perumal.	Madras	.	System of medical inspection of schools in America and rural sanitation in other countries especially America.
3. Dr. Shankar Kashinath Gokhale.	Bombay	.	Chemistry of Vitamin and Nutrition problems.
4. Dr. Mukundraj Ganpat Pandit.	Bombay	.	Analytical Chemistry, Bacteriology and preparation of calf lymph.
5. Vasudeo Lakshman Deshpande.	Bombay	.	Infectious Diseases with special reference to Public Health.
6. Dr. Ramchandra Govind Dhayagude.	Bombay	.	Bacteriology and Tropical Pathology.
7. Dr. Ramkrishna Pandurang Kappikar.	Bombay	.	Anatomy and Embryology.
8. Dr. M. O. T. Iyengar	Bengal	.	Malaria research, survey and prevention.
9. Dr. Mohammad Yacob	ab	.	Technique of the preparation of anti-variola vaccine lymph and problems connected with vaccination in United States of America and the United Kingdom.
10. Dr. Samad Shah	Punjab	.	Malariology.
11. Dr. Ayodhya Nath Dass	United Provinces.	.	Epidemiology and vital statistics as specially applicable to the tropics with a view to obtaining the degree of Doctor of Public Health.

Subjects selected for study.

- | | | |
|------------------------------|-------------------|--|
| 12. Dr. Beni Madhava Roy | United Provinces. | Public Health and Malariology. |
| 13. Dr. Victor William Fenn. | Burma | Hygiene and Public Health. |
| 14. Dr. S. K. Mallick | Bihar and Orissa. | Public Health and Malariology. |
| 15. Dr. Suraj Narain | Ajmer-Merwara | (i) Pathology and Bacteriology in relation to clinical medicine and public health and (ii) studies in prevention and cure of tuberculosis. |

Dr. B. S. Moonje: Did the Government of India know the date by which the Rockefeller Foundation were to receive applications for scholarships to the Rockefeller Institute?

Sir Frank Noyce: I understand the position is that the Rockefeller Foundation does not lay down any definite date. No definite date was fixed by it for the receipt of applications.

Dr. B. S. Moonje: How is it that, when the Government of India sent their reply in July, it was not received in New York before September?

Sir Frank Noyce: I do not know, Sir. It was sent to Dr. Kendrick on the 5th of July, whose headquarters are in Madras. Why it did not reach New York until the 5th of September, I am unable to say.

Dr. B. S. Moonje: Did the Government of India write and inquire why their reply had not reached New York before the 5th of September?

Sir Frank Noyce: I do not know. I can find out and let the Honourable Member know. The matter is really one for the Rockefeller Foundation, and it is hardly for us to make any inquiry of that nature.

Dr. B. S. Moonje: My point is whether the Government of India's application did reach New York in time or not?

Sir Frank Noyce: I have already said that all the available funds for Fellowship in the East had been allotted by the time our application reached the Foundation.

Dr. B. S. Moonje: And your application reached them in September after the Fellowships were all allotted away?

Sir Hari Singh Gour: Did the Honourable Member know the date by which the Rockefeller Foundation would make the allotments?

Sir Frank Noyce: No, Sir; I have already said that the Rockefeller Foundation do not lay down any definite date.

Dr. B. S. Moonje: Why did not the Government write and find out as to why their application did not reach New York till September when it was sent from here in July? Did they take any action to find out the cause of the delay?

Sir Frank Noyce: It is rather a long post from here to New York.

DELAY IN THE APPLICATION BY THE GOVERNMENT OF INDIA FOR ROCKEFELLER FOUNDATION FELLOWSHIPS.

817. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state if it is a fact that the Executive Committee of the Rockefeller Foundation received the application sent by the Government of India in 1929 after all

the available funds for the Fellowships in the East had been allotted, and that it was therefore not possible for the Foundation to award any Fellowship to Indians in 1929, except one which had been earmarked for an officer in connection with co-operative arrangements for rural health work in Burma?

(b) If the reply to part (a) is in affirmative, will Government be pleased to state who was responsible for this delay in forwarding the application from India?

(c) What steps do Government intend to take for obviating such delay in the future?

Sir Frank Noyce: (a) Yes.

(b) The circumstances have been explained in the reply just given by me to the Honourable Member's question No. 816.

(c) The Honourable Member will see that so far as the Government of India were concerned, there was no avoidable delay. When a similar occasion again arises the Government of India will impress on Local Governments the necessity for promptitude in submitting their recommendations.

SUBJECTS FOR THE AWARD OF ROCKEFELLER FOUNDATION FELLOWSHIPS IN INDIA.

818. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state whether the Rockefeller Foundation has defined the subjects for the award of the Fellowships in India?

(b) Are these subjects more or less the same for which Fellowships are awarded by the Foundation in other countries such as England, Germany, Czecho-Slovakia?

(c) In case the subjects recommended for the award of Fellowships in India are not the same as those in other countries, have Government considered the question of the advisability of representing to the Rockefeller Foundation the inclusion of the subjects of pure and applied science besides those relating to public health for the award of Fellowships to Indian candidates?

Sir Frank Noyce: (a) The Fellowships awarded by the International Health Board of the Rockefeller Foundation are designed to meet definite needs in public health service.

(b) It would seem from Memorandum No. 7664 of the International Health Board which gives information regarding these Fellowships that the regulations are the same for all countries. A copy of this memorandum has been placed in the Library of the House.

(c) Does not arise.

SELECTION OF CANDIDATES FOR THE AWARD OF ROCKEFELLER FOUNDATION FELLOWSHIPS.

819. ***Dr. B. S. Moonje:** Will Government be pleased to state how many Fellows were selected from the different provinces respectively since the award of the Rockefeller Foundation Fellowships came first to be made?

Sir Frank Noyce: The information is contained in the statement which I have placed on the table of the House.

Madras	Dr. R. Adiseshan, L.M.S.
	Dr. K. V. Krishnan, M.B.B.S.
United Provinces	Dr. H. G. D. Mathur, B.Sc., M.B.B.S.
	Dr. A. C. Banerjee, M.B.B.S., D.P.H.
Punjab	Dr. A. R. Mehta, M.B.B.S., D.P.H., D.T.M. and H.
	Dr. Ram Behari Lal, M.B.B.S., D.P.H., D.T.M. and H.
Burma	Dr. V. W. Fenn.
Central Provinces	Dr. C. R. Edibam, M.B.B.S.
North West Frontier Province	Dr. Saranjam Khan, B.S.C., M.B.B.S.
Officer in Military employ	Captain (now Major) S. S. Sokhey, I.M.S.

UTILIZATION IN INDIA OF INDIANS GIVEN FELLOWSHIPS OF THE ROCKEFELLER FOUNDATION.

820. ***Dr. B. S. Moonje:** Will Government be pleased to state:

- How many Fellows who were given the Rockefeller Fellowships have returned to India so far;
- How many of them have been utilized in the Medical Research Department, giving the names of the Fellows and the institutes to which they may be attached and the inquiries that may be entrusted to them for carrying out in each case; and
- How many of them are not utilized in the Medical Research Department stating reasons why they have not been so utilized?

Sir Frank Noyce: (a) Nine. Government have no information about Dr. Fenn who was awarded the Fellowship in 1929.

(b) One, *viz.*, Major S. S. Sokhey, I.M.S., who is serving as an Assistant Director of the Haffkine Institute, Bombay.

(c) Eight, six of whom are employed in suitable appointments in provincial Public Health Departments. The remaining two, *viz.*, Drs. Saranjam Khan and K. V. Krishnan are employed on Bacteriophage and Kala-Azar inquiries, respectively, under the Indian Research Fund Association. The cadre of the Medical Research Department is fixed according to its requirements.

Dr. B. S. Moonje: Are there any who are unemployed?

Sir Frank Noyce: I do not think any of them are unemployed. Fellowships are granted on the distinct understanding that those who hold them are ear-marked for suitable appointments on their return to India.

APPOINTMENT OF A NON-INDIAN JUDGE IN THE PATNA HIGH COURT.

821. ***Munshi Iswar Saran:** (a) Is it a fact that, in the Patna High Court, in place of the Honourable Mr. Justice P. R. Das (resigned), the appointment of a non-Indian is contemplated?

(b) If so, are Government aware that such a step will be regarded by Indians in this country as a reversal of the policy of Indianisation?

The Honourable Sir James Crerar: (a) and (b). The question of filling the appointment which, under section 101 of the Government of India Act, is made by His Majesty is still under consideration and I regret I am unable to make any statement on the subject.

Mr. Gaya Prasad Singh: Is it a fact, Sir, that the gentleman who is going to officiate for Mr. Justice P. R. Das is neither an Indian nor a lawyer Judge?

The Honourable Sir James Crerar: I must ask for notice of that question.

Munshi Iswar Saran: Why has there been so much delay in making the appointment of the successor of the Honourable Mr. Justice P. R. Das?

The Honourable Sir James Crerar: I presume, Sir, in order that the best selection may be made.

Munshi Iswar Saran: Will the Honourable Member kindly tell the House the recommendation made by the Patna High Court?

The Honourable Sir James Crerar: The Government of India are not officially consulted in these matters, and I regret that I cannot make a statement.

Munshi Iswar Saran: Will the Honourable Member kindly tell the House what recommendation the Home Member made in regard to this matter.

The Honourable Sir James Crerar: I cannot do that.

Munshi Iswar Saran: Will the Honourable Member convey to the Secretary of State for India the information that the appointment of a non-Indian to a post which has been vacated by an Indian will give rise to much dissatisfaction among Indians?

The Honourable Sir James Crerar: I will see that the questions and replies are communicated to the Secretary of State.

Mr. Gaya Prasad Singh: Are Government aware that the prestige of the Patna High Court will suffer if this sort of jobbery is perpetrated?

Mr. President: Order, order.

Mr. Amar Nath Dutt: What are the reasons, Sir, for overlooking the claims of the Provincial Judicial Service in giving them a seat on the Patna High Court in the present vacancy?

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LEGISLATIVE ASSEMBLY.

[24TH MAR. 1930.]

The Honourable Sir James Crerar: As a general proposition, the claims of members of the Provincial Service are duly considered when a suitable vacancy arises.

Munshi Iswar Saran: Is the Honourable Member aware that there are competent lawyers in the Patna High Court as well as in other High Courts who can be appointed to this post?

The Honourable Sir James Crerar: I note the Honourable Member's expression of his view on that point.

Mr. Amar Nath Dutt: Is it not a fact that a member of the Judicial Service was available to act for this post, and yet a Civilian Judge has been selected?

The Honourable Sir James Crerar: It is true that, as a temporary measure, there are two additional Civilian Judges at present.

Mr. Amar Nath Dutt: Was not a member of the Provincial Judicial Service available who officiated as High Court Judge in the same Court?

The Honourable Sir James Crerar: I must have notice of that.

Mr. M. A. Jinnah: May I know whether the Government of India recognise that this is an Indian vacancy and that an Indian should be appointed?

The Honourable Sir James Crerar: That question will doubtless be considered by the competent authorities.

Mr. M. A. Jinnah: Do the Government know that, even if there is no Indian available in this particular province, there are other capable men in other provinces, and will they try and secure an Indian from any part of India if he is available to fill up this post?

The Honourable Sir James Crerar: I have no doubt that all the considerations bearing on the matter will be carefully taken into account by the competent authorities. I regret I cannot say anything more at present.

Munshi Iswar Saran: Is it not a fact that there is an Indian gentleman practising in the Patna High Court who, on more than one occasion, has officiated as a Judge of the Patna High Court?

The Honourable Sir James Crerar: I believe that is a fact.

INELIGIBILITY OF INDIANS FOR THE DIPLOMATIC SERVICE.

822. ***Sir Hari Singh Gour:** With reference to the reply to starred question No. 533 on the 12th March, 1930, regarding the ineligibility of Indians for Diplomatic Service, will Government be pleased to state what action, if any, they propose to take to get the rules amended so as to remove their ineligibility?

Mr. E. B. Howell: The Government of India are in sympathy with the spirit underlying the Honourable Member's question. They have already once made representations upon the subject and are prepared to renew them when a favourable opportunity presents itself.

LACK OF WAITING ROOMS AT BOJRA STATION.

823. ***Mr. S. C. Mitra:** (a) Is it a fact that there is no waiting room at Bojra Station in the Noakhali Branch of the Assam Bengal Railway either for males or females?

(b) Is it a fact that several representations were made by the local people to the railway authorities for a waiting room?

(c) Are Government aware that passengers are put to great inconvenience and difficulties for the want of such a waiting room or any shade?

(d) Are Government aware that in the absence of any waiting room for ladies, the *pardah* lady passengers are much inconvenienced?

(e) Do Government propose to remove the long-felt grievance of the local people?

Mr. A. A. L. Parsons: Government are not aware of the exact arrangements, but a copy of the question will be sent to the Agent.

QUALIFYING EXAMINATIONS IN THE SECRETARIAT AND ATTACHED OFFICES.

824. ***Mr. S. C. Mitra:** (a) Are Government aware that the matriculates employed in the Third Division of the Secretariat offices were not allowed to take the First or Second Division (Secretariat) qualifying examination held by the Public Service Commission in November 1929?

(b) Is it a fact that the matriculates employed in the Second Division of the Attached Offices (having previously qualified for the Third Division, i.e., the examination passed by the candidates referred to at (a) above or the Second Division Attached Offices examination) were permitted to take this examination for:

- (i) the First Division Secretariat,
- (ii) the Second Division Secretariat,
- (iii) the First Division Attached Offices,

unlike their fellow colleagues in the Secretariat?

(c) Are Government aware that, under the rules framed by them for admission of candidates to this examination, the matriculate clerks of the Attached Offices were only eligible for the Upper Division of their offices and not for the Second Division of the Secretariat for which category some clerks have been declared successful? How is this anomaly to be explained?

(d) What is the number of such matriculates employed in the Attached Offices who have been declared successful for the Second Division?

(e) Is it a fact that both the classes of clerks referred to at (a) and (b) above are eligible for promotion to the next higher category of their respective offices according to a certain fixed percentage?

(f) If the answer to part (e) is in the affirmative, will Government please state the reasons that led them to make a distinction between the

Attached Office matriculates and the Secretariat matriculates for the purpose of allowing them to take the qualifying examination?

(g) Are Government aware that this distinction caused great discontent among the clerks concerned, and is it a fact that representations were made to Government?

(h) Do Government propose to redress their grievance by affording them an opportunity of appearing at the next examination as Departmental candidates and extending to them the concessions allowed at the November 1929 examination? If not, why not?

The Honourable Sir James Crerar: (a) Yes.

(b) Yes, if recommended by the Heads of their Departments.

(c) The position of an Assistant in an attached office is slightly superior to that of a second division clerk in the Secretariat; consequently it was considered that if a clerk was held to be fit for Assistant in an attached office he could properly be held fit for the second division in the Secretariat.

(d) Nine.

(e) Yes.

(f) The second division in attached offices consisted partly of persons who had qualified for the second division and partly of persons qualified as typist and routine clerks. I understand that the Public Service Commission considered it undesirable to distinguish between clerks who were working in the same division in the same office. These conditions did not prevail in the Secretariat.

(g) Certain representations were made in the matter.

(h) There will be no departmental qualifying examinations in future, but under the rules it is open to departments, in cases of exceptional merit, to promote third division clerks to the second division in not more than one of every five vacancies.

EXPENDITURE FROM RAILWAY REVENUE ON THE BAMUNGACHI SHOOTING CASE.

825. ***Pandit Nilakantha Das:** (a) Will Government be pleased to state what amount of expenditure has been incurred from the Railway revenue to conduct the case in connection with the Bamungachi shooting incident to defend the Railway officials?

(b) Will Government be pleased to lay on the table the correspondence that passed between the Railway Board and the Government of Bengal or the Advocate General of Bengal in connection with the Appeal preferred against the acquittal of Sj. Shanti Ram Mondal?

Mr. A. A. L. Parsons: (a) Information will be obtained and supplied to the Honourable Member on its receipt.

(b) The Honourable Member presumably refers to correspondence between the Government of India and the Bengal Government. Government regret that they are not prepared to lay this correspondence on the table.

RESEARCH IN PLANT PHYSIOLOGY AND SCHOLARSHIPS FOR AGRICULTURAL RESEARCH AND ANIMAL HUSBANDRY.

826. ***Mr. K. C. Neogy:** (a) Are researches in plant physiology conducted at the Agricultural Institute at Pusa? If so, are annual accounts of the results of such researches published, and has any of them received any appreciative notice so far in scientific journals published abroad?

(b) Does the Imperial Council of Agricultural Research intend to encourage better teaching of physiology of plants and research therein? If so, in what manner?

(c) Are Government aware of any institution in India where research is carried on in plant physiology? If so, is the Imperial Council of Agricultural Research considering the question of helping it in any way?

(d) Is there any intention on the part of the said Council or Government to grant scholarships to suitable Indians to qualify themselves in agricultural research and animal husbandry in any foreign country like Denmark which is a leading centre of such research and scientific study?

Sir Frank Noyce: (a) There is no separate section of plant physiology at the Pusa Research Institute and such research in that subject as has been conducted there has been connected with and subsidiary to problems in plant-breeding. The results of the research work carried out at Pusa are published in the Memoirs and Bulletins of the Imperial Department of Agriculture in India and the work done has repeatedly received appreciative references in scientific journals published abroad.

(b) The attention of the Imperial Council of Agricultural Research will be invited to this matter.

(c) Research in plant physiology is carried out in several institutions in India which are in receipt of assistance from Government.

It is open to any institution to apply to the Imperial Council of Agricultural Research for a grant for research in any branch of agricultural science.

(d) The question has already been remitted to the Council of Agricultural Research for consideration.

NUMBER OF MEMBERS OF EACH COMMUNITY IN DIFFERENT RANKS OF THE ARMY.

827. ***Mr. Mukhtar Singh:** (a) Will Government be pleased to state how many Indians have up to now been given King's Commissions and how many of these commissions are honorary?

(b) How many of these commissions are allotted to Hindus, Sikhs, Muhammadans and Christians and untouchables?

(c) How many Indians have been given Viceroy's commissions till now, and how many of these are Hindus, Sikhs, Muhammadans, Christians and so-called untouchables?

(d) How many Indian other ranks and Indian camp followers are there in the Army? How many of them are Hindus, Sikhs, Christians and depressed classes?

Mr. G. M. Young: 78 Indians have hitherto passed out of Sandhurst and have been granted King's Commissions: 29 of these were Hindus, 29 were Muhammadans, 18 were Sikhs, one a Burman and one a Christian. The remainder of the information desired by the Honourable Member is not available, and could only be collected, if at all, by the expenditure of an amount of time and labour, which would be disproportionate to its value result.

MILITARY CONTRACTORS.

828. ***Mr. Mukhtar Singh:** What is the total number of military contractors entered in the register of military authorities and how many of them are Hindus, Sikhs, Mohammadans and belong to the depressed classes?

Mr. G. M. Young: There is no register showing the total number of contractors employed by the various military authorities, nor would it be practicable to compile such a register. I am sorry therefore that I cannot give the information required by my Honourable friend.

REPRESENTATION OF THE ARYA SAMAJ IN THE DELHI UNIVERSITY.

829. ***Mr. Mukhtar Singh:** With reference to my starred questions Nos. 560 and 561 answered in the Legislative Assembly on the 18th February 1929, will Government be pleased to state the conclusions arrived at by Government on the communication received from the Arya Samaj, Delhi?

Sir Frank Noyce: Government were unable to accede to the request made in the communication referred to by the Honourable Member. A representative of the Arya Samaj, Delhi, has however been appointed as a Member of the Court by the Chancellor of the Delhi University.

RACIAL DISCRIMINATION IN LEAVE RULES ON THE BOMBAY BARODA AND CENTRAL INDIA RAILWAY.

830. ***Rai Sahib Harbilas Sarda:** (a) Is it a fact that the Indian officers of the Bombay, Baroda and Central India Railway have been representing matters for several years and asking for the removal of racial discrimination against them in the application of leave rules?

(b) Is it a fact that in the same city of Bombay, the old Great Indian Peninsula Railway has made no such racial discrimination in the leave rules against its Indian Officers, while the Bombay, Baroda and Central India Railway does?

(c) Will Government state if there is any other State-owned railway in India which has such racial discrimination against the Indian officers in the matter of leave regulations?

(d) Is it a fact that the Bombay, Baroda and Central India Railway Company has recently issued a fresh set of leave rules; but that, even in them, these discriminations have not been removed, and that they are far less favourable than those applicable to the European officers?

(e) Is it a fact that these new leave rules have not been brought into line with those in force on the State Railways?

(f) Is it true that whereas a European officer on the Bombay, Baroda and Central India Railway can get 22 months' combined leave at a time, the Indian officer is restricted to six months' combined leave only?

(g) Is it true that whereas the European officer earns furlough at the rate of one-fourth of active service rendered, the Indian officer earns it at the rate of one-eleventh only?

(h) Is it true that, whereas the European officer gets one month's sick leave on full pay per year non-cumulative without affecting his other leave and furlough, no such leave is given to the Indian officer though he may be ill?

(i) Is it true that, whereas the European officer can get 22 months' combined leave after retirement, the Indian officer is allowed six months' combined leave only?

(j) Is it true that the European officer can commute his furlough irrespective of his going overseas, whereas the Indian officer can only commute it provided he goes overseas?

Mr. A. A. L. Parsons: (a) Government believe it to be so.

(b) No; the leave rules of the old Great Indian Peninsula Railway gave greater leave benefits to European officers.

(c) Both the revised leave rules of the Bombay, Baroda and Central India Railway and the revised leave rules applicable to State Railway employees allow a more liberal scale of leave to persons of non-Asiatic domicile, but the increased limits in the B., B. and C. I. rules are much higher.

(d) Yes, except that the discrimination is on domicile and not on race.

(e) Yes, but Government propose to invite the Company to consider a revision of their rules on the basis of the revised leave rules applicable to State Railway employees.

(f), (h) and (i). The answer is in the affirmative if a comparison is made of the privileges applicable to officers of non-Asiatic domicile with those applicable to officers of Asiatic domicile.

(g) Officers of non-Asiatic domicile earn furlough at the rate of a quarter of active service and officers of Asiatic domicile at the rate of 30 days for each calendar year.

(j) Yes, except that an officer of Asiatic domicile can commute furlough on half pay into furlough on full pay up to a maximum of four months on each occasion if the leave is taken on Medical Certificate and spent in India or Ceylon.

RACIAL DISCRIMINATION IN LEAVE RULES ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

831. ***Rai Sahib Harbilas Sarda:** (a) Are the new leave rules which are in force on the Bombay, Baroda and Central India Railway as applicable to the Indian officers also applicable to the Anglo-Indian Officers?

(b) If the answer to part (a) be in the affirmative, what is the date fixed, after which Anglo-Indian officers recruited would be governed by the new leave rules?

(c) What is the number of Indian officers who were in service before the date which may be mentioned in reply to part (b) above?

(d) What is the number of Anglo-Indian officers who were in service before the date mentioned in reply to part (b) above and who are getting the benefit of the old leave rules as applicable to the European officers?

(e) Is it true that even the European subordinates drawing over Rs. 300 per month and in certain cases drawing even Rs. 150 per month, in service before the date mentioned in reply to part (b) above, get the benefit of these old leave rules as applicable to the European officers, and which are denied to the Indian officers?

(f) Will Government state what action they propose to take for the removal of these racial discriminations?

(g) Are Government prepared to advise the Bombay, Baroda and Central India Railway company to bring its leave rules for Indian Officers into line with those in force on the State managed Railways?

Mr. A. A. L. Parsons: (a) They are applicable to all officers of Asiatic domicile.

(b) All Anglo-Indian Officers of Indian Domicile appointed after the 1st April 1929, come under the revised leave rules.

(c) and (d). Information will be obtained and supplied to the Honourable member on its receipt.

(e) Yes.

(f) and (g). Attention is invited to the reply given by me to clause (e) of the Honourable Member's previous question.

Pandit Hirday Nath Kunzru: May I ask the Honourable Member whether he is developing a style of speaking which makes it impossible to follow him?

Mr. A. A. L. Parsons: I hope not.

Mr. President: Every one has his own style.

Pandit Hirday Nath Kunzru: I thought the Honourable Member was improving.

PURCHASE OF THE BUSINESS OF THE DELHI ELECTRIC SUPPLY AND TRACTION COMPANY BY THE DELHI MUNICIPALITY.

832. ***Mr. B. Das:** (a) With reference to Mr. K. C. Roy's starred questions Nos. 573 and 574 regarding the Delhi Electric Supply and Traction Company, on the 12th March, 1930, will Government be pleased to communicate to the House the reply thereto?

(b) Will Government be pleased to state when the Delhi Electric license of the present licensees will expire?

(c) Have Government obtained the opinion of the local authorities, the Delhi Municipality, as to their intention to purchase the undertaking for the Municipality?

(d) Has the Delhi Municipality asked Government for any loan towards the purchase of Delhi Electric Supply Co.?

The Honourable Sir Bhupendra Nath Mitra: (a) When a reply to Mr. K. C. Roy's questions referred to is furnished to him, a copy thereof will be placed in the Council Library for the information of the House.

(b) and (c). The licence will expire in 1947, and so far as Government are aware no proposal has been made by the Delhi Municipality that they should buy the rights of the Company under the licence, which has been granted by the Chief Commissioner.

(d) No such application has been received.

PURCHASE OF THE BUSINESS OF THE DELHI ELECTRIC SUPPLY AND TRACTION COMPANY BY THE DELHI MUNICIPALITY OR THE GOVERNMENT OF INDIA.

833. ***Mr. B. Das:** (a) Will Government be pleased to state the present capital value of the Delhi Electric Supply and Traction Co. Ltd.?

(b) Have Government computed the figure that will be paid to the Company in case option of purchase is exercised either by the local authorities or by the Local Government—the Government of India?

(c) Is it a fact that under the Indian Electricity Act the option of purchase evolves on the Government of India—in case local authorities are not in a position to do so?

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

RATES CHARGED FOR SALT TO TRADESMEN OF THE SAMBALPUR DISTRICT.

834. ***Mr. B. Das:** (a) Have Government received a petition signed by the salt merchants in Orissa and addressed to the Salt Commissioner of Madras, of which a copy was forwarded to the Honourable the Finance Member?

(b) Is it a fact that salt monopolists at the Ganjam factories charge different prices for different districts?

(c) Is it a fact that traders of Sambalpur District are charged rates varying between seven to nine annas per maund, while traders at Cuttack pay much less?

(d) Is it a fact that the Government rate for sale *ex* factory is four annas per maund?

(e) Do Government propose to see that no unfair rates are charged by salt monopolists to tradesmen of the Sambalpur District?

The Honourable Sir George Schuster: Yes, the Government have received the petition and have already asked for reports on the subject. When the replies are received I shall inform the Honourable Member of the result.

Pandit Nilakantha Das: Is it not the duty of the officials of the Salt Department to see that the price and supply of salt is controlled all over India?

The Honourable Sir George Schuster: The Government of India do not exercise any control over the retail prices of salt.

WITHHOLDING IN THE DELHI TELEGRAPH OFFICE OF A TELEGRAM ABOUT THE SARDA ACT.

835. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Will Government be pleased to state if it is a fact that a message sent to the Press from the office of the *Jamiatul Ulama-e-Hind* regarding the Sarda Act and Mussalman's attitude was withheld by the Telegraph officer of Delhi?

(b) If so, what is the reason?

Mr. H. A. Sams: (a) Yes, a message of the 10th March, 1930, was withheld.

(b) The message was considered objectionable and its transmission was withheld under rule 13 of the Indian Telegraph Rules, 1927.

Maulvi Mohammad Shafee Daoodi: What were the grounds on which it was held objectionable?

Mr. H. A. Sams: I can only say that the telegram was held to be objectionable. That was the ground on which it was withheld.

Mr. K. C. Roy: By the Telegraph Master or by the Local Government?

Mr. H. A. Sams: By a responsible official of the Telegraph Department.

Mr. Gaya Prasad Singh: Will the Honourable Member point out the objectionable passages in the message?

Mr. H. A. Sams: I have not memorised the message and even if I had, I would not be prepared to say what were the objectionable passages. If any gentleman wants to find out what it was about, he can ask the sender.

Mr. Abdul Latif Sahib Farookhi: Were any similar messages withheld?

Mr. H. A. Sams: As far as I am aware, no, Sir.

Maulvi Mohammad Shafee Daoodi: Is the Honourable Member aware that things like that are repeated, recently in another message sent by Maulana Muhammad Ali on the same question?

Mr. H. A. Sams: I have no information.

APPOINTMENT OF MUSLIM ENGINEERS IN THE DELHI PUBLIC WORKS DEPARTMENT.

836. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that no Muslim Temporary Engineer was appointed in the Delhi Public Works Department since 1923? If not, why not?

(b) With reference to the reply to question No. 101 in the Council of State on the 17th September, 1928, will Government be pleased to lay on the table a statement showing the names of the registered Muslim candidates for the post of Engineers in the Delhi Public Works Department?

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

(b) A statement was furnished to the Honourable Mr. Suhrawardy with Mr. Clow's demi-official letter No. E.-87, dated the 24th October 1928. A copy of the statement is being sent to the Honourable Member separately.

SAFEGUARDING OF MUSLIM CLAIMS IN THE DELHI PUBLIC WORKS DEPARTMENT.

837. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state what action has been taken to safeguard the Muslim claims in compliance with Lord Reading's declaration published in the *Statesman* of the 1st January, 1925, and to prevent class monopoly in the Delhi Public Works Department?

The Honourable Sir Bhupendra Nath Mitra: Instructions have been issued to the Chief Engineer, Public Works Department, Delhi, to ensure the adequate representation of minority communities (including Muslims) in the clerical and subordinate technical establishments under his control.

UNSTARRED QUESTIONS AND ANSWERS.

THE CONNAUGHT PLACE BOOKING OFFICE, NEW DELHI.

315. **Pandit Nilakantha Das:** (a) Is it a fact that the New Delhi Connaught Place Booking Office was opened for goods traffic about 12 months ago?

(b) Is it a fact that in the last week of October 1929, the Railway authorities at Lahore Junction refused to accept goods for that booking office, on the plea that they were not aware of the booking office?

(c) Is it a fact that the matter was reported by the consignee to the Divisional Superintendent, North Western Railway, Delhi, who forwarded it to the authorities at Lahore vide his letter No. 4118-CD/29, dated the 9th December, 1929?

(d) Is it also a fact that the consignee has sent half a dozen reminders to the Railway authorities at Lahore during the last three months but has heard nothing in reply?

(e) What action do Government propose to take in the matter to avoid repetition of such action on the part of Railway officials?

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

(b), (c), (d) and (e). I am obtaining a report and will communicate with the Honourable Member in due course.

INDEBTEDNESS OF GOVERNMENT SERVANTS.

316. **Pandit Nilakantha Das:** (a) Is it a fact that, under rule 16 of the Government Servants Conduct Rules, Government servants habitually in debt should be dismissed from service?

(b) Is it a fact that action under this rule is not taken against the employees of the Government of India Secretariat and Attached Offices who are reported to the heads of their offices to be in debt?

(c) Is it a fact that, instead of taking disciplinary action, the officers of the Indian Stores Department started a private fund for liquidating the debts of thousands of rupees against a clerk and closed the fund only when it was found that instead of reducing, his debts were further increasing?

(d) How many victims of the extravagance of the clerk have during the last two years verbally or in writing reported to the officers of Indian Stores Department regarding their outstanding claims?

The Honourable Sir Bhupendra Nath Mitra: (a) When a Government servant has been adjudged or declared insolvent, or when a moiety of his salary is constantly being attached, has been continuously under attachment for a period exceeding two years, or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years, he will be considered liable to dismissal under rule 16.

(b) I invite the Honourable Member's attention to the reply given to Mr. Siddheshwar Prasad Sinha's starred question No. 873 on the 25th September, 1929.

(c) No. The question of the indebtedness of the clerk referred to was taken into consideration immediately it assumed serious proportions and the matter has not yet been closed.

The clerk was informed by the Chief Controller of Stores, on the 20th January, 1930, that unless he succeeded within three months in freeing himself from debt or at least in reducing his liabilities to an extent which would permit of their being entirely liquidated in a reasonable period, a recommendation would be made to the Government of India for the termination of his appointment, under rule 16 of the Government Servants' Conduct Rules.

No fund was started by the officers of the Indian Stores Department, for the purpose of liquidating the clerk's debts. One-half of his pay was attached monthly under the orders of the courts for the purpose. As these deductions and also the deductions from his pay to meet Government dues on account of house rent, etc., left him a small sum monthly which was totally inadequate for the maintenance of himself, his wife and four children, some members of the staff contributed, as a purely private arrangement, a small sum monthly for a short period to help him and his family to eke out a bare existence. As, however, it was found that he continued to incur liabilities, this voluntary assistance was withdrawn.

(d) Four.

INDEBTEDNESS OF GOVERNMENT SERVANTS.

317. **Pandit Nilakantha Das:** (a) Is it a fact that a Superintendent in the Wireless Branch of the Director General of Posts and Telegraphs and also a clerk in the Library of the Railway Board are in debt?

(b) If the replies to the above be in the affirmative, will the Government be pleased to state whether any action under the Government Servants' Conduct Rules has been taken against the clerks referred to? If not, why not?

(c) Do Government propose to draw the attention of the heads of the various Departments of the Government of India to the provisions of the Government Servants' Conduct Rules regarding the action that should be taken against those in debt irrespective of their position or nationality?

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

(b) The Superintendent referred to in part (a) has since liquidated practically the whole of his debts. The case of the Librarian of the Railway Board's office does not come under rule 16 of the Government Servants' Conduct Rules and no action has therefore been taken against him.

(c) I invite the Honourable Member's attention to the reply given to part (b) of his previous question.

POSTS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

318. **Mr. Mukhtar Singh:** (a) With reference to the answers to my unstarred questions Nos. 261 to 263 and 274, on the 26th September, 1929, regarding the Government of India Press, Simla, will Government be pleased to state whether they propose to take any action in the matter of the practice in vogue in the Simla Press in giving high responsible posts to persons of inferior education both technical and literary?

(b) Is it a fact that a few learners were sent to England to pick up the work of an Assistant Manager?

(c) If the answer to (b) is in the affirmative, will Government please state whether they have come back? If so, where have they been posted and in what capacity?

The Honourable Sir Bhupendra Nath Mitra: (a) I have nothing to add to the reply given by me to the Honourable Member to his unstarred questions Nos. 261 to 263 and 274 on the 26th September, 1929.

(b) Yes; a few scholars have been sent to England for training in the art of printing and allied trades.

(c) One scholar has returned and has been posted as an overseer in the Calcutta Press.

EDUCATIONAL QUALIFICATIONS OF THE ASSISTANT MANAGER OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

319. **Mr. Mukhtar Singh:** (a) Will Government be pleased to state the educational qualifications of one Mr. Jawahar Khan, Assistant Manager of the Government of India Press, Simla?

(b) Is it a fact that the office records clearly show that he commits grammatical mistakes, as "why did you went", "why did you done" and "send to time", which are not expected from a person of ordinary education?

(c) If the answer to (b) is in the affirmative, have Government considered the question of the desirability of removing this gentleman from this responsible post and of appointing one of those gentlemen who were specially sent to England for training in this line?

The Honourable Sir Bhupendra Nath Mitra: I propose to deal with questions Nos. 319, 320 and 321 together. The Controller of Printing and Stationery is responsible to Government generally for the efficient administration of the Government of India Press and Government do not propose to call for information regarding these administrative details, which are matters for his discretion.

PERSONAL RECORDS OF THE OFFICIATING ASSISTANT MANAGER OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

320. **Mr. Mukhtar Singh:** (a) Is it a fact that the personal record of Mr. Jawahar Khan, officiating Assistant Manager of the Government of India Press, Simla, is not good and that he was fined Rs. 5 some time ago?

(b) Is it a fact that he was badly reported upon by Mr. Aylmer, and also by the Controller who too wrote against his work?

†For answer to this question, see answer to unstarred question No. 319.

(c) Are Government aware that his treatment towards his subordinates is anything but satisfactory, and that very often he uses bad language to them?

(d) Is it a fact that some compositors made a representation to the late Manager regarding their legitimate grievances and that, instead of taking any notice of these, departmental action was taken against these people?

(e) If answers to (a), (b), (c) and (d) are in the affirmative, have Government considered the question of the desirability of removing Mr. Jawahar Khan from his present post?

PROMOTIONS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

321. **Mr. Mukhtar Singh:** (a) Is it a fact that one B. Niaz Mohammad, a receipt clerk without experience of the composing work, was promoted to the post of a time-checker? If so, was this gentleman related to Mr. Jawahar Khan?

(b) If so, will Government please state what action they propose to take in the matter?

(c) Is it a fact that consequent on the amalgamation of both the Government Presses, one B. Mushtaq Ahmed, a junior compositor, was served with a notice of being retrenched and of being offered a post of a lino operator?

(d) Is it a fact that, after having worked for a few months on the lino machine, he was promoted as an officiating section holder, although in 1925 Mr. Aylmer found the Lino Section in a hopeless state and consequently reverted him to his former post with the remarks that he should never in future be promoted to the post of a section-holder?

(e) If the answer to part (d) is in the affirmative, will Government please state why this gentleman has again been offered a chance soon after the transfer of Mr. Aylmer?

HOURS IN GOVERNMENT OF INDIA PRESSES.

322. **Mr. Mukhtar Singh:** Is it a fact that the tiffin time from 1-30 to 2 P.M., given to the employees in the Government of India Presses, is not included in the office time and that the men are made to stay half an hour longer? If so, have Government considered the undesirability of the existing practice and what steps do Government propose to take in order to redress this grievance?

The Honourable Sir Bhupendra Nath Mitra: I presume that the Honourable Member refers to the clerical staff. The normal hours of work are from 10 A.M. to 5 P.M. and no clerk is required to remain half an hour longer in office by reason of the fact that he avails himself of a lunch interval of half an hour. The latter part of the question does not arise.

HOURES IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

323. **Mr. Mukhtar Singh:** (a) Is it a fact that the employees of the Government of India Press, Simla, are compelled to stay overtime? If so, under what rules are they compulsorily booked for overtime?

(b) Is it a fact that a request was made through the Works Committee to reduce the time of the Government of India Press, Simla, specially in the winter months? If so, what action did Government take in the matter?

†For answer to this question, see answer to question No. 319.

The Honourable Sir Bhupendra Nath Mitra: (a) Except in cases of sickness and emergent private affairs, the employees of the Press are expected to work overtime when required. This liability is part of the ordinary conditions of their service.

(b) The Government of India have no record of any such request made through the Works Committee of the Press. The latter part of the question does not arise.

SALARIES OF COMPOSITORS IN GOVERNMENT OF INDIA PRESSES.

324. **Mr. Mukhtar Singh:** Is it a fact that the average salary of a compositor in the Government of India Presses is far below the amount which they drew under the old piece system? Did the men draw the attention of the Government of India to this fact, and did they ask for a time-scale of pay? If so, what action do Government propose to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member apparently refers to certain piece work compositors in the old Government Central Branch Press at Simla, who were, with their consent, placed on fixed rates of pay when that Press was amalgamated with the Monotype Press to form the present Government of India Press at Simla. The men earned higher wages as piece work compositors, but as there was no provision for piece work composition in the reorganized Press, they agreed to be employed on fixed rates of pay corresponding to those fixed for salaried compositors in the old Monotype Press. A petition from these men asking for the substitution of time scales of pay for their present fixed graded scales of pay was received by the Government of India in 1925 and rejected after careful consideration.

PROVIDENT FUND FOR GOVERNMENT OF INDIA PRESSES.

325. **Mr. Mukhtar Singh:** Is it a fact that a question was asked in the Legislative Assembly about the Provident Fund for the Government of India Presses and the Government replied that the rules were being considered by the Secretary of State for India? If so, how does the position stand now and when are the new rules to be promulgated?

The Honourable Sir Bhupendra Nath Mitra: Yes. The attention of the Honourable Member is invited to the reply given by me in the Legislative Assembly on the 21st March, 1930, to Mr. S. C. Mitra's starred question No. 720.

QUARTERS FOR EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

326. **Mr. Mukhtar Singh:** (a) Is it a fact that the Government Press employees at Simla were promised by the late Board of Industries that they would be provided with quarters near the Press and that to carry out this a site was selected near the Forest Nursery in Tutikandi? Is it a fact that this proposal was subsequently dropped and that the old Monotype Press was enlarged but that no quarters have been built near the Press? Are Government aware that the limited number of quarters on the ground floor of the Babu Barracks on the Cart Road is quite insufficient and too far away from the Press?

(b) Is it also a fact that the quarters at Dhar known as the "quarters for the Press employees" which were vacated by the Foreign and Political Department Press were offered to the Government Press at a high rate of rent? Are Government aware that this rate was too much to meet the pockets of the poorly paid men of the Press?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply is in the affirmative except that the quarters allotted in the Indian Clerks' Barracks to the Press employees are not at a great distance from the Press.

(b) The Dhar quarters were offered to the Press employees on rents based on the cost of building and repairs, but the offer was rejected by the men concerned as they considered that the rents were too high.

PROVISION OF A RAILWAY STATION AT THE HEADQUARTERS OF THE DISTRICT OF FARIDPUR.

327. **Mr. K. C. Neogy:** (a) What action has been taken in the direction of providing a permanent railway station at the headquarters of the District of Faridpur in Eastern Bengal, together with necessary amenities, such as suitable platforms and waiting rooms, etc?

(b) Have responsible railway officials consulted public opinion at Faridpur in regard to the location of the station and other connected matters?

(c) Have the District Board, the Municipality, the People's Association and the Merchants' Association at Faridpur been formally consulted on the subject? If not, why not?

Mr. A. A. L. Parsons: (a), (b) and (c). Government have no information, but a copy of the Honourable Member's question will be forwarded to the Agent.

MURDER OF A POSTAL MAIL RUNNER.

328. **Mr. K. C. Neogy:** (a) Are Government aware that a few months ago, a postal mail runner was brutally murdered and a considerable amount of money looted in a place called Kamarhatty, only about three miles from Calcutta?

(b) If so, what special action has been taken since to ensure the safety of mail runners in localities where such murders or robberies have taken place?

Mr. H. A. Sams: (a) Yes. The official was a Cash Overseer.

(b) Arrangements for the conveyance of cash by officials travelling in motor vans are under consideration. In the meantime police escorts have been provided as a temporary measure for the cash overseers who have to work in the mill areas.

REDUCTION OF INTERMEDIATE CLASS FARES OF THE EASTERN BENGAL AND ASSAM BENGAL RAILWAYS.

329. **Mr. K. C. Neogy:** (a) With effect from which date or dates did the Eastern Bengal and Assam Bengal Railways, respectively, carry out the reduction in intermediate class passenger fares in 1929?

(b) Is it a fact that in through bookings from the Assam Bengal Railway and steamer service stations, the reduction in the Eastern Bengal intermediate class fares was not taken account of for about a month? If so, why?

(c) If the answer to the first part of part (b) is in the affirmative, will Government be pleased to state the total extra amount that was collected by such excess charge?

(d) Was any application for refund of such excess charge made by any passenger? If so, with what result?

Mr. A. A. L. Parsons: (a) Inter class passenger fares over the Eastern Bengal and Assam Bengal Railways were not reduced in 1929.

(b), (c) and (d). Do not arise.

SHORT NOTICE QUESTIONS AND ANSWERS.

COLLISION BETWEEN THE POLICE AND PUBLIC AT RANGOON.

Mr. Jehangir K. Munshi: (a) Will Government be pleased to call for full detailed information from the Government of Burma with regard to the clash between the Police and a section of the public at Rangoon on the 19th of March and the riots which are alleged to have taken place at Rangoon in connection with Mr. J. M. Sen Gupta's trial?

(b) Will Government communicate to this House full information in connection with the matters specified in the last question?

(c) Are Government prepared to issue instructions to the Government of Burma to impress on the police the necessity of non-interference with crowds and restrained behaviour on such occasions?

The Honourable Sir James Crerar: (a) and (b). The report of the Local Government states that a group of persons persisted in parading up and down the street in front of the District Magistrate's Court House. They were directed on to the pavement by the police, who were keeping the road clear for traffic, but refused to obey. One of their number was then arrested. The crowd thereupon began throwing stones at the police, who cleared the street and the compound opposite the Court, where crowd had collected. About an hour later, the crowd began to re-assemble and were again dispersed. Three members of the crowd were arrested, of whom one is being prosecuted under sections 147 and 150, Indian Penal Code. The latest information shows that 43 persons, including 9 police, attended hospital for injuries. Mr. S. A. S. Tyabji, who attempted to check the stone throwing, was unfortunately struck by a brick. No fire-arms were used and no troops were employed or requisitioned. A force of 125 military police were sent for as a precaution and arrived after order was restored. Fifty military police were also present to assist in preventing the crowd collecting again during the subsequent hearing of the case. No further disturbance is reported.

(c) I do not consider that any instructions are necessary.

Maulvi Sayyid Murtuza Saheb Bahadur: Has the attention of the Government been drawn to the statement made by Mr. S. Tyabji and other gentlemen regarding these disturbances, which has appeared in the *Hindustan Times*?

The Honourable Sir James Crerar: I saw a statement in the Press ascribing Mr. Tyabji's injury to some other cause, but my information is that he was hit by a brick thrown by one of the crowd.

Mr. Jehangir K. Munshi: As the statement read out by the Honourable the Home Member is hopelessly inadequate, with your permission, Sir, I shall endeavour to elicit further information by a series of supplementary questions.

Are Government aware that the trouble started by reason of European police sergeants trying to snatch away the national flag from members of the crowd?

The Honourable Sir James Crerar: I have no information to that effect.

Mr. Jehangir K. Munshi: Will Government issue instructions to the Government of Burma that no attempt should be made by their officials to interfere with or to snatch away the national flag or any other flag?

The Honourable Sir James Crerar: I cannot undertake to issue any instructions to the Government of Burma which would restrict such action as they think necessary in face of danger or disturbance to peace.

Mr. Jehangir K. Munshi: Will Government tell the House whether they are prepared to interfere with the carrying of the national flag by a non-violent crowd?

The Honourable Sir James Crerar: I do not think that question arises out of the Honourable Member's original question.

Mr. Jehangir K. Munshi: Would the Government of India approve of any of the Local Governments, through their police authorities, trying to snatch away the national flag?

The Honourable Sir James Crerar: This is entirely a hypothetical question.

Mr. Jehangir K. Munshi: If no violence is created and if there is no danger to law and order, would Government approve the snatching away of the national flag?

The Honourable Sir James Crerar: That is an even more hypothetical question.

Mr. Jehangir K. Munshi: Are Government aware that Mr. Tyabji was deliberately assaulted by two European sergeants?

The Honourable Sir James Crerar: No, Sir. I have no information to that effect.

Sir Hugh Cocke: Are Government taking any steps to ascertain the person or persons responsible for the rumour that military troops were used or brought to the scene to fire on the mob, and will Government take steps to institute prosecutions against such person or persons if it considers necessary?

The Honourable Sir James Crerar: I am not aware who is responsible for this rumour. Perhaps the Honourable Member from Burina, who included that point in his question, may be in a position to reply.

Mr. Jehangir K. Munshi: Sir, there are two inaccuracies, first by my Honourable friend, Sir Hugh Cocke, and second by the Honourable the Home Member, which I wish to correct. The only report which was available to me when I gave notice of these short notice questions and when I gave notice of my Motion for Adjournment was the Associated Press report which said that troops were called out and used in connection with this disturbance; no suggestion has been made either by the Associated Press or by me that the troops fired on the mob. But may I ask the Government of India whether they are aware that the Gurkhas and the Lancers were actually called out and posted at different points outside and near the District Magistrate's Court?

The Honourable Sir James Crerar: No, Sir. No troops were either employed or requisitioned, or asked to stand by. No orders were given regarding the movement or disposition of troops.

Mr. Jehangir K. Munshi: Has the Honourable Member satisfied himself whether or not the Gurkhas were posted at different points on the 19th of March?

The Honourable Sir James Crerar: No troops of any kind were employed for any purpose in connection with the disturbance.

Mr. W. S. Lamb: Is it not a fact that military police are employed up and down the country in the province on ordinary police duties and they were doing such duties on this occasion also?

The Honourable Sir James Crerar: On this occasion, they were merely called as a precaution. They were not employed in the dispersal of the crowd.

Mr. Jehangir K. Munshi: Has the attention of the Government of India been drawn to the news published in the *Hindustan Times* yesterday that U. Ba Pe, M.L.C., the Leader of the Opposition in the Burma Legislative Council, has addressed complaints to the Commissioner of Police, Rangoon, and the Home Member of the Government of Burma, that a number of European sergeants and Indian policemen rushed into the premises of the *Sun Press* and attacked the Burmese and Indian employees and did damage to property?

The Honourable Sir James Crerar: I have not seen the article referred to.

Mr. Jehangir K. Munshi: Will Government call for a report from the Government of Burma in connection with U. Ba Pe's complaint and lay it before the House?

The Honourable Sir James Crerar: If, as I understand, the communication was made to the local authorities, I see no necessity for taking the course suggested by the Honourable Member.

Mr. Jehangir K. Munshi: Am I to understand that the Government of India refuse to verify the statement made by U. Ba Pe, the Leader of the Opposition in the Burma Legislative Council, and refuse either to admit or to contradict it?

The Honourable Sir James Crerar: I think that is really a matter to be taken up in the Burma Legislative Council.

Mr. President: Is the Burma Legislative Council sitting?

Mr. A. H. Ghuznavi: No, Sir.

Mr. Jehangir K. Munshi: Are Government aware that several European sergeants and Indian policemen rushed into the Sangu Valley tea shop and indiscriminately assaulted a number of persons there unconnected with the crowd, and caused considerable damage to property?

The Honourable Sir James Crerar: No.

Diwan Chaman Lall: May I ask the Honourable Member if he is prepared to institute an inquiry into the allegations now being made in regard to this matter?

The Honourable Sir James Crerar: A case is already pending in the court, and I hope Honourable Members will not ask me questions which might prejudice the issues now under trial.

Diwan Chaman Lall: May I ask the Honourable Member whether the allegations now made by Mr. Munshi on the floor of this House, to which the attention of the Honourable Member has been drawn, are matters pending before any court; whether the charges are that certain assaults were committed on certain citizens in Rangoon, and whether the Honourable Member is prepared to make an inquiry into these allegations or not?

The Honourable Sir James Crerar: That is a matter for the Local Government.

Diwan Chaman Lall: May I ask the Honourable Member whether it is not a matter of law and order, for which he ultimately is responsible and the Government of India are ultimately responsible.

The Honourable Sir James Crerar: The Local Government are primarily responsible.

Diwan Chaman Lall: Is the Honourable Member ultimately responsible or not?

Mr. Gaya Prasad Singh: No.

Diwan Chaman Lall: May I ask for a reply on this question? Whether the Honourable Member-in-charge of law and order and the Government of India are ultimately responsible in this matter or not?

The Honourable Sir James Crerar: The Government of India are certainly responsible for the general policy, but not for the actual incidents of a particular executive action taken in emergent cases which are matters for the local authorities.

Diwan Chaman Lall: May I ask if a wrong had been done in regard to this matter and certain citizens of Rangoon had complained that a wrong had been done, whether the responsibility for finding out whether the allegations are correct or not rests upon the Government of India or not?

The Honourable Sir James Crerar: To any person aggrieved the courts are open.

Diwan Chaman Lall: May I ask whether the Honourable Member has given this as his considered reply when very serious allegations are made against his officials?

(No answer was given.)

Mr. Jehangir K. Munshi: Are Government aware that the police indulged in indiscriminate acts of hooliganism, entered private premises and assaulted people in different parts of Rangoon, apart from the scene of disturbance?

The Honourable Sir James Crerar: My information is to the totally contrary effect.

MOTION FOR ADJOURNMENT.

COLLISION BETWEEN THE POLICE AND PUBLIC AT RANGOON.

Mr. President: Order, order. I think we must now come to Mr. Munshi's notice of motion for adjournment. Some of the matters proposed to be discussed by that motion are in my opinion more or less *sub judice*, but I was doubtful whether, if troops were called out or used, I should not admit the motion. But now that it has been made quite clear by the Leader of the House that the troops were neither requisitioned nor used,

Mr. Jehangir K. Munshi (Burma: Non-European): Nor posted.

Mr. President: Therefore I am not satisfied that any case has been made out for a motion for adjournment. I must, therefore, rule the motion out of order.

Mr. Jehangir K. Munshi: In this connection, will you permit me, Sir, to refer to the further notice which I gave this morning, amending the original text of my motion for adjournment?

Mr. President: Order, order. The Honourable Member wishes to amend his original motion for adjournment. That motion has already been disposed of. In any case I am not prepared to permit notices of motions for adjournment to be amended from day to day as new situations arise. (Hear, hear.)

Mr. Jehangir K. Munshi: Sir, may I request you to treat this as a special case in consideration of the fact that the representatives of Burma in this House are at a serious disadvantage by reason of difficulties in the matter of communications with Burma?

Mr. President: I am sorry.

THE INDIAN FINANCE BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Finance Bill, 1930-31, as amended, be passed.

Mr. President: The question is:

"That the Finance Bill, 1930-31, as amended, be passed."

(Several Honourable Members rose in their places and said, "We want to speak", and "We want to oppose it".)

Mr. President (to Mr. M. K. Acharya): Did not the Honourable Member speak at the consideration stage?

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): I think we can oppose each motion as it comes up.

Mr. President: But had the Honourable Member an opportunity to speak at the consideration stage?

Mr. M. K. Acharya: I do not remember, Sir. I am not sure.

Sardar Kartar Singh (East Punjab: Sikh): Sir, I oppose the motion for the passing of the Bill. I would be failing in my duty if I were not to raise my voice in protest against this Bill. Sir, the Honourable the Finance Member has pleaded inability to balance the Budget without having resort to further taxation. Now, Sir, I would be the last person to agree to any further taxation on the poor masses of India unless it was absolutely necessary, and I do not see any necessity for this taxation. My humble submission is that Government have failed to retrench their expenditure and they have been rightly accused by some Honourable Members of this House of financial profligacy. Sir, this Government are maintaining a huge army not for the sake of the defence of India but for Imperial purposes. It is a mere army of occupation and not necessary for the needs of India but for the benefit of the British Empire. It is over-officered, as is clear from the admission of the late Commander-in-Chief, Lord Rawlinson. According to his admission, the services of two thousand British officers can be dispensed with and the remaining officers are quite sufficient for the needs of the Indian Army. These extra officers are paid from the Indian treasury. This money is paid in order to provide employment for the youths of military families in Great Britain. We have not been able so far to induce Government to Indianise the Army. Nothing has been done to give employment to the young men of India. Indians cannot have any career in the Army. All the doors of entry into military services are closed. The recommendations of the Sandhurst Committee are thrown into the waste-paper basket. No steps have been taken to reduce the expenditure either. Sir, our chief difficulty is that the angle of vision of the Government Benches is quite different from that of the elected Members. They are not responsible to us but to their masters, the British people. They are here not for the good of the people of India, in spite of their professions to the contrary, but to exploit India. They have thus faithfully discharged their duty and have succeeded in exploiting India to its utmost. Sir, we are heavily taxed in order to maintain a huge army. We are taxed to pay fat salaries to superior British officers. We are taxed to feed the British manufacturer, and we are taxed to give employment to the British labourer. Sir, India was a golden sparrow which used to lay golden eggs every day for Government. But Government, instead of well nourishing this sparrow, have neglected it, and have famished and underfed it, with the result that it is on the verge of being starved to death and will refuse to lay golden eggs for the British people. Sir, we are so heavily taxed that, after payment of the taxes, nothing is left with the people. This Government are a big money-making machine. They

know how to get money. They have already taxed the people to their utmost capacity, and after the payment of the taxes, practically nothing is left with the people. Let us see if anything is left with the people after payment of taxes to Government. I venture to say that the major portion of the income of the impoverished masses goes into the Government treasury. The system of taxation is so rigid that nothing is left with the people at all. Land revenue, water rates, district board rates and cesses, income-tax, super-tax, profession tax, octroi tax, excise tax, opium tax, import and export tax, salt tax, registration fees, court fees and stamp duties and death duties are some of the various taxes that are levied from the people in addition to other indirect taxes.

Now, Sir, there are 320 million people residing in India whose main occupation is agriculture. Half the net income of the zemindars is taken away by Government in the shape of land revenue; that is, out of every rupee, eight annas are taken as land revenue. Out of the remaining half, two annas are again taken from him as district board cess. In addition to that the rich people out of them who follow some other occupations also are liable to pay income-tax and super-tax. The village artisans are made to pay profession or *Hasiat* tax, and out of the balance the major portion again goes to Government in the shape of excise tax. This Government does not believe in the policy of prohibition. It is not concerned in the least whether the morals of Indians who are addicted to the vice of taking liquor are going down, but its only concern is to get money out of them. The use of opium, bhang, charas, etc., is allowed in order to make money. As a matter of fact the opium-eaters, bhangis, and the persons addicted to the vice of drinking are the chief sources of this Government's revenue. This Government does not care how it gets money so long as it does get the money. Then the people have to pay import and export duties as the farmers are the consumers of most of the articles imported from abroad. Whatever is still left is taken in the shape of salt tax. Sir, have you ever seen any king charging a fee for doing justice? But here in this country no claim can be entertained unless a requisite court fee is paid. If the full court fee is not paid, the plaint will at once be rejected and returned, and unless the deficiency in court fees is made good, it will not be taken into consideration at all. In addition to this, the plaintiff will have to pay the process fee in order to issue summons to the defendant. If the parties have to engage a counsel to prosecute or defend their case, the courts will not recognise him unless the vakalatnama bears a court fee of one rupee. If any suit for the recovery of a debt goes up to the High Court, at least 50 per cent. of the claim is swallowed up in the court fees. Then there are stamp laws. Nobody can enter into any transaction unless he were to pay a fixed share to the State in the shape of stamp duties. If you have to borrow money from some one you will have to write the bond on a stamped paper. The burden of this duty again falls on the poor borrower. Hundis, promissory notes, bills of exchange must all bear requisite stamp, otherwise they will not be recognised. If any one wants to sell or mortgage his land or his house, he must pay to the State a duty in the shape of stamp duty and registration fee. In urban areas the registration fee is 3 per cent. of the sale price and if the same house changes hands 33 times the whole price goes to the State. In addition to all this, we have to pay death duties in the shape of mutation fees and succession certificates. The burden of taxation is already very heavy. We were expecting to get some relief and we are shocked to hear the proposal of further taxation to the extent of 6 crores of rupees.

[Sardar Kartar Singh.]

12 Noon. Sir, the nation as a whole has become poorer. The average income of an Indian is less than two annas a day, and is going down every day. They cannot have two meals a day. The majority of them have to content themselves with one meal a day. The impoverished millions of India are crying for bread, but the Government give them a stone instead. Instead of bettering their condition and making them happy, the Government have come forward with a demand for further taxation. Now, Sir, would this taxation improve their lot in any way or would it impoverish them still more? Would it not deprive them of the scanty food? Would they have not to cut down their meals to pay this enhanced taxation? Sir, every one is suffering from general depression. The sugar industry has practically died out. The Government did nothing to develop this industry nor did they give it any timely help. The cotton and wheat growing industries are in constant danger of being wiped out of existence. The Punjab, United Provinces and Bombay Governments have now begun to realise that their canals will not pay until the sugar industry is revived and wheat and cotton growing industries are helped. The prices of wheat and cotton having gone down, the Government cannot find a purchaser to dispose of the crown waste lands. Illiteracy and ignorance are prevailing among the people. In spite of successive failures of harvests, coupled with a considerable fall in the prices, the poor peasants have not been granted any relief; no remission in land revenue has taken place, no other taxes have been remitted. On the other hand, they are being taxed heavily. There is no tax which does not ultimately fall upon the poor peasant. Go to the villages and find out for yourself what their condition is. You will find them living in miserable huts and suffering from chronic poverty. Sir, the constant drain of money from this country is telling upon the people. Every year, about 300 crores of rupees are drained away from India. Who can bear this drain? Exploitation has been so successfully carried out that the poor peasant is bled white. This Government who have always been eulogising the peasantry class have not moved their little finger to improve his lot.

Sir, we are talking of industrial development of India. Are we going to build our industries at the expense of the impoverished millions of India? Have you developed the agricultural industry? Unless you develop that, unless you better the condition of the poor classes, unless you improve their income and unless you raise their purchasing power, you cannot develop any other kind of industry. Who would purchase your goods or the cotton piece-goods of Bombay mills, unless the people have money to do so?

Instead of exporting sugar, we are now importing sugar, and instead of exporting wheat, which we always used to do, we are importing wheat. Now, what have the Government of India been doing all this time? They have been sleeping, unmindful of their duty to keep a vigilant eye. Sir, we are not organised and so we have not been able to rouse them from slumber. Unless the condition of the tax-payers is bettered, they will not be able to bear the burden of further taxation and it will be the last straw that breaks the camel's back. They would refuse to pay the taxes, because they would have no means to pay. The civil disobedience campaign will receive greater strength on account of this short-sighted policy of the Government.

In the end, I would like to submit that the Government should cease to exploit India any further. They should reduce expenditure and thus give the tax-payer a little relief from his burden. This policy of increased expenditure and increased taxation is leading them as well as India to ruin. But intoxicated with power, they do not open their eyes and see. Nor do they realise the consequences. Why is Mahatma Gandhi's no-tax campaign gaining strength every day? The Government's policy of taxation and exploitation is chiefly responsible for this. Even if the Government wanted to raise any further tax, they could have chosen a less objectionable subject. Why do you not put a heavy import duty on artificial ghee and realise more revenue and at the same time save the public from the injurious effects of this bleached oil? Sir, the Government do not take action in time. They only take action when they require money. A Resolution was passed in the Council of State that the import of this artificial ghee should be stopped. Speeches are made in this House that this ghee is competing with our indigenous ghee and that this artificial ghee is no ghee at all. We asked that this import should be stopped and if Government does not want to stop that, at least let it put a duty of Rs. 40 a maund. By this way they can make 4 crores of rupees, and they need not tax piece-goods, they need not tax sugar and other things which are required by all poor people. If further taxation is to be resorted to and if more money is required, let the Government select some other subject which would be less objectionable. Let the Government consult some of the Honourable Members of this House, and they will be able to tell the Government which commodities ought to be taxed. I submit, Sir, that they have selected cotton piece-goods, because they wanted to win over the millowners. They know that the millowners are a great power in this country. They know that they are organised and they have succeeded in winning them over. They thought that they would be able to carry this Bill in this House and succeed in taxing the people to the extent of 6 crores of rupees. I submit that this policy of theirs is quite short-sighted. Neither the millowners nor the Government will succeed in exploiting the people unless the condition of the masses is improved, and no protection of mill industry can ever succeed. Government never wanted to protect the mill industry, but they simply wanted to raise their revenue and they have played this trick in order to win over these millowners. Therefore, I would submit that we are already overtaxed and we will never agree to pay this further taxation. We know that the Government can retrench if they want. But the will is not there. They do not want to retrench, and they have to carry out the demands of their superior masters, the British people, who would not like the Government to retrench. They would not like them to curtail the Army expenditure. They would not like them to disband the British officers and they would not like them to Indianise.

Sir, only today the question of my friend, Mr. Mukhtar Singh, has been answered and what we find is that, upto this time, only 78 Indian cadets have been given the King's commission. Is this the rate at which you are going to Indianise? Is this the way in which you take away the money of this country and don't leave anything here? You don't take into consideration the fact that the people have become poorer and poorer; you don't take the hint from the speeches of Honourable Members. Why don't you try to better the lot of the poor? Why don't you try to increase their purchasing power so that they may be able to encourage the mill industry? With these remarks, Sir, I would strongly oppose the passing of this Bill because it is highly detrimental to the best interests of India.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I cannot but view with very great regret the impatience exhibited on all sides of the House to rush the Finance Bill through. Sir, you from your experience know that the Finance Bill is the biggest supply Bill of the Government of India. In all countries where parliamentary institutions have been allowed to grow, a good deal of time is given to its discussion; in fact, in the British House of Commons, not only days, but weeks and even months are given to discuss the Bills of supply. I see no cause for impatience on the part of Honourable Members, and if they are impatient, it shows they are not prepared to enjoy what is their privilege. If any Honourable Members have any grievance, they must put it before this House. My Honourable friend, Mr. Acharya, has undoubtedly a great grievance, i.e., the Sarda Bill, and if he wishes to bring it forward today, I think we ought to offer him a chance. There should be no impatience on the part of the Treasury Benches or on the part of those Bombay mill magnates who are anxious to get their Tariff Bill and run away with their bag of money. I think this is unfortunate, and contrary to what we had seen in past years. But, Sir, I shall discharge my duty and I will confine myself to a few items which have cropped up during the second reading of the Bill. The second reading of the Bill was also closed, and the Honourable the Finance Member was not in a fortunate position to give his reply. He made three announcements in asking this House to consider the second reading of the Bill. The first and foremost was that he was going to place a countervailing excise duty on silver; he was going to increase the import duty on silver wire and silver thread. We do not know, even now, the implications of these changes; or how they will affect his Budget. Will they give him more money or will it result in a deficit?

Another announcement he made was that the Governor General in Council was prepared to accept the cut of Rs. 100 proposed by Sir Hugh Cocks in connection with retrenchment. We do not know the Government's view on that point. Is he going to associate two non-official business men with the retrenchment inquiry? The Honourable the Finance Member may kindly consider and give us a reply. Speaking for the House, I think it will be a welcome change; but speaking as an individual Member of this House, I do not believe it will achieve much. What has a business man got to do with the internal machinery of Government? Business men do not know what is required; they have no knowledge of Government Departments. If you like to appoint an *ad hoc* Committee of the House, with the Finance Member as Chairman, that will really assist the Government; but the inclusion of two business men to assist Mr. Jukes who is a very able man and who has served in the Government of India as well as in the Provincial Governments for many years will be of very little use. Sir, as I have already stated before, there is very little room for economy in the civil expenditure of the Government. On the contrary, if we can stabilise the civil expenditure at the present figure, we shall be very lucky indeed, and that should be our major and primary effort. How can we do it? That is the question. There are many checks on the Government of India at the present moment. There is the statutory check by the Secretary of State in Council; there is the check of the Governor General in Council; there is the check by the Standing Finance Committee; and then there is the post-mortem examination by the Public Accounts Committee. I think, Sir, they do their work very well, although I cannot help complaining that there has been some degree of laxity on the part of the Standing Finance Committee in approving grants, many of which some of us had

not contemplated. I hope that future Committees will be careful in the discharge of their duties.

Then, Sir, I come to another announcement which the Honourable the Finance Member made, and that is that His Excellency the Viceroy had restored the big cut in the Demand for the Army Department. This is what we expected. We are within our rights in retrenching in the way we think best; the Governor General is within his rights in restoring what he thinks is necessary for the good government of India. I think, Sir, the Governor General is perfectly right. How is the Army Department to function without clerks, without dufftries, without chaprasis? If it was a mere demonstration cut, it failed to achieve its political object. What is the political object of the cut? The political object of the cut was to impress upon the Government of India the great need of retrenchment in Army expenditure, for which there is ample room. The Honourable the Finance Member has given no indication as to what he is going to do about Army expenditure. Sir Hugh Cocks, in his speech, advocated an *ad hoc* committee. We had a Committee presided over by Sir Charles Innes. What did it achieve? It achieved next to nothing. Sir, frequent references have been made about the Incheape Committee's recommendations. The Incheape Committee's Report is as dead as a door nail; it was appointed to tide over the post-war conditions which do not exist today. If there is to be a reduction in the Army expenditure of the Government of India, the question will have to be viewed from the wider standpoint of policy, not only with reference to the obligations in India, but also with reference to the international obligations which we have undertaken. The House ought to know what is our international obligation. Our international obligation is that we are a signatory to the Covenant of the League of Nations, and in that Covenant, Sir, this clause appears. "The members of the League recognise that the maintenance of peace"—I want the House to mark the words "maintenance of peace"—"requires the reduction of national armaments to the lowest possible minimum consistent with national safety, and this is to be ensured by common action". Sir, this is our international obligation. It has been implemented by the Kellogg Pact. What have we done since then for the last three or four years? At one time your military expenditure stood at 54 crores and some odd lakhs, but today, we find, for the last three years, it has been stationary at 55 crores and 10 lakhs.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Does the Honourable Member, in view of his observations, want to reject the Finance Bill, lock stock and barrel?

Mr. K. C. Roy: If the Honourable Member is patient, he will hear me on the subject. As I have said, Sir, what have we done to discharge our moral obligation to the League of Nations? Have we done anything? We have done nothing. On the contrary, Sir.—I shall not be so bold as to charge our representative at the League of Nations for making mis-statements—I shall not do that, but I should like to tell the House what Sir Muhammad Habibullah, speaking on military expenditure, said at the League of Nations. This is to my mind a most amazing proposition, but I shall read it for the benefit of the House from the despatch:

"India had experience enough of the effects of the Great War to be able to visualise what those of a new war would be, and she was as anxious as any other country to see peace perpetuated on the basis of disarmament."

[Mr. K. C. Roy.]

Have we had any disarmament? Sir Muhammad Habibullah then goes on to say:

"A glance at the map of India and the frontiers of India would show what the difficulties of India were and so long as they existed, India must be prepared to meet them, subject to this condition which was really an obligation of national safety. India was always ready to play her part in the preservation of peace."

Mr. B. Das (Orissa Division: Non-Muhammadan): You are only quoting from a gramophone repeating his master's voice.

Mr. K. C. Roy: I have nothing to do with that, and I deprecate such an expression of opinion in respect of such a distinguished man as Sir Muhammad Habibullah. We may have differences of opinion, but we could not have a better representative than Sir Muhammad Habibullah. (Cheers.)

Mr. B. Das: You have no recognised rights at the League of Nations. You have only to carry out the orders of the British Government.

Mr. K. C. Roy: You can raise that point yourself. I am not so bold as to say all that. Sir, here is an expression of opinion given on behalf of the Government of India, which I claim is in complete variance with the opinions expressed by the Leaders of the House; it may be my friend Mr. Jinnah, it may be my friend Pandit Madan Mohan Malaviya, and even today Sardar Kartar Singh has spoken in terms that showed he was bitterly opposed to the present scale of military expenditure. The whole thing does not end here.

I shall now turn to the Committee's Report on the reduction of armament. When the question of guarantee came in and a draft convention was under consideration, Sir Muhammad Habibullah's despatch contained the following observations:

"Acting in accordance with the instructions which we had received, Sir Muhammad Habibullah explained that from her geographical position India had much less interest in the scheme than other countries."

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Who has written it? Are you quoting from Mr. Bajpai's Report?

Mr. K. C. Roy: I am quoting from a despatch submitted to the Secretary of State for India. I am sorry for the interruptions, Sir.

"Acting in accordance with the instructions which we had received"

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): You ought not to be sorry if you quote Sir Muhammad Habibullah in this House and if you are questioned.

Mr. K. C. Roy: The Honourable gentleman never listens. That is not his virtue. I am quoting actually from the text. If he cannot follow, and if he has no intelligence to follow what I say, it is not my fault.

Maulvi Muhammad Yakub: No intelligent man would ever care to quote from his speech.

Mr. K. C. Roy: I am quoting textually from the despatch.

"Acting in accordance with the instructions which we had received, Sir Muhammad Habibullah explained that from her geographical position, India had much less interest in the scheme than other countries, but that, being a civilized country, she felt it her duty to accept any general scheme which tended towards the peace of the world."

This is to make clear the first point. Considering India's obligations on the frontier and elsewhere, the Government of India were unable to see eye to eye on the question of disarmament with the other powers. This is how I read the position. Then the despatch proceeds to say that the delegation are prepared to consider the question of accepting the draft convention. Now, let us at this stage find out what is India's position today so far as her neighbours are concerned. What is Afghanistan? Afghanistan is already broken to pieces. Then there is the impotent Persia and there is also the curse of Soviet Russia. If we look for our enemies, Sir, in the Pacific, there may be one or two who might try to disturb the peace of India, but at present I see nothing but peace all round India.

Maulvi Muhammad Yakub: There can be no peace as long as the Associated Press is in this country. (Laughter.)

Mr. K. C. Roy: Sir, the position is this as explained in the despatch. "The Government of India would have to justify to the Legislature any proposal to give assent to the Convention, and for this purpose it would be necessary to know what other countries had accepted it. Unless and until the Indian Legislature and the Government of India felt convinced that the Convention had been accepted, not merely by a handful of countries or even by the great powers, but by countries representative of the world as a whole, whose participation would be a guarantee of its effective use, India would see no object in signing the Convention or in incurring financial liability in connection with it". Now, this will require some explanation. When the Committee met to discuss Article 6 of the draft Convention which provides for the manner in which the guarantees are to be distributed among the signatories, it was explained to the Committee that India would not be prepared to accept liability, because the guarantee implied financial obligations, and that would require the approval of this House. So much for our military position before the League of Nations.

Now, Sir, if you will permit me, I will turn for a moment to one or two topics which are now before the country. First and foremost, there is the immediate prospect of the Imperial Conference. We must raise this question of military expenditure at the Imperial Conference before we go to any other court. Now it is clear that we can go to the League of Nations with our military burdens, and we shall be able to establish our right that our military burdens should be reduced. I recognise that it is not a problem so much for the Government of India as it is a problem from His Majesty's Government and for the Committee of the Imperial Defence. I am not one of those who, like my friend Sardar Kartar Singh, would say that we should put all the white troops in the ship and send them away to England. They are necessary, and they will be necessary for a good many years to come, but even with them here, there is ample room for reduction of the military expenditure.

Then there is the Economic Conference. We ought to be properly represented there. I should have liked that the Bill granting preference to

[Mr. K. C. Roy.]

British Industries should be tested there. But that has not been done. Of course, I recognise that the Bill is urgently needed in the interests of Bombay, (*Some Honourable Members*: "Question"), and we should do our best to help Bombay in her crisis. At the same time, Sir, I feel that these matters affecting our fiscal system and taxation problems should form the subject of a careful inquiry by a Committee of the Imperial Economic Conference, either here in India or in London before Legislation is undertaken.

Then, Sir, you will forgive me if I turn now for a moment to the Round Table Conference, of which we have heard so much recently. Of that Round Table Conference we have no news at all as to when it is going to be held. Only the other day, when the question was discussed in the other place, a hint was thrown out that it would be summoned at as early a date as possible. What is the early date going to be? This House is going to be dissolved in July. There are going to be elections in October. So how can you, with elections in the Autumn, hold a Conference at that time? And who will go to the Conference? Not the handful of Moderates. They will never be able to deliver the goods. The Government of India will have to wait and see how many Congressmen they can get to go to the Round Table Conference before they can fix a date. If they summon a Round Table Conference without the Congressmen, it will be a repetition of the Irish history; without the Congressmen, it will be a repetition of the Egyptian story. What is the good of calling a Conference without the Congressmen in it? The Government of India might fix a date some time in April next year. By that time many things might happen. What is the good of holding a Conference this year? And so far as I can see, no opportunity has been given to this House to discuss this important problem.

Then, Sir, along with this question comes the question of civil disobedience. We have been hearing a lot on this subject, and perhaps speakers who follow me will have something to say about it. Sir, all I feel is that, as one who has studied the Indian position for many years, I ought to counsel patience to Government. A civil disobedience movement can never grow in India, and if ever it grows, it can never achieve results it claims to achieve. What we want is Dominion Status, and the only way to secure it is by our own methods of constitutional agitation in co-operation with our friends sitting on the Treasury Benches. Sir, I support the Bill, because there can be no justification in opposing it both on economic, political and financial grounds.

Mr. C. S. Ranga Iyer: Sir, I propose to begin my speech where the Honourable the Nominated Member ended.

Mr. R. S. Sarma (Bengal: Nominated Non-Official): On a point of order, Sir. I may point out that all Members of this House owe their seats here to the pleasure of His Excellency the Viceroy after the 31st of December last, when the Viceroy extended the life-time of the Assembly.

(*Several Honourable Members*: "No, no.")

Mr. C. S. Ranga Iyer: Sir, another gentleman who just offered a gratuitous explanation has a constituency which he claims is the Viceregal Lodge. (Laughter.)

Mr. R. S. Sarma: Better than Moradabad.

Mr. C. S. Ranga Iyer: Did the Honourable gentleman say that the Viceregal Lodge was better than Moradabad from where the Deputy President hails?

Maulvi Muhammad Yakub: It is quite clear that those who are nominated have not the confidence of the people of the country and therefore they cannot come in here as elected Members.

Mr. C. S. Ranga Iyer: I can quite sympathise with my friend the Nominated Member whose constituency he boasts is the Viceregal Lodge

Maulvi Muhammad Yakub: No respectable persons from Moradabad are nominated in this House.

Mr. R. S. Sarma: He would never have withdrawn his candidature from the Haj Committee if he really enjoyed the confidence of at least this House.

Mr. C. S. Ranga Iyer: I am surprised at the absurdities in which the Honourable gentleman who comes from Bengal has been indulging because he feels rather upset that I referred to the Honourable gentleman who preceded me as the Honourable the nominated Member, a description to which at any rate my distinguished friend, Mr. K. C. Roy, did not take any objection, for the simple reason that he knows that he is a nominated Member. He aspires to be an elected Member, an aspiration which may be fulfilled at a future date. I hope a similar aspiration will animate the younger gentleman who felt rather annoyed. It would be sufficient justification if we endeavoured to reject this Finance Bill on the question of the existence in this House of nominated Members.

The first problem before us is, are we a self-governing people with a Parliament which is like the Parliament in Great Britain, or are we a people to be governed through an advisory council consisting of the pet boys and the prize boys of a foreign bureaucracy, called the nominated Members? Sir, this House is described in official publications as "India's Parliament" and we are also supposed to be members of the Empire Parliamentary Association, but, Sir, it is a wrong description altogether. This is no Parliament at all. This is a Parliament which has got nominated Members in it and no Parliament in the world, which can be described as a modern or a democratic Parliament, can have the luxury of nominated Members.

Mr. K. C. Roy: What about the Canadian Senate?

Mr. C. S. Ranga Iyer: The Canadian Senate is not the governing body, and I would ask the Honourable gentleman to go to the Library and refresh his ideas about the Canadian constitution. You might as well refer to the Senate of the Allahabad University, or the governing bodies in Timbuctoo. (Laughter.) The Canadian Senate is not the principal part of the Canadian Parliament, and I am afraid the Honourable gentleman does not know the A B C of the Canadian constitution.

Now, Sir, I am now directly concerned with the political and the constitutional issue. I regret the absence in this House of my old comrades of the Swaraj Party which had adopted the principle of the rejection of

[Mr. C. S. Ranga Iyer.]

the Finance Bill on the question of grievances before supplies. I also regret, owing to his ill-health, the absence of my distinguished leader, Pandit Madan Mohan Malaviya, who was responsible for introducing the principle of rejecting the Finance Bill on the question of grievances before supplies. Sir, today our grievances have been accumulating. They have never been so great in any previous year as they are today and it is the accumulation of these grievances that has made our great and distinguished countryman, in my opinion the greatest living man in the world, Mahatma Gandhi, declare war on the British Government. (Nationalist Cheers.) Every Indian who holds the freedom of his country dear, sympathises with Gandhi's declaration of war on the British Government. It is at the same time a declaration for peace if the British Government are willing to grant peace. (Hear, hear.) If they are not willing to grant peace, they must be prepared for war. A war has been started by Mahatma Gandhi in his opinion not prematurely at all though I wish he had waited for the disillusionment of gentlemen who are looking eagerly to the Round Table Conference in the neighbourhood of Whitehall. I do not know why Mahatma Gandhi should not have been given adequate inducement to go to the Round Table Conference. I do not know why high authorities either here or in England should not have agreed to the demands of Mahatma Gandhi. What did he demand? He demanded that the Round Table Conference should draft a constitution of "Dominion Status". If the Viceregal Proclamation means to prepare the country for Dominion Status, as I have no doubt whatever it means, because it is a sincere declaration, then India should henceforward be treated differently. What did Gandhi want? He wanted that we should go to the Round Table Conference and draft a constitution for Dominion Status. That constitution does not mean that you must have Dominion Status within six months or even six years. It means that it should be drafted with provision in it for the full attainment of Dominion Status stage by stage. He himself wrote that in *Young India* before the Lahore Congress declared for Independence. However that may be Independence is Dominion Status as Lord Russell and Lord Birkenhead have told us, and as some Members of the Treasury Bench may, I believe, be feeling. Dominion Status is Independence and Independence is Dominion Status to a country which is not a daughter country of Great Britain, which is entirely different in race and outlook, in colour and aspiration and ideals. An independent India aspires to teach mankind some of the ancient Hindu principles, or rather vedic principles

Mr. R. S. Sarma: If the Honourable Member really believes in the war that Mr. Gandhi is waging, he should be making salt and not speeches.

Mr. C. S. Ranga Iyer: I may tell the Honourable gentleman, who seems to have had some salt put on his tail before he came to the House, that I was fighting by the side of Mahatma Gandhi during the non-cooperation movement. I have just come back to this country after nine months' absence. I am carefully studying Gandhi's moves. Gandhi is not aspiring to be a manufacturer of salt. He is manufacturing freedom for this country. (Hear, hear.) Do not unworthily ridicule Gandhi.

Mr. R. S. Sarma: I am ridiculing the Honourable Member more than Gandhi.

Mr. C. S. Ranga Iyer: If salt manufacture in defiance of law is a method of preparing the country's freedom, and if I am convinced by my

study of the method, that it will prove efficacious, I will not be seeking admission to this House as a nominated Member. I would ask the Honourable Member not to utter blasphemy in this House against Gandhiji, who is a thousand times better than he, though even that comparison is odious. I was saying, Sir, that Gandhi is not manufacturing salt. He is deliberately disobeying the bureaucratic regulations or laws, and he is disobeying them not for the purpose of supplying salt to the gentleman from Bengal, who gets plenty of salt from Great Britain. (An Honourable Member: "Does he not come from your province?") I am afraid even Bengal is ashamed of him. (Laughter.) Gandhiji is therefore not manufacturing salt in order to compete with the British suppliers of salt to Bengal. Gandhiji is deliberately disobeying the salt laws in order to call the attention of this country, of Great Britain and of the whole civilised world to the manner in which India is being treated and the method of administration under which India has been groaning and the way in which India's aspirations are thwarted. That is, Sir, what I understand, and what I believe this House understands, and what I believe Honourable Members seated on the official Benches understand to be the purpose of Mr. Gandhi's mission. They understand that his mission is not to supply salt or to compete with the salt that is imported into this country. He has taken one of the rules or one of the laws of the Government to break with a view to call the attention of the Government to the existing state of things.

Now, Sir, coming again to the question of Dominion Status, I would say that the present campaign of what I may call repression must be withdrawn, and the Government should adhere to the Resolution which was adopted in the House of Commons, according to which the Government of India are not to prosecute people for the expression of opinion, much less suppress the expression of opinion as they had done in one important case in Gujrat, to which I have already referred in this House, and the arguments in regard to which I do not propose to repeat. Now, Sir, I find in another case in Bengal in regard to Mr. Sen Gupta, an old friend of mine, a co-worker, I find that they had launched a prosecution against him for expression of opinion.

An Honourable Member: He has already been sentenced.

Mr. C. S. Ranga Iyer: He has already been found guilty. I think the Government who launched this prosecution against him, the party which was responsible for the launching of that prosecution must be realizing by now that they were blundering into displaying what a Governor of a neighbouring province described as the demoniacal spirit, which lies dormant in the Government. I do not think that they should have made an exhibition of this against one of the most level headed leaders of the Congress movement in Bengal. If they think that, by displaying such methods, they can destroy the little spirit of independence that is left in us, if they think that, by taking up that attitude, they can kill the freedom-for-India movement, I may tell them, with all the responsibility attaching to my position, that we will defy the Government's defiance, and we will take the consequences. If, on the other hand, they propose to prepare the atmosphere for the Round Table Conference in the manner in which they have been asked to prepare it, judging from the speeches delivered in the House of Commons judging from the speeches delivered both on the issue of the Round Table Conference and also on a subsequent Resolution.

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advising the Government of India not to disturb the atmosphere of peace and goodwill, if they are willing to prepare the atmosphere in that manner, I should say very gladly that we would come forward to co-operate with the Government. But, I say, Sir, that the Government, day after day, owing to a conspiracy, I should think of a few die-hard officials, are defeating the purpose of the Mother of Parliaments; they are day to day creating an atmosphere of repression, in which it would be utterly impossible for any self-respecting man to think of assisting the powers-that-be who want the Round Table Conference to be a success. I would even now say that they should withdraw all the measures of repression and try to meet Mahatma Gandhi half-way.

Let it be understood clearly that Mr. Gandhi alone can deliver the goods, not Mr. Muhammad Ali Jinnah, nor Dr. Sapru, but Mr. Gandhi alone can deliver the goods; not even, if I may say so with great respect, Pandit Madan Mohan Malaviya or Pandit Motilal Nehru, but Mr. Gandhi alone can deliver the goods. I made this observation in the Empire Parliamentary Association rooms addressing a meeting when the Right Honourable George Lansbury, a member of the British Cabinet, was presiding. I said that Mr. Gandhi alone could deliver the goods. The Government realise that, but they want that the goods should not be delivered. At any rate not the whole Government but perhaps some Members of the Government, some die-hard officials wanted the goods should not be delivered at all, and that is they have launched this campaign of what I may call suppression of the expression of opinion and prosecution for expression of opinion. Mr. Gandhi, I admit, is courting imprisonment and he is courting imprisonment because he thinks that there is more freedom within the prison walls than there is at present outside. He thinks by so doing he can draw the attention of the world to the manner in which this country is administered. Sir, the time has come when we should say frankly to the Government, even if we are not in a majority, we should tell them most frankly, with all the sincerity at our disposal, with all the frankness at our command, for it is the best symbol of true loyalty to all that we hold dear in our country and of all that is fragrant in the philosophy of the Indo-British connection we must tell the Government that this repression should go. I think with real frankness which is the true symbol of real loyalty, we must tell the Government that we are not snapping the bonds of loyalty. We want to be loyal to Britain, just as we expect Britain to be loyal to us, loyal partners in the Indo-British Commonwealth of Nations, as I should like to call it. It is for them not to goad us into the Independence group. Day after day, week after week, Mr. Gandhi explained, even after the declaration of Independence by the Congress, that Independence was Dominion Status. (Hear, hear.) He has very clearly stated that his object is not to break off all connection with Great Britain, if Great Britain values association with India. Sir, the spirit that animates that little group in Gujrat, like a little cloud no bigger than a man's hand growing larger and larger, will spread all over the land. That little group which is fighting in Gujrat and which is making every Indian worth his salt, think and ponder deeply whether he should throw his weight on the side of Government or on the side of the people, that little group is bound to conquer, it is animated by that noble spirit to which the greatest Viceroy of modern times gave expression, speaking at the Convocation of the Delhi

University on Friday the 21st March, 1930. In his magnificent speech, His Excellency the Viceroy quoted a passage from the memorable speech of Henry V before Agincourt as set in his mouth by the greatest of all English Poets:

"If we are mark'd to die, we are enow

To do our country loss; and if to live,

The fewer men, the greater share of honour."

That is the spirit, Sir, in which the little band has started on a pilgrimage, the pilgrimage of freedom in Gujrat. That is the spirit in which they have started that pilgrimage. That is the spirit that animates them. No Indian can for long support this campaign of what I may call repression, for it is nothing more and nothing less than to deny to us our right to freedom. Every nation, like every man has a right to freedom. I am quite willing to accept the definition of freedom by one of the great English authorities as the equality of restraint. We want to practice that equality of restraint. We do not want that liberty which means licence to attack any nation's throat. We want to live and let live, so long as we are not given the right to live and let live, we cannot grant you a single penny for the carrying on of the administration. You may do it by the power of your votes, which you have got owing to the defection of the leading party in the House, owing to the blundering policy of the Congress politicians, for walk out or resignation was nothing less than a disastrous blunder and a magnificent failure of Congress leadership. I wish they were here today in full force—allowing Mr. Gandhi and others to carry on the fight in the country. I wish they were here to unfold the banner of revolt within this House, for I believe we cannot surrender this House in the hands of those who do not believe in revolt. Every seat in this House will have to be captured, every man in this House will have to be wedded to the principle of fight, fight, fight, until the fight inside and the fight outside inspire the country to continue the fight until victory crowns our efforts. (Hear, hear.) Therefore we will have to fight very hard, but we cannot fight on the old lines. We have to endorse the fight outside. It is not a selfish fight, the fight that is going on outside. It may be that we may not be able even to proceed to the Round Table Conference, if Government do not act with restraint, if Government do not change their tactics, if Government do not court our goodwill, if Government do not release our political prisoners, detenus and internees, if Government do not come forward and shake hands with us, even as they shook hands with Michael Collins and Arthur Griffith. We have not gone yet to the length to which they had gone, and I hope we will not be goaded to go to that length. At any rate so long as Mahatma Gandhi is the leader of this movement, there is no danger of his going to that length. All the more reason why Government should not take advantage of his non-violent programme and ask him to go ahead with his policy of breaking the laws, by declining to listen to him. It is not a cheerful thing for anybody to persist in breaking the laws. Does Mahatma Gandhi break the laws because he likes to break them? Nobody likes to do it. He wants that you should see that the time has come when you should change your old method. He did not ask you to give us Dominion Status tomorrow, but he asked you to draw up a constitution for Dominion Status. Coming to another aspect Pandit Motilal Nehru, the former Leader of the Opposition, served for a while on the Sken Committee. The Sken Committee's Report wanted Indianisation of half the officers of the Army by 1952, and Mr. Jinnah

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I suppose in about 12 or 13 years. Both Pandit Motilal Nehru representing the Congress and Mr. Jinnah representing the Mussalman community out in the country wanted Indianisation of the Army. They wanted a definite step forward in the direction of rapid substitution of Indian in place of the European officers of the Army. Why did the Government shelve the Skeen Committee's Report? How can we be responsible for giving money to a Government which shelved the Skeen Committee's Report, a very humble document, a modest document, a document which bears the signature not only of Indians, but also of Englishmen, who were members of that Committee, a document which was endorsed by Sir Andrew Skeen and signed by Mr. Burdon, who was the Army Secretary, and also by the Indian leaders, who were members of that Committee? Why should they shelve it? And then why should the Finance Member come cheerfully to this House and ask us to pay for the continuance of this foreign army of occupation? For it is nothing more than a foreign army of occupation. We do not want this Army, we never wanted it. You want it to carry on the administration, and then you say that Indians are not fit to carry on the administration and much more unfit to work as officers in the Army. It is a ridiculous excuse, ridiculous because we all knew what Lord Birkenhead and others have said in writing about the competence and capacity of Indians as soldiers. We all know how, when officer after officer fell in the battle-front, the Indian soldier took up the lead and carried on the fight. And if Indians have become incompetent during the last 150 years, if the race of Sivajis, if the race which fought the battles against the British and fought also for the British to enable them to establish their own rule over us, if the race that produce the heroes is dead, I think that destruction and death has been brought about by these 150 years of foreign rule. Therefore I say that we must immediately get an assurance from the Finance Member that this policy of shelving the Skeen Committee's Report will at once be given up. This is 1930 and I believe it was about this time that an assurance was given that a military college would spring into existence in three years in Dehra Dun. I want an assurance from him straight-away that a military college will be established in India. I myself have never been satisfied with the Skeen Committee's Report. I did not want only one military college for India. Why should England have more than one military college, may I ask? England is a much smaller country, and I do not think Englishmen are the only race of soldiers. I do not think that we cannot have soldiers and competent officers. I do not accept their excuses, ridiculous excuses. If we can produce great judges, great administrators and great sepoys, we can also produce great soldiers. We produced them in the past, and if we do not produce them at the present time, it is because the administration is not our own and the country is ruled by people who are not responsible to the people of this country. Therefore, Sir, I say that this military policy will have to be forthwith revised. Last year I voted against Government even though I was in a minority of one, of which there is no likelihood this year. I think the members of my party will not support the Finance Bill though I even personally wish they would go to the lobby with me for the absolute rejection of it, if the Finance Member does not satisfy us on the question of how they propose to give effect to the Skeen Committee's Report and what measures are going to be taken forthwith to have 50 per cent. of officers of the Army Indianised within the time prescribed by the Skeen Committee. That is a matter which is very important.

Then there are various other reports. We have got for instance the Agricultural Commission's Report reading which we ought to know what measures have to be taken to increase the agricultural prosperity of the people. My friend here tells me that two volumes have been sent to every Member of this House. I do not want only opportunities for Members of this House to read the Reports, which are written in bad English, if not in bad taste, but I want Government to give opportunities to the Members of this House to criticise measures of agricultural improvement, and I want the Finance Member to make provision in his Budget for bringing about an agricultural millenium in this country which was, I believe, the purpose for which the Agricultural Commission was brought into existence.

Mr. K. C. Roy: The Finance Member has made ample provision in the Budget for agricultural improvements.

Mr. C. S. Ranga Iyer: My friend Mr. Roy had got an abundance of faith in the coming of the millenium when the appointment was made of the Agricultural Commission. Does Mr. Roy contend that the Finance Member prophesied the coming of the golden era of agricultural prosperity? I am afraid the Finance Member himself has made no such claim. Mr. K. C. Roy may be left alone in regard to what he thinks the Finance Member is going to do, because I do not think he is so much more in the confidence of the Finance Member than he has chosen to confide, through his Budget, to the Members of this House.

However, these do not go to the root of the present discontents. The Government must withdraw the measures of repression that they have put into force in this country and make a real satisfactory effort to come to terms with Mahatma Gandhi. If they do not come to terms with him, it may be that we will come to this Legislature with our numbers strengthened; but not to help Government. The non-co-operation movement failed on the last occasion, or rather it did not fully succeed, for various reasons, one of which was that the Councils were peopled by men who were as good as nominated Members. We have to make up our minds, to carry on a raging, tearing campaign in the country and to come back to these Councils. We do not want any extension of the life of this Legislature. We want an opportunity to put our case before the people, the case against the continued maladministration by Government. If we are not returned because we do not have the co-operation of the Congress, that may be another matter; but if we are returned, the result will be that we will put up a continued fight against the manner in which Government have been carrying on the administration of this country.

Sir, I do not want to make a longer speech. I would not have made even so long a speech as this, but for the fact that I want to protest strongly against the way in which things have been going on in the country. In Burma force was resorted to to harass an unarmed set of people who came out just to show their admiration of Mr. Sen Gupta, who was snatched away from Bengal for a speech that he made, a most inoffensive speech, which even the presiding officer of the court thought harmless, because Mr. Sen Gupta has been so lightly let off. It is not a matter of generosity. There was no case against him. And yet he was prosecuted. He was removed from his hearth and home; and much fuss and sensation was created. So I say that the Government must revise their policy of unnecessarily arresting people. The best thing for them would be to send for Mahatma Gandhi just as Mr. MacDonald in 1924 sent

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for Zagluul Pasha who had been interned. Zagluul Pasha, the leader of the Egyptian Independence movement was sent for by Mr. MacDonald, the British Prime Minister. The British Government invited the leader of the Egyptian people to negotiate the question of Egyptian independence on equal terms without any reservation whatever, without any conditions explicit or implicit. In these terms was Zagluul Pasha invited, the same Zagluul Pasha, be it remembered, who had rejected the British declaration

of independence of Egypt. Mahatma Gandhi has done nothing of the kind. He accepted the Viceroy's proclamation. He said it was a sincere proclamation, and then he said, now that the proclamation for Dominion Status has been made, let there be a regular preparation of the country for Dominion Status and let those who go to Whitehall draft the constitution of Dominion Status. It does not mean that Great Britain should clear out of this country bag and baggage in one year, in two years, in six years or even in ten years. But it certainly means that a rapid preparation should be made, a steady rapid preparation should be made, for the attainment of complete Dominion Status and when he was not told that such a thing was going to take place at the Round Table Conference, Mahatmaji, in my opinion very hastily, in my opinion very unfortunately, but with the responsibility attaching to his position, in deference to the great following that he has in the country whom he has to take with him, Mahatmaji said, I am not coming to your Conference, and I shall carry on a non-violent fight with a view to make you agree with me. Under these circumstances, Sir, we must absolutely withhold our support to the Finance Bill unless we have an assurance from the Finance Member that the present policy which the Government have set in motion is going to be revised; unless, in regard to military matters we get an assurance that the recommendations of the Skeen Committee's Report will be adopted. It is the least little which the moderate opinion in the country wants—the recommendations of the Skeen Committee have been endorsed even by the Central Committee. Though the Members of the Central Committee have spoken with a babel of tongues on constitutional and other matters, they are united in regard to this military matter. That is why I urge that we are entitled to a definite assurance from the Finance Member as to what he or his Government, what the Government of India, propose to do in regard to this military matter.

Secondly, we want a definite assurance that the present policy of repression, which has been set in motion in this country, will be without delay, reversed.

Maulvi Muhammad Yakub: Sir, serious allegations have no doubt been made against the Government for the manner in which they have handled the finances of the country. There might be some exaggeration in the terms of the allegations which have been made. But there can be no doubt that the Government of India have failed in securing the confidence of a large section of the politicians of this country for the manner in which they are spending the money of the public and for the manner in which they have handled the finances of this country (Hear, hear.) This state of affairs, to my mind, is to a very large extent due to the present constitution of the Government of India. It is, Sir, really surprising that for the administration of a huge country like India for handling the huge finances of a country like India, we have got an Executive

Council of half a dozen Members, while the Cabinet in a small country like Great Britain, which is not even as big as one of the provinces of our country, consists of 28 Members.

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): What are the revenues of Great Britain?

Maulvi Muhammad Yakub: I will come to that, the defender of the Treasury Benches.

Sir Zulfiqar Ali Khan: I am not a defender. I want to test your knowledge.

Maulvi Muhammad Yakub: I know that the Executive Council has got certain unpaid gentlemen who hold their portfolios in this House. But I wish they would have some patience and listen to what I have got to say about them also. (Hear, hear.) Well, Sir, there is no reason why the Members of the Executive Council of this country should draw fat salaries, as much as Rs. 6,666 and some annas. The salary which the Members of the Executive Council draw in this country is much larger than the salary of even the Prime Minister of England.

Mr. M. S. Aney (Berar Representative): Besides a saloon.

Maulvi Muhammad Yakub: Yes, besides saloons and other amenities. Out of these half a dozen Members of the Executive Council, there are only three gentlemen belonging to my country, while out of the four Europeans, the Commander-in-Chief is mostly concerned with the Army affairs and has got very little to do with the general administration and affairs of the country. The Finance Member is a gentleman who comes as a stranger to this country every five years, he does not know the people of the country. He is unaware of the needs and requirements of the people; he is unaware of the problems of this country; and before he comes to learn anything about this country, the time of his retirement comes and he goes away. Out of the three Indian Members of the Executive Council, there is generally only one gentleman who has some experience of public life. While two of them usually come from the service of the Government and they are as ignorant of the conditions prevailing in the country, they are as ignorant of the real views and opinions of the people of this country, as the European gentlemen sitting on the Treasury Benches. (Applause.) Again, Sir, can we expect that three Indians can give sound advice to the Viceroy? Can we understand that the three Indian Members can be in a position to know the feelings, the sentiments and the administrative problems of such a huge country as India? Again, Sir, out of these three, there is only one gentleman, as the representative of my community, seven crores of Muslims of India. Now, Sir, it is really absurd to think that one solitary Muslim Member of the Executive Council can represent the views of the seven crores of Muslims. Has he got any means of knowing the problems of the Mussalmans of India or their feelings, or can he be aware of the real state of affairs of the Mussalmans? If unfortunately that Member fails to secure the confidence of his co-religionists, or he happens to be an incapable man, or he happens to be a toy in the hands of his Secretary, then the cause of the Mussalmans of India not only remains unrepresented on the Executive Council of the Viceroy, but great harm and injustice is done to the Mussalmans. Now, Sir, if this is the constitution of the administrative machinery of this country, how can we

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expect any efficiency as regards the administration of the finances of the country? It is high time that the Executive Council should be thrown into the melting pot. (Hear, hear and applause.) I do not speak of the individual Members of the Executive Council but I say collectively. The whole Executive Council should be thrown into the melting pot and from that melting pot should emerge a Cabinet of statesmen with breadth of vision, with a strong backbone and with fixed principles and policies. (Hear, hear.) This is one of the great grievances which I have to lay before the Government.

Now, Sir, another grievance, which is special to my community and which has been inflicted this year, is breach of faith on the part of the British Government. When the British Government took over the reins of this country from the Moghul Emperors, we were given an undertaking that no interference would be made in our religious laws. What do we find? We find, Sir, that in the teeth of opposition from all the important sections of the Mussalmans with the exception of a few anglicised Mussalmans, whose exception only proves the rule, Government have trampled upon the religion of the Mussalmans, and by passing the Sarda Act have made a great interference, for which there is so much agitation in the country that only the other day the most important body of Mussalman theologians, namely, the Jamiat-ul-Ulema, addressed a letter to His Excellency the Viceroy, nearly in the same terms as the ultimatum which was addressed by Mahatma Gandhi. Now, Sir, although personally I do not like the programme of civil disobedience whether started by Mahatma Gandhi or by Muhammadans—and I consider these movements detrimental to the best interests of the country, but at the same time the fact remains that the Mussalmans are dissatisfied, Mussalmans who never take part in such movements, according to whose religion such movements are not justified, even those Mussalmans have come to this desperate position, that they have sent an ultimatum to the Viceroy. It is high time, Sir, that the Government of India made a declaration on the floor of this House before the 1st of April that they will mend this mistake and that they will satisfy the Mussalmans that the British Government do not mean to interfere in their religion.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): How are they to mend it?

Maulvi Muhammad Yakub: I have already given notice of a Bill. It is very unfortunate that non-official Bills find it very difficult to find a place in the ballot and be discussed in this House. I have shown the method by which the Act can be amended.

Sir Hugh Cocke (Bombay: European): If the Law Member approves.

Maulvi Muhammad Yakub: Another grievance of the Mussalmans against the Government is that they do not fulfil their pledge as regards representation of Mussalmans in the Government services. Now, Sir, so far back as 1925 in replying to an address presented by the Mussalmans of Calcutta, Lord Reading, ex-Viceroy, made the following statement on 1st January, 1925. He said:

"As regards the appointment of Mussalmans to the Services, as you are aware, my Government have accepted the principle that no class or community should predominate in the public services if qualified men were otherwise available, and my Government have been acting upon this unexceptionable proposition in the past. The

recommendations of the Lee Commission as regards Indianisation and for the constitution of a Public Services Commission and other factors have made it necessary to examine this question of the representation of communities in the Services and in central posts under the Government of India more closely, and this question is now under the consideration of my Government. You may be assured that I shall carefully bear in mind the representation you have made upon this subject."

Now, I ask the Government of India what consideration they have given to this question since the 1st January, 1925? How has the position improved since that year? The figures and statistics which were laid on the table of this House by the Treasury Benches themselves show what improvement they have done in the matter. Is it not a serious breach of the undertaking given by the Viceroy of India? This is due to the inefficiency of the Government of India as constituted at present. Proceeding, Sir, about competitive examinations, Lord Reading said:

"For most of the higher appointments recruitment by the system of competitive examination has been introduced, but even under this system I understand that a special provision has been made to secure that the proportion of appointments to be filled by Mussalmans shall in no case be less than one-third."

Mark the words, "proportion of Mussalmans will not be less than one-third". Now, Sir, in answer to questions in this House we find that the Government of India camouflage that statement. They say, all the minority communities are included in that one-third. May I know, Sir, whether the Government of India want to place seven crores of Mussalmans in the same category and on the same footing as a few thousands of other small communities living in this country? Sir, these are grave and serious charges which are burning in the minds of Mussalmans. The other day when we were discussing the Railway Budget, the Honourable Mr. Hayman gave a solemn undertaking that he would look into the matter of the appointment of Mussalmans in the Railway services, and what is the result of that undertaking? May I inform Honourable Members? Only on the 11th March the Divisional Superintendent of Delhi, under the very nose of the Government of India, selected 75 candidates, out of which only 18 are Mussalmans. This is the result of that solemn undertaking which was given by the Member of the Railway Board. Then we were given undertakings and solemn pledges by other Honourable Members of the Executive Council, but what do we find? We find that when new posts are created or when a post falls vacant in a department in which no Mussalman has ever got a seat up to this time, that post is offered to and accepted by a member of another community. And I assure Government that, for these posts, I am prepared to supply them with members of my community possessing as high qualifications, even higher qualifications, than the qualifications of the gentlemen to whom they want to offer those posts. Now, Sir, if this is the state of affairs, how can it be expected that Mussalmans will be satisfied?

There is one more grievance of mine against the Government, and it is this, that Government, by subsidising the agencies which are creating and spreading agitation in the country, are themselves responsible for this agitation. I want the Honourable the Finance Member to give me an undertaking on the floor of this House that not a single pie out of the revenues of this country will be spent upon those agencies which, in the name of news agencies, are carrying on propaganda work and creating agitation in our country. (An Honourable Member: "Who are they?") I

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need not name them. They are too obvious to the Honourable Members of the House; they know them too well.

Now, Sir, another point was raised as regards the holding of the Round Table Conference, and an Honourable Member has given the advice to the Government of India that they should delay the holding of the Round Table Conference. I would only say to the Government of India, 'Save us from our friends'. I tell the Government that it is advice of friends like these that has created this state of affairs in the country. The healthy atmosphere which was created by the announcement of His Excellency the Viceroy, the hopes that were kindled in the minds of my countrymen after the announcement that the settlement of our constitution is near at hand, those hopes are even now getting dim, and people are beginning to feel hopeless as to the outcome of the Round Table Conference, and if the Government would delay the holding of the Round Table Conference, it would be better not to hold the Conference at all.

Sir, these reasons would have been quite sufficient for me to reject the Finance Bill. But unfortunately I am not an irresponsible Member, like the Members of the Executive Council or like the nominated Members of this House. I have got my responsibility, Sir, and after having passed the Budget and after having allowed the Government to spend crores and crores of rupees, it would be simply illogical and absurd on my part to reject the Finance Bill, and therefore, reluctantly, very reluctantly, I will have to vote for the passing of this Bill.

Mr. W. S. Lamb (Burma: European): Sir, after the lions comes the lamb. (Laughter.) Sir, I rise to support the motion before the House. When speaking on the general discussion of the Budget, I said that, when this time came, I would bless the Finance Member for his proposal to remit 25 per cent. of the rice export duty. U. Tok Kyi unfortunately is not here, and I am sure the House will regret to learn that he is still somewhat of an invalid. In his absence I was very glad to hear Mr. Neogy, whom I have at all times admired for his industry and advocacy of any theme in which he takes an interest. Sir, I do not propose to follow Mr. Neogy into a demonstration of the distressed condition of the rice business in Burma. Honourable Members have heard the appeals from the elected Members from Burma, and I hope they will be good enough to applaud this proposal of the Honourable the Finance Member. Now, Sir, my particular desire in the first place is to thank very heartily our Honourable friend the Finance Member. Thirty lakhs is not a very large sum, of which possibly 25 lakhs would go to Burma; it is not a large sum when we are dealing with crores, but it is very welcome. Now this time I wish to have the assurance from the Honourable the Finance Member for which I had asked in the general discussion of the Budget, namely, that when possible during this year if he gets bumper returns accruing to the Central Government, which many Members think he is going to have, he will, without any delay, remit the remainder of this tax. I have no hesitation in asking for that assurance for, in the Statement of Objects and Reasons to the Bill, there is much less warmth in his reference to this particular proposal than in his speech. Sir, I trust that that difference has no significance.

Now, Sir, Burma is very much in need of a certain sum for meeting the cost of research in rice, and I believe it is possible that, at no distant date, a proposal will come from the Burma Government that they be allowed to put on a rice cess. I trust that, if such a proposal comes to the Government of India, they will give it their approval and sanction without delay. As I mentioned a year or two ago, when I was speaking on the same subject, I understand that the Secretary of State gave his full approval to a tax of this nature, and therefore there should be no delay in sanctioning it.

Now, Sir, I desire to make a few remarks about the oil business. Except his reference, in a small paragraph in his speech, we have heard nothing from the Honourable the Finance Member, and I should like, if possible, to draw from him today a clear statement of sympathy with the small oil companies. In supporting amendments, I have made appeals to the Government, and I have pointed out what a heavy burden this additional taxation is. I said further, that we had every reason to expect that, very shortly, they may suffer very heavy losses owing to a war in the selling rates of kerosene, and in making this further appeal to the Honourable the Finance Member and to the House, I would draw their attention to the fact that, in the Government of India Resolution to the Tariff Board's Report, there is this:

"If, however, the price war had not come to an end it would have been necessary to examine the question whether any steps should be taken on national grounds to safeguarding the two companies which were not within the pool, that is, the Indo Burma Petroleum Company and the Attock Oil Company."

Sir, I trust the Honourable the Commerce Member will keep a close eye on the kerosene market, and that he will bear in mind that it was the Tariff Board, not merely the Oil Companies, who inspired the statement which I have just read.

I come now, Sir, before I sit down, to a duty which I have to perform to myself, to the European Group and to the House. In the debate last week on clause 7, my Honourable friend Sir Purshotamdas Thakurdas accused me of some foul deed, and having done so he proceeded to castigate Members of the European Group in language which, I think, the House will agree, was insulting and entirely unworthy of this Honourable House. I put it no more strongly than that. Sir, I have here the official Report of my speech untouched, and I propose to read my remarks to the House

Mr. President: Order, order; I am afraid the Honourable Member is not in order.

Mr. W. S. Lamb: Sir, I think I should have an opportunity of explaining matters.

Mr. President: The Honourable Member should have taken the opportunity at the proper time.

Mr. W. S. Lamb: I had already taken.

Mr. President: The Honourable Member might get up next year and would want to reply to some of the speeches made today.

Mr. W. S. Lamb: Sir, I had already spoken, and I could not get another opportunity.

Mr. President: The Honourable Member could have risen to make a personal explanation.

Mr. W. S. Lamb: Surely, Sir, considering what was said by the Honourable Member, I am entitled to reply to him. He accused me of—I have forgotten his exact words—but he could not possibly have used stronger language than that regarding myself and the Group. I have had no opportunity of meeting his charges.

Mr. President: The Honourable Member had ample opportunity. The Honourable Member is always entitled to rise in his seat to make a personal explanation. The Honourable Member did not do so, and he cannot, after five or six days, come to this House and say that he wants to meet a certain charge made against him.

Mr. W. S. Lamb: Sir, I must bow to your ruling. But I would like to say this. I refrained from attempting to make any statement until I secured the real official copy of my speech. I had certainly no knowledge that I would not be allowed to put before the House what I have to say exactly.

The Assembly adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, while speaking on the Finance Bill last year, I ventured to point out to Government certain existing anomalies and defects in the Indian income-tax law which operate as hardships upon the assessee, and my present speech is in connection with the same subject; and as the Finance Bill asks this House to grant supplies, I think this is a proper opportunity for me to put my views on record. This subject, Sir, may not be as exciting as the Salt Demand, for instance, which some of us were anxious to reach the other day, as giving an opportunity for strong speeches; but I venture to point out that the grievances of a large class of persons who have to pay income-tax need occasional ventilation in this House, especially now when we are called upon to sanction money to Government under the Finance Bill. Sir, you will recognise that, under the constitution of this House and the Rules of Procedure, it is not easy for private Members successfully to carry through private Bills, especially at the fag end of the life of this Assembly. We have therefore to do our best under the limitations imposed upon us. I shall now proceed to indicate, as briefly as I can, some of my suggestions in this connection. At the outset I must say that I do not approve of piece-meal interference with the Indian income-tax law, as seems to be the practice. My Honourable friend, the Finance Member, while introducing an Income-tax Bill on the 18th February last, thought it proper to offer an apology to this House "for the almost weekly introduction of a new Income-tax amendment Bill". I think it would be more appropriate to bring forward a somewhat comprehensive amendment of the law, a consolidating Bill, and to remedy those defects and ambiguities that may be found to exist, and to remove the genuine grievances of the assessee. I shall now proceed to deal with some of the matters that in my opinion call for revision.

While costs incurred for earning an income are allowed by law to be deducted under sections 10, 11 and 12 of the Income-tax Act, it is anomalous to find that section 8 does not provide for allowing any cost

for collecting interests on securities or on debentures from Treasuries and Banks. In the case of *Forbes v. the Commissioner of Income-tax, Bihar and Orissa*, which was decided by the Patna High Court on the 6th May, 1929, (10 *Patna Law Times*, page 424) the question raised was as to whether the assessee, who had paid to his bankers certain commission for the realisation of interest on the Government securities held by him, is or is not entitled to claim that the amount paid to the bankers by way of commission should be deducted from the interest receivable on those securities, and that the income-tax should be charged only on the sum actually received by him. The view taken by the Income-tax Department was that, under section 8, the tax is payable not on the amount actually received by the assessee, but on the interest receivable by him on the securities held by him. While holding against the assessee on a strict interpretation of the existing law on the point, the High Court Judge was constrained to make the following observation in this judgment which is significant. He said:

"It may however be observed that if the case was to be decided on equitable considerations alone, the petitioner had no doubt a good case; but the case has to be decided with reference to the law in force, and all I can say is that this case brings into prominence one of the obvious deficiencies in the present law."

This is the observation of a High Court Judge, and it ought to carry weight with the Government.

Sir, I come to section 23 of the Income-tax Act, and here I may say that the assessee living mostly in the country side and ignorant of the technicalities of the law are not being properly helped in the matter of filling in their returns. The income-tax officer very often takes advantage of some technical defects and rejects the return and proceeds to make a summary assessment, which cannot be called into question. In my opinion an assessment should be made summarily under section 23 (4) only when the assessee does not file a return at all, or fails to produce accounts and books, or other evidence in support of his return, and not for filing a merely technically invalid return which can easily be remedied in the course of assessment proceedings, such as under section 22 (3) of the Act, and an amendment of the section on these lines appears to be desirable. I need hardly remind Honourable Members that, if under section 23 (4) the income-tax officer makes the assessment "to the best of his judgment" the assessee is deprived of his right of appeal, and this I would submit is unjust. The assessee should not be put in a worse position than one against whom an *ex parte* decree has been passed in a civil court. He should be allowed to challenge the order as bad and erroneous.

I now pass on to section 30 of the Income-tax Act. In my opinion this section presents an anomaly in the case where an assessee denies his liability to be assessed under the Act, such as where an assessee lives outside British India, but the income-tax officer insists on his view that he is a resident in British India. In such a case, I think it is only just and equitable that an appeal should be allowed. But the High Court of Lahore in the case *Dunichand v. Commissioner of Income-tax* reported in *Indian Law Reports*, 1929, Lahore, vol. 10, page 596, remarked that it is for the Legislature to provide a remedy for the cure of this hardship. It is obviously desirable that the remedy should be provided in the Act itself, instead of driving him to the expensive and protracted proceedings of a regular suit.

Section 32 (1) provides that in certain cases mentioned in it an assessee

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"may appeal to the Commissioner within 30 days of the making of such order" by the Assistant Commissioner. But in many cases the dates of the order are not given and very often orders are passed considerably after the arguments are heard and behind the back of the assessee, and also there is no provision in law for communicating the order to the assessee. The result is that by the time he comes to know of the order, the period of 30 days passes away and he is left without a remedy. I would accordingly suggest that, in section 32 (1), it may be provided that the assessee may appeal to the Commissioner "within 30 days of the date on which he is served with the notice of such order". The suggested change will bring the provision of section 32 (1) in line with section 66 (2) in connection with which I had the honour of moving a similar amendment on the 20th February last, which was accepted by my Honourable friend the Finance Member on behalf of the Government. The acceptance of that amendment has removed a genuine grievance of the assessee for which they are no doubt thankful.

Section 33 (1) provides that the Commissioner may of his own motion call for the record of any proceeding under this Act and so on. I should like to suggest the addition that the Commissioner may, of his own motion, or on being moved by the assessee, call for the record. When an assessee sends an application by post to the Commissioner whose office is far away, it is a real hardship that such application is summarily rejected, without the assessee being heard. The assessee does not expect that the record should be called for in every case, but he should certainly be heard before his application is thrown out. It should accordingly be provided that the Commissioner shall not pass any order prejudicial to an assessee or reject his application without hearing him or giving him a reasonable opportunity of being heard.

I shall now make one observation on section 45. Assessee often experience great hardship in having to deposit the full amount of tax when their appeals are pending. The appellate authority is reluctant to grant stay of realisation of tax on the plea that no such power is given under the law. I would therefore suggest an amendment in section 45 which would empower the appellate authority or the Commissioner, as the case may be, to order stay of realisation of tax on such terms as may be directed.

Sir, with regard to section 50, I have only one word to say. Why should the Crown plead limitation against an assessee for an amount wrongfully withheld? Or why the period of limitation should not be extended to three years? Or again there should be a provision to set off the sum for later years. Under the Contract Act, a debt barred by limitation can in certain cases be recouped by the creditor out of the amount received when there is no specific direction to appropriate it to a particular debt. Limitation strikes at the remedy, but not the right.

Sir, section 66 of the Income-tax Act is an important section, and I should like to make one or two remarks on it. In the first place I would submit that the fee of Rs. 100 for making a reference to the High Court is too high and it should be reduced to Rs. 10 or Rs. 15. In a rich country like England the fee prescribed is 20 shillings only, (*vide* section 149(c) of the English Act, 1918). It may be replied that the fee is put down at Rs. 100 in order to discourage frivolous applications. But this is absurd. We must take into consideration the assessee's expenses involved in getting the papers printed for the High Court and other big

expenses, which is inevitable in taking a case to the High Court. It may also be argued that section 66 (2) provides a fee of Rs. 100 or such lesser sum as may be prescribed. But no lesser sum has been prescribed under the Act, or any rule made thereunder, at least so far as my province is concerned; and so in practice the maximum fee of Rs. 100 is, I understand, demanded in every case. Again it seems only reasonable that this fee should be deposited only after the Commissioner passes an order accepting the contention of the assessee to make a reference to the High Court. This will save the assessee the trouble and expense of withdrawing the fee if the Commissioner rejects his application.

Here I may also mention that in a great many cases no interest is paid to the assessee for the tax wrongfully realised from him by an assessment which has been modified in appeal or revision. In all fairness interest at the court rate should be allowed. But the law is silent on the point, and in practice no interest is allowed at all in a great many cases.

Another remark which I should like to make on section 66 is this. The present procedure of approaching the High Court and the Commissioner simultaneously is cumbersome, anomalous and in practice works hardship. I think in no other system of law is such a procedure provided. The assessee naturally is under the impression that he would go to the High Court after he has exhausted his remedy before the Commissioner; and in a great many cases, when he obtains the Commissioner's order, and wants to go to the High Court, he finds to his bewilderment that his remedy is barred. I would accordingly suggest the insertion of necessary amendments in this section on the lines indicated above.

Last year, Sir, I suggested that in computing the period of limitation prescribed for an appeal or for an application under section 66 the day on which the order complained of was made and the time requisite for obtaining a copy of such order shall be excluded. I am glad that this has been done, and a source of legitimate complaint on the part of the assessee has been removed.

Sir, these are some of my main suggestions on the Income-tax law, and now I should bring my remarks to a close. But before resuming my seat, I would add one word more. Under the Income-tax law, or more correctly under the Finance Act, an annual income of less than Rs. 2,000 is free from income-tax. Why? Obviously because it is thought that an income of less than Rs. 2,000 is just sufficient for the maintenance of a man and his family, and he is not in a position to spare anything as income-tax. But as soon as his income reaches or exceeds even a little over Rs. 2,000, he is made to pay not only on the excess but on the whole amount including the sum exempted from income-tax. Suppose a person's income is, say, Rs. 2,300, I would suggest that Rs. 2,000 which is intended to be just sufficient for his and his family's maintenance should, on grounds of equity and fair play, be excluded from the income-tax, and the tax should be levied on Rs. 300 only which is deemed to be in excess of his minimum requirements. In England the income-tax is levied on the above principle, and there are shares prescribed for the actual requirements of the family members and dependents, and these shares are excluded from the income-tax. I would suggest that some such principle may be introduced in our system also, and a much needed relief be given to the assessee. Sir, this is about all I have got to say now, and

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I hope Government will be pleased to give some indications as to what steps they propose to take to remedy the state of things which I have pointed out.

Mr. M. K. Acharya: Sir, I wish to repeat what my Honourable friend Mr. Ranga Iyer so ably put forward, namely, that this is an occasion on which we ought, on principle, to raise this ground of grievances before supplies. I do not, of course, propose to go in detail into all the many items into which my Honourable friend so eloquently went; but I believe as of late a Member, like him, of a party which once had the honour of being the most important party in this House, as one who had participated in demonstrating concretely that principle in this House, namely, of throwing out the Finance Bill on the general ground of larger grievances of the country being unheeded by the Government, I desire to take this opportunity once more to re-emphasise that principle, and to say that there is a great burden resting upon the shoulders of every one of us here who is an elected Member that he ought, if possible on this occasion, to show not only to the Government, but to the country at large, and also to the whole world, that there are grievances felt by the people of India on a very large scale which would justify, and amply justify, the application of the principle that the Finance Bill ought to be rejected today. I know, Sir, the Government may be feeling in their heart of hearts, "Let these people say what they like, we shall do what we choose, there are plenty of votes at our back and call, and it does not matter what a few of these Members may choose to say on principle". I am not concerned with that aspect of the question, with success or failure well-gotten or ill-gotten; and who can deny that success very often in this House is ill-gotten? But that does not affect me very much. I am here to make my humble appeal to every elected Member who has to go to the country; it is our duty to go to the country and it is our duty to go and tell every one who is an elector and every one who is not an elector, to every one in the country it is our duty to say that we have done all we can, that we have taken every possible step we can, that we have taken every advantage of the new constitution under which we are working to press upon Government the larger grievances of the people, and to say that we will not participate in what I must call the farce of voting away huge sums of money and in granting supplies to a Government that, so far as I can see, do not seem even to care to inquire what exactly are the grievances complained of.

Sir, we are thankful to you for having allowed us to ventilate some of our grievances on the floor of this House; but, Sir, what has been the response on the other side? So far, not one of the major grievances put forth on the floor of this House has been answered seriously. Sir, at the very beginning of the second reading of the Finance Bill, we raised the larger question of the Government's failure to make a satisfactory response to the larger political demands of the country. I wonder whether it was taken seriously, and whether there was any serious reply made to it either by the Finance Member or by the Home Member or by any Member of the Government. I should like to know, first of all, if this is all our business—for us to say what we like and for the Government to do what they please at the end. If that is so, we might as well be spared all this farce; for, I, for one, am not very anxious to hear my own voice in this House. Therefore, unless some major grievances expressed on the floor of this House are being dealt with seriously

by the Departments concerned, unless some serious answer is being given to the questions raised on the floor of this House, it is idle to say that this is an occasion on which each one of us may ventilate all our grievances. Of course, I, for one, should not feel very much aggrieved if for instance difficulties felt by income-tax assesses over the working of a particular section here or of a particular section there are of a serious character. It is a point of detail, which might be remedied elsewhere than probably now and on the floor of the House. But on the larger questions, I repeat, in which verily all, or the bulk of the people are concerned, if Government Members simply hear and pretend to hear, and then do not even condescend to give a reply on the points raised, I do not believe that we are treated fairly or that the constitution is being worked in the manner in which it ought to be worked.

Take this very simple example, namely, this debate as it is called on the Finance Bill. Of course I do not blame any particular individual. In fact I am thankful to you for having allowed us one extra day for discussing this Finance Bill. As originally planned by Government, the discussion of the Finance Bill would probably have come to an end on the 22nd. But I am just raising this general point. There were 12 days given for the whole of this Budget, 2 days for what was called the general discussion of the Budget, 5 days on the voting of Demands for Grants, and 5 days for the passing of the Finance Bill. I put it to you, Sir, in all seriousness, do this Government expect the civilised world, expect any intelligent man to believe that this is anything other than a farce? We are asked to vote away some 130 crores of rupees upon various demands even excluding military expenditure. Nearly a hundred Demands are put forward in the huge book that is placed in the hands of every Member of this House containing the detailed estimates and Demands for Grants. And we know—I do not blame any particular Member of Government—but we know that we have hardly time even to take up one or two Demands and discuss all the motions under them. And I wish the Deputy President were present here now. He said that we passed all the Demands for Grants and voted the expenditure. I do not think that we ever voted the expenditure or anything like it. We know there is an automatic way of passing it all; on the last day the guillotine falls, and then we are forced to go through the farce automatically. Everything is put to the vote, and is declared to have been carried. I do not know if there is any other country in the world where this would be called voting the demands for expenditure made by the Executive Government. There may be some few occasions; I dare say it may be impossible in any legislature under the sun for every demand put forward by the executive to be scrutinised carefully and passed leisurely; but I do not believe that there would be any legislature which has got anything like a responsible machinery working in it, where you will have this kind of thing, where we say what we like on this thing and that thing, and at the end the whole thing is supposed to have been passed. How are we responsible to grant the money for expenditure which has been passed in this way, not by us but by the automatic working of some rule? It is just the same autoocracy now as in the old days; though I was not here then and was not connected with the then Budgets of the Government of India. I repeat, it is all an automatic machinery for which we are not responsible. Our views are not heeded; and

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therefore morally speaking—whatever the legal technicality may be—morally speaking I do not grant the proposition that this House has voted the demands for expenditure, and that this House is bound therefore to grant supplies in order to meet that expenditure. Morally, we have not voted the expenditure, and morally therefore we are not bound to pass this Finance Bill. Therefore, on that one ground that we are not given, under the present constitution, ample opportunities either for passing the demands for expenditure or for scrutinising and passing the Finance Bill, on that one ground alone, I think we should be amply justified in rejecting the Finance Bill. That is to say, in so far as we are concerned, we decline to have anything to do with the Finance Bill. I am quite well aware, and everybody knows, that whether we pass the Finance Bill or do not pass it, it will become the Finance Act; that the Governor General is vested with ample powers under the Act to certify and pass this Bill into law. But I am stressing the moral ground that, whatever may be the technical aspect of things, we are morally bound to reject the Bill; we are morally entitled and indeed bound to force the Governor General to certify the Finance Bill and on his sole authority to pass it. Why all this farce of saying that we are parties to it, that the Legislature has been consulted and has approved of the Finance Bill, that, after serious deliberation and approval, all these taxes are imposed? I think, Sir, that it is a travesty of the truth, and I do not see why we should go to the country and make the people believe that we are really responsible for the passing of this Finance Bill.

These, Sir, are some of the passing reflections that came into my mind when I heard the Deputy President say that the grants for expenditure had been voted, and that we must pass the Finance Bill. We did not vote at all the demands for expenditure and we are not morally bound to pass this Finance Bill. By our not passing the Finance Bill it is not going to cease being passed. Now, I repeat that it is our duty

Maulvi Muhammad Yakub: Repetition is not allowed. Take your second point.

Mr. M. K. Acharya: I repeat that it is our duty to insist on Government giving proper replies to some of our major grievances; and it is our further duty, not having had anything like a proper or satisfactory response from Government, to tell Government, in what telling manner we can tell, that we shall not pass the Finance Bill. That is the only way in which we shall be discharging our duty to our electors. That is the one way in which we shall be acting in a manner which will be worthy of the country whose interests we are supposed to be safeguarding. There are other things besides the larger political questions into which I said I shall not enter today. There are very many other matters also. What has been the action of Government, of this very responsive Government, with regard to the complaints made by Honourable Members here about the trouble to which Indians are put in Ceylon? What has been the action or response of Government with regard to the complaints made about the troubles of Indians settled in South Africa? These are all matters which certainly, at the time of the Budget, at the time when Government come down to us for supplies, ought to receive as careful and as sympathetic a handling from Government as possible.

I do not know if there has been any answer to these questions that have been raised in this House. Even when we do all that we can to get some kind of sympathetic response to the most pressing problems in the country, to the way in which people are arrested for political offences, to the way in which they are tried, to the way in which they are sentenced and so on, nothing in the way of a satisfactory solution to these problems is at hand. The Finance Member may think that his only duty is to tell us how much money is required to carry on the Government of the country during the coming year, and ask us to vote that money. Probably that may be his strict legitimate work. But we look upon him as a Member of Government, as part and parcel of a big Government, and if the whole of that Government fails in its responsibility, I do not think he can have much reason to complain that we do not accede to his wishes or look upon his demands from the purely financial standpoint.

I find Sir Frank Noyce looking hard at me, but I am going to ask him what has happened to the Resolution passed in this House last September in regard to laying the stable foundations upon which responsible Government alone can be established in this country. It has been kicked into the air like a piece of cotton. This House passed the Resolution, saying that this Government should take steps to establish fully autonomous Panchayats all over the country, and thus begin responsible government at the lowest unit, and then develop it into the districts, and then in the provinces and then in the whole of India. It was a Resolution passed by the votes of almost all the elected Members of this House, in spite of the Government using all their strength against that Resolution. What has been done? Has anything been planned? Nothing, I suppose. If this is the way in which the Resolution of this House is treated by the Government, why should we now be asked to vote all this huge sum of money to the Government, and why should we support the Finance Bill at all? That, Sir, is a question for which I should like to have a definite answer from the Government. It is no use saying, money is badly wanted, retrenchment is impossible, and things of that kind. Our question is, why have not certain definite Resolutions of this House been carried out and why have not certain definite grievances been looked into by the Government. If you do not care to look into our grievances and carry out our Resolutions, why do you come to us and ask us to vote any supplies? You can pass the Finance Bill yourself and you can save your trouble and our trouble. We can go home earlier and you can certify. It is very humiliating for us to be told, "You must pass this Bill, we want money at once, so you must pass this in one hour or in one day". It is due entirely to you, Sir, that you have extended the Session by five more days and have given us a little more time to cry out. Ours may be a voice in the wilderness, but it is some consolation that we have got the chance of crying out on behalf of the many, many millions whom we are supposed to represent.

I come now to the Finance Bill itself. There are a few points which I would want to scrutinise. First comes the salt duty. Our old friend is kept on. Government say that, at some time, perhaps at the Greek Kalends, they will remove it. The Honourable Sir George Schuster may not be here then. I was talking till now only of the Finance Member and not Sir George Schuster who, I know, has got a very sweet face, a very sweet tongue, and that is exactly what disarms us, what conceals sometimes the deep thrusts he gives to us. However, Sir George Schuster

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may not be here, but some other Finance Member may be here, and we do not know whether he is going to abolish this salt tax. All that I need say now is that the salt duty is kept on this year exactly where it was last year, in spite of all our protests. We have been saying that the salt monopoly is unjustified, and yet the Government thrusts it on us. What can we do? They say, it is very handy, it gives 6 or 7 crores to them and it is a very paying item in their revenue and they cannot give it up and because the Government find it handy, therefore this tax must be kept on in spite of its iniquity, in spite of the fact that it is a tax on the poorest man. It may be one pie or half a pie. I am not a financier and God forbid that I should ever become one in my life. But whether it is half a pie or quarter of a pie (Interruption)—I wish to live for higher ideals and not care for rupees, annas and pies—why should the poorest man be taxed? This is very repulsive. That may be the ethics of commercialism. I am not enamoured of commercialism; I leave that there.

Sir, the next item I wish to refer to is about the various kinds of duties on silver and other things. They are not even as much as they were last year. They are raised. The duty on silver is raised. The duty on sugar and so many other things is raised; there is now increased taxation and for what? What is the return for this increased taxation. Nobody has told us about it. Government are merely pleased to say that more money is wanted. Then there is the income-tax. Many speakers have already referred to it, and I do not want to go into any detail. So there is no reduction anywhere, except perhaps on what they call the export of rice from India or something like that. But there is an increase in taxation all round. The duty on kerosene is raised. Therefore, if you go into the details of the Bill, the net result is that there is larger taxation this year than there was last year. The Finance Member asks us to agree to larger taxation. Shall we do so, because there is greater repression in the country? There has been nothing gained during the past year, but there is to be larger taxation. Nothing gained or only minus quantity on the side of political privileges and economic advance and things of that kind, and on the other side, there is more expenditure, more taxation. It appears to me, therefore, that, so long as we have no power or responsibility in our hands, I do not see how any elected, or any non-official Member for that matter, should say that the money must be found. I do not understand the word "must" at all. It is for the Government to find the money. We have no responsibility. We do not incur the expenditure. We are not therefore morally bound to find the money. All this "must," I am unable to understand. Sir George Schuster knows how to find the money. Therefore it appears to me that considering the manner in which the Government have treated us, willingly or unwillingly—it does not matter whether deliberately or otherwise—considering the manner in which we have been treated, it does not lie in the mouth of the Government to say, "You are irresponsible people, we ask for more money and you do not give us." I do not believe Government can bring that charge nor that we should be afraid of being told that we are irresponsible. After all, the simple problem is there. We give the money in return for what? Is it in return for the many grievances which my friend Maulvi Muhammad

Yakub has put forward? He has stated that there is not sufficient Muslim representation in the services and so on. I shall not go into those details. What is the measure of our responsibility? Are we to go down on bended knees and say, "Yes we shall vote all the money that you want, because when meeting in the lobby you will say, I expected better from you"? Supposing some gentleman on the other side says, "I expected better from you," is that a reason why I should fall on bended knees? Surely we all expected better from the Government. In this respect I would take a leaf out of their book and treat with equanimity whatever is said about us. We shall tell them, "Mind your own business and try to find money in your own way and we shall not be in any way responsible for it". It is all very well for any Government Member to meet in the lobby and say, that any one of us has become a bad boy. I say we have a lesson to learn from them. They do not care for what we say and let us not care for what they say. Therefore I would make a strong appeal to all my non-official friends, because we are passing through critical times, because the Honourable the Law Member will not open his eyes, the Honourable the Home Member will not open his eyes and recognise what we want. Considering the attitude, the unyielding attitude of the Government, the unreasonable, obstinate attitude of the Government, towards the most reasonable demands of the most reasonable Members of this House,—should we alone go down on bended knees and say that the Finance Bill must be passed today? If the Finance Bill is not passed, the millowners will suffer; take care, the deluge will flow upon their heads. This is what they say.

And that is another trick to compel some to vote for the Finance Bill. The two things should have been separated; the Tariff Bill should have been brought at some other time or in some other environment. I do not see why the two things should be jumbled together, why we should be asked to pass the Finance Bill today, and then take up the Tariff Bill. I know what is in the minds of many of those who are anxious about the Tariff Bill. The feeling is that Government cannot drop the Finance Bill, but they may drop the Tariff Bill. They are bound to go on with the Finance Bill, and in some way or other, put it on the Statute-book; but the Tariff Bill for the millowners, what will become of it? I consider these are very immoral ways in which various influences are brought to bear upon us. I hope my friends will stand against any such temptation, direct or indirect, and will stick to this one principle that, until we become actually responsible in some measure for this huge expenditure of money, and until we are in a position to tell those whom we represent that we are really safeguarding their interests and we shall act in a manner which will be in the best interests of those who send us here, until we are in a position to say that, I think we ought simply to tell Government, "We thank you for the opportunity given to us for making the speeches we have to make, but the Finance Bill will have to be passed on your own responsibility; you have given us no power and we shall not take upon us the burden you have cast upon our shoulders". I hope my non-official friends will realise this, and not only make this Government understand, but the Government in England understand, so that they can eradicate this anomaly as early a date as possible. We must make the Government here and the Home Government understand that we have no real constitutional power; when we get true power, we shall exercise it truly, but now when we have not that true responsibility, we do not propose to exercise any;

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and we lay the whole responsibility on the shoulders of the Government. The Finance Bill must be their own responsibility and we have nothing to do with it. Let us either vote against it, or not vote at all. Let them take the full responsibility, for we cannot morally—and is it not also legally—I do not know what the legal aspect of it is—we cannot morally, I am sure, take any responsibility. As the Government, as at present constituted, are indifferent to the best interests of the people, and spend as they please the money voted by this House, and only ask for more and more money, I therefore think that it is the duty of every elected Member, who has got any self-respect, to tell the Government, point blank, that he shall not be a party to this very unfair and immoral transaction.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, we have been asked to give our support to the Finance Bill by the Honourable the Finance Member. Section by section, amendments have been brought forward; they were argued to the best of the ability of the Mover, but they failed to create any impression upon the Members of the Treasury Benches. We have been asked to supply the money that is necessary to carry on the administration. Who are we here? What is our position? Have we real power to deny them the money that they want through this Finance Bill? No, we have not. Then why this mockery? You may say that we have 104 elected Members. No doubt we have, but they include Members belonging to special interests such as the European Group, Chambers of Commerce and Landholders, and if you omit them you will find that the real representatives of the people in this House are an insignificant minority. Forty of them owe their seats to, and have been characterised by my Honourable friend over there, Mr. Ranga Iyer, as having for their constituency the Viceregal Lodge. One such Member was annoyed at the remarks made by my Honourable friend, but the fact remains that these nominated Members owe their seats to the Government. Under the circumstances, would it not have been better for you to ask, when you move for the acceptance of the Finance Bill, to ask the real representatives of the people to abstain from voting? No, under the rules and procedure of this Assembly, every one of us can vote, although in case of the Public Accounts Committee we have a rule that only the elected representatives will vote. But in that case, the Government ask the elected Members only to vote, because, as my Honourable friend Mr. Roy has said that the Public Accounts Committee is nothing but a *post mortem* examination and therefore a very harmless procedure.

Sir, whether we are in a minority or in a majority, we cannot lend our support to the passing of the Finance Bill. And why? Because of the elementary principle of all parliamentary Governments, *viz.*, redress of grievances before supply. And what are our grievances? If I were to relate the grievances of our people I could not possibly relate them within the short time I have at my disposal. (*A Voice*: "Then go on".) It is not a single legislation or a single act of the Government against which we raise our voice of protest; but a long series of acts of misrule which has accumulated during the period of nearly a century and a half. Sir, if we cannot lend our support to this Finance Bill, it is because we feel that we have not been treated as we ought to have been by the people who happen to rule over us at the present moment. Looking at the history of Councils, we have to go back to the early sixties of the last century when three Indian gentlemen became Members of the Imperial Legislative Council, not by

election, not by a suffrage of the people, but nominated by the Government. They were Raja Sir Dinkar Rao, the Maharaja of Burdwan (*An Honourable Member*: "Was it the present Maharaja of Burdwan?"), and Sir Salar Jung. It went on for some years when some time later on recruitment was made from the High Court Bar for the Imperial Legislative Council and the Indian National Congress from its earlier days began to demand representative institutions for this country. It was at Bombay, Sir, where that great man who would not take the prescribed oath in the House of Commons after being returned at the head of the poll from Northampton, the late Mr. Charles Bradlaugh. It was at Bombay, when Mr. Bradlaugh came there during the National Congress week, that he heard about the real situation in the country, and then, when he returned to England, he carried on an agitation on behalf of India which got us a representative Council as we knew it in the early nineties of the last century. But, Sir, what were their powers? Their powers were practically *nil*. The Members were merely putting a few interpellations and recording pious wishes just as we are doing today. (*An Honourable Member*: "Not pious.") But I don't see much difference between that Council and the Assembly of the present day because we are also equally helpless in this House. Of course, when that Council was inaugurated, we thought that was the beginning of a new era. Seventeen or eighteen years later, the Government thought that some concession must be made to satisfy the rising aspirations of the people,—I mean some honest Englishmen thought so. But at the same time, there were also certain Englishmen who were bitterly opposed to any measure of reform being granted to this country, and they always tried their best to whittle down reforms to such an extent that, for the first time in the history of this land, we had the inauguration of a so-called reform which made a difference between me and my friend over there, Dr. Suhrawardy, and which during the last 20 years has been responsible for much bitter communal dissensions and which we witness almost every day here. A charge has often been laid at the door of the Indian National Congress for the pact which it devised at Lucknow. It is very convenient to forget the past history of communalism. But who accentuated it? Who brought it here? Can any man with a grain of commonsense think that representation in State services should be according to one's religious faith? I stand here as simply Amar Nath Dutt, a Hindu Member of this House. I cannot be taken into certain services owing to my religious faith. But the moment I accept Islam, the moment I change my name to Azzizudin Ahmad, immediately all the Treasury Benches will have for me a soft corner in their heart; they will say all sorts of things to keep Azzizudin Ahmad away from the doings of those Members like my friend Mr. Kelkar. . . .

Mr. President: Order, order.

Mr. Amar Nath Dutt: or my revered leader Pandit Malaviya.

Mr. President: Order, order.

Mr. Amar Nath Dutt: These are some of the unhappy things for which the Government are responsible and that is why I want to throw out the Finance Bill. *Divide et impera* has been the policy of the Government in this country because it suited their purpose better. No doubt, Sir, it is very unfortunate that I have to say all these things when the Finance Bill is before us, because that is the only occasion on which we can do it, but I must say that it does not cast any reflection on the Honourable

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the Finance Member, who is hardly responsible for any of the happenings during the time of his predecessors. Sir, I wish that other Members of the Treasury Benches were in their seats, because all these indictments are directed more against another Department, and the Member in charge of that Department hardly listens to what is going on here, thinking that the Finance Bill concerns only the Finance Member. (*An Honourable Member*: "The Law Member is here.") He is of course very regular in listening, but he was sleeping when my friend Mr. Acharya was speaking. Probably he thought that Mr. Acharya would speak about the Sarda Act.

Sir, let me once more say that at least those of us who are on the Standing Finance Committee against which my revered teacher had a fling when delivering his speech. (*An Honourable Member*: "Who is he? Who is your Guru?") (*An Honourable Member*: "Mr. K. C. Roy.") I refuse to mention the name, because modesty forbids me from taking his name. I was under his guardianship in my boyhood and owe a good deal to him for training. (*An Honourable Member*: "It is no compliment to your teacher.") I will not wound other's feelings by uttering hard words; I am always meek and humble. (Laughter.)

Sir, it was said that there are several statutory checks on expenditure, and that the Standing Committee does not do its duty properly. If my friend had been present at least at one or two meetings he would have seen that every one of us tries to do our best. Above all, I may tell the House that Sir George Schuster himself is the most active Member of that body. He has got a very warm heart and is keenly solicitous for India's welfare and tries to curtail expenditure as much as possible to an extent that I never saw before. (Hear, hear.) For that we ought to be grateful to our friend the Finance Member. But, Sir, our indictment is not directed against him as an individual; but our indictment is directed against the whole system of administration. Therefore, Honourable Members should not think that anything that is said here is only directed against the Honourable Member. We have the highest regard and respect for Sir George Schuster, but at the same time we feel that, as representatives of the masses, we can not but oppose this Bill. How can we lend our support to a taxation Bill of this character?

Sir, I have in brief endeavoured to place before you how this constitution grew up. After the Minto-Morley Reforms worked for some time we got this piece of reform with which we are playing here. This reform has been condemned by every one and by the entire politically minded India (*An Honourable Member*: "Except Mr. Fazal Ibrahim Rahimtulla"), but he denies it and he also condemns it, because it is no improvement upon the previous reforms when we had men like Raja Sir Dinkar Rao and others. Now, what can we do in these Councils? We can only record our protest. You ask us to pass this Bill in order to enable you to meet your expenses. Now has this deficit been incurred by you?

Mr. President: Order, order.

Mr. Amar Nath Dutt: This deficit has been incurred by the Government, because they must have an army of occupation in this land, lest we should drive them out and ask them to clear out bag and baggage. This army of occupation costs no less than 55 crores, or more than half the revenue of the country. You won't reduce.

Mr. President: Order, order.

Mr. Amar Nath Dutt: They would not reduce this because it hits so many people of their own race who could not find better employment in their native home. My friend Mr. Howell is not here. He was a bit annoyed but very mildly put it to me one day "May I ask you, Mr. Dutt, is it very necessary to rake up old memories?" when I referred to the aftermath of the Cawnpore massacre? I would refrain from referring to anything which is unpleasant, but the pages of the history of India are full. What do we find from the time of Clive downwards? We Hindus, as the descendants of our ancestors of those days, have the sacred ceremony of *tarpan* in which we take the name of our fathers and offer them oblations. This is a pious duty which a Hindu owes to his ancestors. Every Indian knows how Lord Clive came here and won the battle of Plassey. I sympathise with my Muhammadan friends . . .

Mr. President: This is too much. Will the Honourable Member come to some recent date?

Mr. Amar Nath Dutt: Well, Sir, in the time of Warren Hastings. . .

Mr. President: Order, order.

Mr. Amar Nath Dutt: Do you want me to come to some later date?

Mr. President: Will the Honourable Member come to the Finance Bill?

Mr. Amar Nath Dutt: Yes, Sir, I protest against this Finance Bill. I do not want to lend my support to it, because the Government have treated us so shabbily. Let us begin with recent history. That superior person, Lord Curzon, brought about the dismemberment of our province. This is at the root of many of our grievances. To placate the moderates, they introduced the Minto-Morley Reforms, which brought in communalism, and then things went from bad to worse. Then came the days, when young men, the flower of the youth of the country, were driven to desperation. There were conspiracies and you deported . . .

Mr. President: Order, order. The Honourable Member ought to be very careful. If he is irrelevant, I will ask him to resume his seat.

Mr. Amar Nath Dutt: Another reason why I should oppose the Finance Bill is the treatment of political prisoners. I have just read in the papers that two political prisoners have been put on standing handcuffs in the Central Jail at Alipore and they have been locked up in solitary cells. All of them it is understood have resorted to hunger strike as a protest against the maltreatment of the jail authorities. Now, the Jail Committee's Report has been published. It was published on the 19th February. My Honourable friend Mr. Mitra asked the question whether it was going to be applied to Bengal. The Government gave us vague answers and the rules which have been framed are not applied even now. The Kakori prisoners have also gone on hunger strike. Today it is the 46th day, and the Secretary of the Bareilly District Congress Committee wires that the condition of Sachindra and Manmatha, who are on hunger strike in the Bareilly Jail, is very serious and both are on their death bed. The public of Benares are making arrangements for the reception of Sachindra and Manmatha, should the worst happen. These things the Government do

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not take into consideration. And are we to support the Government when things like this are happening? They do not find money to separate the judicial and the executive. Whenever other things are necessary, they find the money. Sir, why the separation of judicial and executive functions is necessary will be seen from an instance which I am giving at the present moment. There was a sedition case at Alipore against Mr. Subash Chandar Bose, Mr. Kiran Shankar Roy and others and they were tried by a Magistrate holding a listed appointment. Now, he knew that his promotion depended upon this. He gave them full one year under section 124-A, and after delivering the judgment, he was appointed permanently as District Magistrate. That is the reason why the judiciary should be separated from the executive for it leads to such undesirable state of things. From the times of Manmohan Ghose, we have been fighting for the separation of the judicial from the executive. In fact the late Manmohan Ghose laid down his life when writing an indictment against the vicious system. Since then the late Mr. Romesh Chunder Dutt pointed out the way in which you could separate the judicial and the executive functions. But the Government will not do it. They would find money for many other things, they would find money for luxurious saloons (Hear, hear), but they could not find money for the separation of judicial and executive functions. Money can be found for the army of occupation which did not cost more than 15 crores of rupees in 1900. But within thirty years, it has increased to the dimension of Rs. 55 crores, nearly 40 crores more. Money could be found for all these things, but not for a simple reform like the separation of judicial and executive functions. We have cried ourselves hoarse for free primary education and the late Mr. Gokhale till the date of his death was asking for free primary education. For that they cannot find money. But still they are asking us to vote money for other things, not for the separation of judicial and executive functions, not for free primary education. Besides these two grievances, there are a lot of other grievances at the present moment, which must be redressed before we can be asked to vote for the Finance Bill. I know how eager my Muhammadan friends are for the repeal of the Sarda Act, and in fact I am deeply grateful to them, for they are men of deep convictions and religious faith, and I am quite hopeful that they will support us in our opposition to measures like these against the Government. In fact the Muhammadans are going to launch civil disobedience against the Act. There are two methods of civil disobedience and I do not know which of the methods they are going to adopt. I have also read in the newspapers that unless the Government do something, in fact even the orthodox Hindus also are going to join that movement.

Mr. President: Order, order. This is irrelevant.

Mr. Amar Nath Dutt: That is one of the grievances against which we may ask the Government

Mr. President: The Honourable Member must now conclude as soon as possible.

Mr. Amar Nath Dutt: As I was submitting, Sir, this House has no real power. Such being the case, we can hardly be asked, consistent with

our dignity, to support this measure of taxation. I feel in the words of the great sage who wrote in the Bhagavat Gita:

Karmanyeva adhikaraste

Ma jalesoo kadachan.

"You have to do your duty without caring for the result."

One other fact I would refer to if the Chair would permit me, and that is with reference to the Round Table Conference, about which something has been said. It has been said by the Honourable Member in his speech that the times are not ordinary. Within a few months the representatives of the Indian people will meet the representatives of Great Britain. Sir, do they expect that, with men like Mr. Subash Chandra Bose and Mr. Sen Gupta in jail, and with the prospect of Mahatma Gandhi being put in jail, surely they do not expect that patriots like Mr. Jinnah and Pandit Madan Mohan Malaviya will attend the Round Table Conference? I beg to submit that the Government must declare a general amnesty to all the political prisoners before they expect leaders like Mr. Jinnah or Pandit Madan Mohan Malaviya to attend the Round Table Conference. Even when the question of Ireland was being settled, they reserved five seats for the revolutionary party. If you want to have really a Round Table Conference you must have all sorts of interests and all sorts of thinkers and every point of view placed before you.

One other point about the treatment of political prisoners at the present moment. The motive, they say, is no criterion, but, Sir, what other factors should be, except motive, the criterion to classify political prisoners? There is my Honourable friend Colonel Crawford sitting there. He might have shot down many people

Colonel J. D. Crawford (Bengal: European): Never, Sir.

Mr. Amar Nath Dutt: Or some other gallant friend might have shot down many people during a battle. Do you refuse to sit with him? No. Why, because his motive was very high, the honour of England and the freedom of his country was in his mind. I appeal once more, through you, Sir, that all the political prisoners who are the flower of the youth of our country and who are fired by the highest patriotism

An Honourable Member: Idealists.

Mr. Amar Nath Dutt: Yes, idealists, no doubt of a very high type, they should be treated as my Honourable friend was pleased to observe, as so many prisoners of war, and they should not be treated like ordinary felons in jail. I appeal seriously to the Treasury Benches, through you, Sir, that they should take into consideration all these things before they can ask us to co-operate with them or side with them in the matter of the Round Table Conference or in taxation Bills like this. They should give a general amnesty to all the political prisoners. Also the Government should not treat the prisoners, in the way they are doing by handcuffing them. What have the Government done for the Kakori prisoners? They are on hunger strike, because these prisoners have been denied the privilege of being classed as "A" class prisoners. As a protest against the Government not introducing this classification, so far as the Kakori prisoners are concerned, those prisoners have gone on hunger strike. I also hear, Sir, that one of the Kakori prisoners was denied any association

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with anybody or permission to see anybody. All these things fall within the province of the Home Member to reply to, not that of the Finance Member. The Honourable the Home Member should see his way to redress some of these grievances before he can set the Honourable the Finance Member upon us to ask us to pass this Finance Bill. I do not wish to take up much of the time of the House by dealing with other grievances. I wish only to touch one point.

Mr. President: Order, order. The Honourable Member must conclude.

Mr. Amar Nath Dutt: All right, Sir. Before I sit down, I wish earnestly to appeal, through you, Sir, to the Government to look into every one of these grievances before they come to this House to ask us to pass such taxation Bills.

Colonel J. D. Crawford: Sir, I would like, on behalf of the European Group, to clear up some of the confusion that possibly exists in the minds of the House and of Government as to our attitude towards the Finance Bill. Honourable Members will remember that, during the general discussion, my colleague Sir Hugh Cocke very clearly stated that, as a Group, we considered that the Budget must be balanced and the taxation, in so far as we could see it, was generally well distributed, and the Honourable the Finance Member's Bill would have our support. At a later stage, Sir Hugh Cocke again pressed for retrenchment, not that he intended to move a vote of censure on the Finance Member, who was already undertaking measures of retrenchment, but to point out that to our mind departmental inquiries into retrenchment are not very successful, and that it would be advisable to have associated with the Retrenchment Officer, whose ability we thoroughly recognise, some outside opinion.

The next position which the European Group took up was one with regard to the kerosene oil duty. I think our attitude on that particular measure has not been thoroughly understood. We had two points really to make; that the measure which had been brought in meant a change of policy, which had existed for 25 years, and that change had been introduced without any real consultation with the oil industry as to how the new proposals of Government might affect that industry. We believed, and still believe, that it will affect the industry in two ways, one, that it will hit very hard the small indigenous oil companies, one of which, as the Honourable the Commerce Member pointed out, was of strategic importance to India, the Attock Oil Company. I think it is up to Government to watch very carefully the effects of such a measure on the smaller companies and to give them such aid as may be necessary. The other point was that we felt that the imposition of this duty will, in actual practice, if not tomorrow or even within the next three months, at a later stage fall rather heavily on the consumer; the yellow oil which has been supplied for 25 years at a reasonable rate on an understanding with Government may be withdrawn and further refined for the production of higher priced kerosene and petrol which is more profitable to the companies concerned. Thereby the consumer is likely to find himself without the cheap oil which is his mainstay.

These were the real points and they were never actually refuted in the debate. Arising out of that point, there was an incident which the Group

took rather to heart. The Honourable the Commerce Member, in his reply to Mr. Lamb's speech, suggested that this Group sought to press Government to a favourable treatment of the European interests over Indian interests. That, Sir, has never been the position of the European Group and never will be. All we seek from Government is just treatment. As a Britisher, I am well aware of a trait in the British character which leads them to be rather severe on their own people for fear of being charged with favouritism. That is a position which I meet every day in India and which I believe is incorporated to a certain extent in the present measure and which was given voice to in the remarks of my friend the Commerce Member. We do not want you, in your endeavours, to be impartial, to weigh the scales against the European interests, but simply to do your best to treat all with equality and justice.

Mr. President: Order, order.

Colonel J. D. Crawford: There was one further incident, Sir, which arose during the various discussions on these measures, and with your permission I would like to say how much we regret the incident which arose from my colleague Mr. Lamb's remarks concerning the position of Mr. Birla. I feel sure that if my Honourable friend Sir Purshotamdas Thakurdas will read the official report of the debates he will get the impression that there was no insinuation in Mr. Lamb's remarks. In any case no insinuation was intended.

Finally, Sir, I think the Group would like to congratulate the Honourable the Finance Member on the skilful handling of this Bill to the present stage, and to add that we all hope that he will be equally successful in the final stage.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, before I commence the very few remarks which I wish to make on this third reading. . . .

Mr. President: Does the Honourable Member wish to speak on the motion?

Sir Purshotamdas Thakurdas: I have a few additional remarks to make, Sir.

Mr. President: I thought the Honourable Member wanted to say something in reply to Colonel Crawford.

Sir Purshotamdas Thakurdas: I am beginning with that, Sir. I wish to deal with what the last speaker wound up his speech. In view of the explanation given on behalf of the European Group by Colonel Crawford, and the assurance that in any case no insinuation was intended against Mr. Birla in the remarks of Mr. Lamb, on the 20th instant, I have no hesitation in stating on the floor of the House, that I would not have made the remarks I did on 21st instant except under that impression and provocation. I regret the incident equally with the European Group, as stated by Colonel Crawford; and in this controversy, if I happen to have hurt the feelings of any of my friends on the European Benches I assure them that I regret it also. (Applause.)

Sir, regarding the Finance Bill proper, I have, as I said, very little to add. I fully realise that, in spite of Government having, during the last few years, carried measures against the popular wishes, this House has

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this year voted extra taxation. The Honourable the Finance Member has held out a hope that the Government of India are formulating a new policy for the economic development of the country and one would, with interest, look forward to what the Honourable Member is likely to achieve during the next year or within the next two years. But I feel that the best development of India under the present circumstances can be by making India self-contained in the sense of utilising her raw materials for the purpose of manufactures which she imports from abroad. I know that this is liable to the construction that a policy of that nature presupposes high tariff. But I would like the Honourable the Finance Member to point out to this House any instance of a country which has vast resources of raw materials which that country does not utilise and which it continues to export, and in return imports articles which she can manufacture within her own boundaries with a little effort on the part of the public and reasonable facilities by Government. As far as the public are concerned, there is not the least question of the public having the necessary enterprise to take to such manufactures. All that is required, to my mind, is a change in the policy of the Government of India as it has been till now. Take the instance of sugar alone. The duty on sugar has been increased to what works out now to 100 per cent. on the present prices. It is quite true that a good deal of research work is being done regarding larger production of sugar, as far as our agriculture is concerned, and I understand that there is a committee sitting for the purpose of investigating how the production of sugar within India can be increased. What I think is immediately necessary is assistance to the manufacturer of sugar in the direction of giving him more finance because during the last three or four years at least most of the sugar manufacturers of India have been working their factories at a loss. I understand that a good deal of facility is required for better and economic transport of sugar-cane from the field to the nearest factory. And I suggest to the Honourable the Finance Member that a part of the increased revenue which he will get from this source may usefully be employed in advances to sugar factory owners on terms which will give them real relief.

I have, Sir, only one more remark to make, and that is regarding what fell from my Honourable friend, Mr. Nilakantha Das, in connection with the Banking Enquiry Committee. In the ordinary course, as an office-bearer of that Committee, it would not be right for me to refer to the work of that Committee, whilst the work of the Central Banking Enquiry Committee can be said to have not even yet commenced. But my friend, Mr. Nilakantha Das, made some remarks in regard to the work of the Provincial Committees, and he particularly referred to the work of the Committee in his province of Bihar and Orissa. I have had the opportunity of seeing the work of that Provincial Committee at comparatively close quarters, when I met the Chairman and the Secretary of that Committee at the Conference which was held in last January at Calcutta. I can assure my friend, Mr. Nilakantha Das, that if any committee that has worked till now in any province is doing useful work, Mr. Nilakantha Das can rest assured that the Provincial Committee he referred to, the Bihar and Orissa Committee, will turn out work which will merit the admiration of even Mr. Nilakantha Das. I cannot help giving credit where, to my mind, it is due and even more than due. The Provincial Committees have worked wholeheartedly and will present a picture of the

economic conditions in the various rural areas of the country in a manner which will be found to be most useful. I feel that I should be failing in my duty to these Committees if I do not make these remarks in view of what fell from Mr. Nilakantha Das which is due more, I think, to want of knowledge of what they are doing than a genuine desire to criticise their methods of work.

Mr. M. S. Aney: Sir, the first and uppermost thought that must have been present to the minds of all the Members of this House today is one of regret at the absence of the Leader of the Opposition, the Honourable Pandit Madan Mohan Malaviya at the discussion of the third reading of the Finance Bill, which has been a day of national indictment in which he has been taking a very prominent part every year. In fact, it may be said that he has been the pioneer of the method of asking this House to reject the Finance Bill. If, as you, Sir, once said in very felicitous terms, the credit of having the Finance Bill presented to this House by the Government was due to the anxiety of your illustrious predecessor to introduce the conventions of the British Parliament in this House, I may say the credit of creating an effective Parliamentary opposition to that Finance Bill is due to the Honourable Pandit Madan Mohan Malaviya, who, in the year 1924, had come out with the resolve of moving for the rejection of the Finance Bill. And since that time, the third reading of the Finance Bill has become an annual national day of indictment of the Bureaucracy. This has been the feature of the third reading of the Finance Bill and, therefore, it is very natural that most of us, who have been used to hear the most eloquent and fervent appeals from him on those occasions, should feel that today we are missing those eloquent and soul-stirring appeals.

Sir, so far as the attitude of my party is concerned, it has been already declared by my Honourable friend, Mr. C. S. Ranga Iyer. We have decided not to support this Bill. That is our attitude. Even if we had gone further, as we had gone sometimes, it would have been perfectly justifiable. What the implications of the motion for the rejection of, or opposition to, the Finance Bill are, have been, in a very learned and eloquent speech, described by my Honourable friend, Mr. N. C. Kelkar. His learned dissertation on the constitutional aspect of this question, as the Honourable Members know, elicited a very friendly but a sarcastic retort from my Honourable friend, Sir George Schuster, that he would like to have some sort of teaching in his class.

The Honourable Sir George Schuster: I assure my Honourable friend that I did not intend to be sarcastic. I intended only to be friendly.

Mr. M. S. Aney: I am very glad to hear it. I thought he was sarcastic. I am only sorry that my friend, Mr. Kelkar, may not find the time to open a class for his benefit. I would not therefore like to go into that question of the implications of an attitude of opposition to the Finance Bill. Sir, this Finance Bill, or rather the third reading of the Finance Bill, naturally opens up a field for discussion to which an individual Member will be unable to do justice within the limited time. My Honourable friend, Mr. Amar Nath Dutt, has just now observed that, if one is allowed to have a full say on the subject before the House, even a year's time will not be sufficient. Some may take it as extravagant, but there can be no question that any adequate discussion of all the questions opened is impossible for any individual Member within the limited time at our

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disposal. Notwithstanding that, we have to summarise our observations in as brief a manner as possible so as not to be a bore to the other Members of this House and also to leave a reasonable margin to other Members for a proper share in the discussion in the course of this debate. Therefore, I will not like to go into all the details of this administrative system and discuss them at length. In fact, I shall try to limit my observations as far as possible to the Finance Bill and the Financial problems or the administrative questions that are closely allied to the proposals in the Finance Bill.

Sir, the present Finance Bill appears to be a Bill of a most challenging nature. I will explain what I mean. In the first place, this Bill is not like an ordinary Finance Bill which we have been used to, by which the Government generally come forward and ask us for supplies on the basis of taxation already existing for a long time. This is a Finance Bill in which the Honourable the Finance Member, for reasons of financial exigencies, which he has explained in his budget speech, comes forward with proposals of fresh taxation to the tune of nearly five crores and a half. This means, in the first place, that he thinks that, notwithstanding the cry regarding the impoverished condition of the people of this country, it is possible for him to recover from the people of this country 5½ crores without causing any inconvenience or without causing any material distress. That is the implication of a Bill like this. Secondly, it also means, notwithstanding the cry of the people that they are not in a mood to co-operate with this Government, there is a spirit of co-operation on which the Finance Member can easily rely for the recovery of this money. These are the two implications in the Bill. In fact, my Honourable friend, Sir George Schuster, in the course of the budget speech, casually referred to a passage in the speech of my Honourable friend, Mr. N. C. Kelkar, made one year ago, in which he observed that the spirit of co-operation was dead partly due to the action of the Government, and so on. The Honourable the Finance Member controverts the allegation and asserts that he has got abundant proof of the spirit of co-operation in this country. I believe that the course of events which have been and are being enacted before our eyes during this fortnight, references to which are being made in bold type in the newspapers, must have disclosed to him certain grounds to revise his opinion. That is what I feel. More than that, I would not like to refer to that matter at this stage. I am sure he is a very shrewd and careful reader of the newspapers, and clever enough to draw proper inferences from the events which he reads. And I am confident that the course of events which are now being reported every day could not have altogether failed to make an impression on him, and he would find therein abundant reason to revise his opinion about the existence of the spirit of co-operation in the country. I say further, whatever little spirit of co-operation there might have been in this country at the time when he presented his budget proposals and introduced his Finance Bill, after the presentation of the Budget and because of the proposals in the Finance Bill itself, that little spirit of co-operation must have become dormant if it has not altogether been killed, and in its place another spirit, a spirit of anti-co-operation or non-co-operation must have been awakened by the striking things that are taking place outside. That is the position today. We are considering this Bill in the midst of circumstances of this nature the gravity of which it is for the Treasury Benches to realise fully before they mean to give a fair trial to the various proposals of taxation that

have been incorporated here. Sir, when I say this, I mean that the Members on the Treasury Benches should make themselves sure of the existence of that abundant spirit of co-operation a belief in which was responsible for the numerous proposals of taxation which my Honourable friend has incorporated in the Finance Bill that he has presented to this House. That hallucination is the basic fact on which he has built up and worked out his proposals. Then he has appealed to us for sympathetic consideration solely relying upon this assumption of the spirit of co-operation, which, I say, is not a fact, but only a fiction. Even if it was a fact, then I assert that the little spirit has been completely washed away by the flood of repressive methods which the Government have since adopted. It is after that he has appealed to us saying that it is on financial consideration alone that he has found it necessary to approach this House to approve his taxation proposals. He is asking us to give supplies, not only the ordinary supplies that he can get under the existing scale of taxation, but additional supplies to the extent of something like Rs 5½ crores according to the new scheme of taxation proposed in the Bill. The reason he has given is that the expenditure has now arrived at a stage which cannot be balanced on the present level of our receipts. What he means by balancing the Budget is this: our receipts are stabilised, expenditure has grown up which cannot be curtailed, and therefore some more sources of income must be explored, and these are the sources which the Finance Member says he could tap. That is the meaning of the taxation proposals which he has placed before the House. Now in the first place, he has made a fervent appeal to the House in his speech calling upon the Members to give him all the assistance they can in scrutinising very carefully the items of expenditure and suggesting means of economy. He particularly referred, when he was dealing with his Budget, to the question of expenditure under civil administration and said that here was something which the Honourable Members of this House should carefully scrutinise and make such suggestions as they can.

Now, Sir, my grievance against the Finance Member is this. Before he made this appeal, he should not have committed himself to certain and fixed positions. My grievance is that, so long as a highly paid foreign Bureaucracy is considered as indispensable for the administration of the country in all Departments and so long as the maintenance of a foreign army of occupation is deemed indispensable and always maintained on a war footing, it is difficult for Members on this side to suggest adequate and effective remedies of economy and retrenchment. That is indeed a very difficult handicap on the critics, but I am prepared to go with him to examine the position of expenditure under Civil Administration itself, because that is the one point on which he laid great emphasis in his speech. I would only draw his attention to this fact as to what is the position of expenditure under Civil Administration itself during the last few years. I will take the figures of net expenditure given in Appendix I to the Explanatory Memorandum which he has supplied, along with the budget papers. Honourable Members on this side of the House will find that this expenditure under Civil Administration has risen from the year 1923-24, from 8 crores 65 lakhs to the year 1928-29, which is the last year for which we have accounts available, to 10 crores 43 lakhs in the revised estimates and in the Budget of 1930-31, the figure is 12 crores 20 lakhs. That is the position. Of course in the speech the Honourable the Finance Member has tried to give some explanation about the increase of expenditure over the revised for the current year. He has given certain

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reasons, but he has asked the attention of this House to be concentrated upon certain items which are mainly responsible for the increase of expenditure under this heading over the revised estimates for the current year. I will deal with the latter if I think it necessary at a later stage of my speech. What I think necessary is to point out that, from the year 1923-24 to the year 1930-31, we find the amount increasing to 12 crores 30 lakhs from 8 crores 65 lakhs; that is, an increase of 3 crores and 65 lakhs in this one item of expenditure alone.

Now let us see what the position of revenue is during these years. Under receipts—the figures of net receipts which are given here—I take the same set of years for comparison—the position as regards net revenue is like this. For the year 1923-24 the net revenue was 85 crores 65 lakhs, and in the account year 1928-29 it was 82 crores 70 lakhs. I would ask Honourable Members to bear in mind that, during all these five or six years, we find only two years in which the position under net receipts has improved, but in all the remaining years it has been a position of gradually reducing receipts. That is the position we find here. Well, during those years, while there was gradual reduction in the receipts, we find the expenditure under this one head increasing to the extent of more than three crores and a half. Now, Sir, I am not inclined to go into the figures of total expenditure for these years, simply because, under certain arrangements, my Honourable friend the Finance Member is already committed in regard to military expenditure up to the year 1932-33; since he has committed himself to that position it is useless for me to go into that position or to say how the military expenditure could be managed with a less amount. This question was alluded to last year in a speech which I made in support of the cut motion on Military demand moved by the Independent Party. What I want particularly to draw the attention of this House to is this. Is the increase accounted for solely on the ground that Government have found it necessary to spend all this money on the nation building departments and thus increase the expenditure under Civil Administration? Any rise in expenditure under Civil Administration could be tolerated by this part of the House only if we found that that increase was mainly due to increased expenditure on what may be described as nation building departments. Now, Sir, for that purpose, I shall draw the attention of the Honourable the Finance Member to certain figures. This expenditure on Civil Administration, according to the budget papers, is made up of more than seven or eight items mentioned in the Budget itself. If we analyse the figures for these items, Honourable Members will find that the expenditure for the Frontier Watch and Ward is included in the expenditure under Civil Administration. Now, for the sake of getting all the figures of expenditure under Frontier Watch and Ward, Honourable Members will have to run over a number of Demands contained in the big volume; it is not found in one place at all. There is one non-votable item, Frontier Watch and Ward. Besides that demand, this expenditure under Frontier Watch and Ward is to be found distributed under North West Frontier Province and Baluchistan and other frontier provinces, and so on. When all these figures are grouped together, I find the position is like this, that this expenditure in the budget year 1930-31, which has been provided for is Rs. 2,78,38,000. That is the position. It was Rs. 2,54,37,000 last year. There is an increase of 24 lakhs in this one item of expenditure alone during this year. Then there is another Demand in which we find an increase. That is the Political Department. I know

there is something said in justification of the increase in the Standing Finance Committee's proceedings about this expenditure, but I am concerned at present in bringing to the notice of this House the increase in the expenditure under Political Department. Now the amount shown in the budget proposals is Rs. 1,74,90,000, while the revised estimates were Rs. 1,58,71,000 in the Political Department. Then there is Aviation where Rs. 31,78,000 have been provided for, while for the same Department last year the provision was only Rs. 5,37,000,—there is an increase of Rs. 26,39,000 under this head. Now, all these expenses put together would by themselves amount to not less than Rs. 65 lakhs, while the increase in the total expenditure on what can properly be described as national-building departments, such as Education, Medicine, Public Health, Agriculture, Industries, and so on, has not been more than Rs. 20 lakhs. This is the very first test by which we can scrutinise the figures for all the five years which I have mentioned and if I had the time I would have scrutinised the figures to prove that the expenditure on the nation-building departments has during this whole period been very meagre. The Government of India has been very miserly in allotting sums for the nation-building department; while during the same period there has been an extravagant increase in all the other departments under civil administration such as the Frontier Watch and Ward, and so on. Notwithstanding some disturbance in Afghanistan which brought about a change of sovereigns, the conditions on the frontier are normal, and it is on that ground I believe that our Honourable friend Sir Abdul Qaiyum suggested that this was the proper time for the introduction of reforms in the North West Frontier Province. That being the case, we should like to know, no explanation having been supplied to us either in the Explanatory Memorandum or in the speech of the Finance Member, as to why expenditure under these heads has been mounting up in this manner. Or is it that the reduction which is alleged to be made in the military expenditure in certain minor details had to be compensated for by an increase in the name of watch and ward by creating another civil army on the frontier? What is the real position? So, Sir, so far as the expenditure of the civil administration itself is concerned, there is considerable room for retrenchment, and that is the main point which I want to bring out.

After that I shall proceed to deal with another point of great importance. Honourable Members will find—of course that is a point which has been worn out in this House—that the total expenditure of the Government of India—I am only speaking about the Central Government—comes to about 134 crores. That is put down at this figure in the Budget, and what is the total amount that is presented to the vote of this House? It is only 40 crores and odd. Out of a total expenditure which they mean to incur during the year to the extent of 134 crores according to their own statements, which are presented to us, this House is entitled to vote on an expenditure of only 40 crores. Similarly if you take the receipts side, what is the exact ratio which is being recovered by way of taxes on the vote of this House? All the amount that is covered by the Finance Bill is the only amount which is recovered by the Government with the consent of this House, and the remaining receipts, which they can recover on the strength of the executive power which they have got, are still there. Even as things as they are, the total amount they recover will come to much more than what is stated in the Budget. For example, in the Railway Department itself, they get revenue to the extent of something like 130 crores; and of this, after making the necessary deductions, only a part is brought

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down by way of contribution and net receipts to the general receipts of the Government of India. So out of the amount realised by the Government in the form of taxes, either direct or indirect, only an infinitesimally small fraction is placed before the House in the form of this Finance Bill and they say, "We have come before you for supplies". I am perfectly sure the Government of India know that not only can they get these supplies, even if the House does not vote for them, but they have got other ways also of getting the major portion of their supplies without the vote of this House. So long as the position is what it is, my friend Mr. Kelkar was perfectly justified in saying that the presentation of the Budget as well as the presentation of the Finance Bill is more or less a formal affair, and if that is a formal affair, our opposition to it is also a formal affair. If that is a solemn affair, then our opposition to it is also solemn and sincere. Sir, this House has been crying to get a right of voting on every pie which the Government of India want to recover by means of taxes and spend in this country. So long as that right is not conceded to us, this House has got a right to record its protest in the only constitutional manner in which it can do so. This year we have decided, Sir, not to support the Finance Bill, and we want the Government to get it passed on their own strength and on the strength of the votes of the official block as well as of such others as are enamoured of this Bill.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

Then, Sir, the last point which I wish to deal with is this. When the Government of India are proceeding to recover such a huge amount by way of heavy taxes, I want them to understand that the people are not in a mood to pay such heavy taxes, and the recovery of those taxes will cause a ferment in the country; it will cause trouble which may add to the tumult and turmoil already created by so great a man as Mahatma Gandhi. Your taxation proposals will go to aggravate the situation, rather than bring some relief to the people. I have already referred to that point more than once in the course of my speeches in this House, but the point is of such great importance that it deserves to be repeated more than once. I repeat that the Government of India should have been very cautious in framing their taxation proposals this year, particularly when they had sufficient notice that a huge campaign of no-tax was going to be launched. They thought that the promise which they had held out of summoning a Round Table Conference would bring about a complete change of mentality; they thought that it would be a temptation enough to drown the spirit of the people and wean them up from the campaign, to which an impulse has been given by so great a personality as Mahatma Gandhi. I may tell the Government that there are people, and a very large section too, who sincerely feel that Mahatmaji's campaign should prove a success, and if the Government of India do not take to counsels given by very responsible Members and mend their ways in time, I may tell them, notwithstanding their genuine desire to bring about a Round Table Conference to discuss the future constitution, and notwithstanding the honest desire of a certain section of the public to reciprocate in the belief of getting Dominion Status, the whole thing might turn out to be a grand fiasco to the standing discredit of the Government of India and to the entire discomfiture and unutterable woe and distress of the poor tax-ridden and miserable masses of the country. In these circumstances, Sir, I am unable to support the Finance Bill which is before us now.

Sir Darcy Lindsay (Bengal: European): I move, Sir, that the question be now put.

Dr. Ziauddin Ahmad: Sir, I am not in favour of paralysing the Government, but I have got very genuine grievances against the Government, and I see no alternative but to oppose the present Finance Bill as this is the only method by which I can express my feelings against the Government. Sir, one gentleman the other day remarked that the Finance Member was a heartless being. But to my mind a Finance Member is not void of heart, but he has got two hearts; one of them begins to operate when he looks into the expenditure side, and the other begins to operate when he considers the income side and begins to search the pockets of others. It is just what we find in this Bill. I appealed several times to the Finance Member to provide some money for enforcing primary education in the country. This has been before the Assembly and before the Imperial Council from 1911, but the Government have not given serious attention to the matter. I expected that either the silver or the sugar duty would be ear-marked for the expansion of primary education throughout British India and the money ear-marked for primary education should be given to various provinces according to their requirements.

The second thing about which I appealed several times, but about which I had no response from the Government, is about the change of policy in education. One may say that education is a transferred subject and that the Government of India have nothing to do with it. No doubt the detailed administration is under the provinces, but the general educational policy, I maintain, is and should be in the hands of the Government of India, in the same manner as the agricultural policy is in the hands of the Government of India.

The third grievance about which I have to speak is about the Sarda Act. Some people argue that we Mussalmans on this side of the House are in favour of early marriages. That is not the case. It is the other way round. The Muhammadans never had the practice of early marriages. The important point on which they lay great stress is that the Government have begun to interfere with our Shariat, and that is the point on which we are going to oppose it. It is rather unfortunate that the Government did not have the correct opinion about the feelings of the Muhammadans on this particular point, and it is becoming more and more apparent that the Muhammadans will on no ground tolerate any kind of interference in religious matters. Some people ask, "Why are you opposing the Bill when it is not against the Shariat". In reply I relate a story: A fowl died in the house of a person and he began to cry and weep. When persons in the neighbourhood asked him why he was making such a great howl in regard to such a tiny matter, he said "The Angel Israel has seen my house and I do not know what may happen tomorrow". We oppose this because of a feeling in our mind that we do not know what may happen tomorrow. It is this feeling which urges the Mussalmans to oppose the Bill tooth and nail. We have got the example of the Cawnpore mosque. People at that time said that it was a small matter, why did we make all this trouble about the mosque. Had it not occurred, most of the mosques in New Delhi would have disappeared.

Sir, the next point I should like to take up is the Skeen Committee. I hope I am not revealing any of the secrets of the Committee when I say that certain Members in that Committee wanted to go much further

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than the recommendations of that Committee, but they withdrew their liberal recommendations simply on the ground that they should present a unanimous Report, as the chances of its acceptance would then be more promising. Had they known beforehand that Government would not take any note even of the unanimous recommendations of the Committee, which was presided over by no less a person than Sir Andrew Skeen, but would shelve the Report, many Members would have written a Minority Report. Some persons said that most of the recommendations of the Skeen Committee have been given effect to. I have read these recommendations once again, and I find that nearly all these recommendations are still in abeyance, and it is surprising that these recommendations, which were unanimous and which had been repeatedly demanded by this Assembly, have not yet been given effect to.

The next thing on which I have a grievance is the reform for the Frontier Province. We carried this particular question without a division, and I am sure that my Honourable friend Nawab Sir Abdul Qaiyum will never get his reforms by always voting with the Government. There may be a chance of getting them by opposition to the Government.

The next point is the protective duties. There are two ways by which one can exercise protection. One is that we impose heavy duties on our imports. The second thing, which is equally important, is to encourage the home industry by giving it some kind of bounty. Taking the case of sugar which has been very much discussed, it is not enough for the encouragement of the sugar industry if we impose duty on Java sugar. It is equally important that we must subsidise the cultivation of sugar-cane in various provinces. If the sugar-cane cultivators are helped, either in the shape of remission of revenues or in cash, then the sugar crop will grow and the sugar industry will develop in various provinces.

I should also like to draw the attention of the Assembly to the exchange ratio of 1s. 6d. This is not the time to raise that particular question, but the finances of India will be relieved if the Government of India reduced the ratio to 1s. 4d.

It is rather unfortunate that one speaker has drawn the attention of the Assembly to the work done by Sir Muhammad Habibullah. I think he has done a great disservice to Sir Muhammad Habibullah by repeating these facts this morning. He would probably be nearer the truth if he had substituted, for the words "Sir Muhammad Habibullah" the words "Mr. Bajpai".

Mr. K. C. Roy: On a point of order. May I say that not a word was meant or even implied against Sir Muhammad Habibullah?

Mr. Deputy President: That is not a point of order, Mr. Roy.

Mr. K. C. Roy: I know some of the rules of the House.

Dr. Ziauddin Ahmad: I want to leave it at this point. I leave it to the mathematical Members of this Assembly to draw mathematical equations from it.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): What is the formula?

Dr. Ziauddin Ahmad: Let us discuss it outside.

I next want to draw the attention of the Government to the communal fights which are going on between the Hindus and Muhammadans. I took the opportunity to examine some of them, and I discovered that, in a majority of cases, the Government officials were in the wrong. (Hear, hear.) Had the Government officials taken the right action at the right moment, then most of the troubles would have been avoided. I wish therefore that, whenever these troubles occur, we should not only bring the Hindu and the Muhammadan culprits before the Court, but some kind of tribunal may be appointed to consider the conduct of the Government officials who will be found to be in the wrong, and if Government officials also are brought to task, then most of the communal troubles, which we hear so much will disappear.

'Sir, the next point that I wish to draw attention to is the repeated recommendations made by my Honourable friend Mr. Gaya Prasad Singh about income-tax. I think he has drawn a very good illustration that, if the income of a person is Rs. 1,999, he has to pay no tax, but the moment his pay is increased by Re. 1 to Rs. 2,000, he has not only to pay income-tax on the increase of Re. 1, but also on the entire amount of Rs. 2,000, which is unjust and I hope the Honourable the Finance Member will look into this matter.

Nawab Sir Sahibzada Abdul Qaiyum: How does that compare with land revenue?

Dr. Ziauddin Ahmad: The point I wish to bring to the notice of the Government is that if the income is raised beyond a certain amount, then the tax should be levied on the increased amount and not on the entire income.

Mian Mohammad Shah Nawaz: What about land revenue?

Dr. Ziauddin Ahmad: This point I would leave to my Honourable friend to develop.

Now, I come to the Round Table Conference, which has been so much talked about. Sir, there have been different ways of expressing loyalty to the Government at different times, and now the way in which we express loyalty in these days is (1) that we should have full Dominion Status and (2) we thank His Excellency the Viceroy for having invited this Round Table Conference. These are the two formulae by means of which we express our loyalty to the Government. Let me examine rather more closely this proposal of Round Table Conference. First, I take up the Muhammadans. The Muhammadans no doubt have represented their views before the Simon Commission and they stated all they had to say. And whenever they go to the Round Table Conference, the Muhammadans would only say that they have already said it. They may further paraphrase the memorandum which was presented to Sir John Simon and also paraphrase the famous Minute of Dissent of Dr. Suhrawardy, which somehow, in spite of repeated requests and questions to the Honourable the Home Member, has not seen the light of day and no reply is forthcoming. But still as far as the Muhammadans are concerned, they will only repeat what they had already said.

Now, as regards the other side, there is a very substantial opinion not only shared by persons labelled as extremists, but also by moderates. They say that the solution for India's problems lies in India and not in England. This is the opinion expressed to me by Mr. Manchurji Bhowmagari when

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I met him in London in 1928. He said "Why do you bring so many deputations to this country?" From his long experience of Indian politics, he was of opinion that India's solution lay in India itself and not in England.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): That was two years ago.

Dr. Ziauddin Ahmad: I suppose the opinion, which he expressed two years ago, will prove more important after the experience of the last two years. Now the only persons who should be very pleased are those who were tired of the agitation against the Simon Commission and who found a way to come out of it. These are the only persons who ought to be very thankful to the Government and proud of this new situation. At any rate, as far as the Muhammadans are concerned, we will never oppose a movement of this kind. We will always co-operate with the Government, we will co-operate with the All-Parties Conference, we will co-operate with every section of the Indian community, and we will lay our just and genuine demands before them, and try to work out a future constitution for India, which may best suit the people, and a constitution which may benefit not one particular section, but may benefit every section of the people residing in this land.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): I am grateful to you, Sir, for giving me this opportunity to take part in the debate and make a few remarks here in this connection. I will not follow the examples of my Honourable friends who have indulged in diatribes of various kinds and sorts about the ills with which the Government of India are afflicted, but I should confine my observations to one or two matters which have fallen from some of the previous speakers. This morning our Honourable friend, who represents the Rohilkund and Kumaon Divisions Non-Muslim constituency in this House, while talking about delivering the goods in connection with Round Table Conference, referred to Mr. Gandhi as the person who can do it, but, Sir, I have my own doubts about it. Mr. Gandhi is a very great man, perhaps one of the greatest Indians living in our time, and there are lots of people who are of his way of thinking. Mr. Ranga Iyer opined that Mr. Gandhi alone would be able to deliver the goods at the Round Table Conference to the British people. I have great doubts about it myself, because, knowing as I do most of the people living here, especially the Muslims, I must say honestly that it will not be possible for Mr. Gandhi to deliver our goods because his creed is different from ours. If the Government have wisdom in selecting our people to represent our story before the Round Table Conference, they will select noblemen like Mr. Jinnah and Nawab Sir S. Abdul Qaiyum Khan of the Frontier Province.

Pandit Nilakantha Das: Do you represent all the Mussalmans in India?

Mr. Anwar-ul-Azim: Yes, I voice their sentiment here. I have the support of the Muslim League behind me.

Lieut.-Colonel H. A. J. Gidney: Do you include all the minorities?

Mr. Anwar-ul-Azim: In India there are two classes alone. Muslims and Non-Muslims. Sir, there is one other matter, rather disconnected with

the purpose of this proposal, and that is the much maligned reformed constitution which has been allowed to work here in this country from 1921. I find, Sir, some, not excepting even responsible men like Mr. Kelkar, committing this folly. They are here as the result of that constitution of 1920. They are here as a result of that open-mindedness, if I may call it so, of the British public and they are here in this House as a result of the constitution that was evolved by the genius of the late Mr. Montagu and Lord Chelmsford. But what do they do here? In season and out of season, we hear condemnation of this constitution. May I pertinently ask my Honourable friends, who have come into this House by that constitution, how they can decry the very constitution which has enabled them to come here, and why, in spite of their decrying it here in season and out of season, the very constitution is growing strong and that with the help of Swarajists and Nationalists?

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Is the Honourable Member himself satisfied with the present constitution?

Nawab Sir Sahibzada Abdul Qaiyum: It is the constitution under which you have come to this House.

Mr. Anwar-ul-Azim: Now, Sir, I have no quarrel with anybody, least of all with a man in the position of Mr. Kelkar, because of all the people to my right, I think the Responsivist Group have got some vision of judgment in them. That, however, is by the way.

Last year when I was talking on the third reading of the Finance Bill, the Honourable the Finance Member found fault with me, because I dilated a little on the ancient history of the Moghuls. I said that it was the Moghuls who had granted trade facilities to the forerunners of the Honourable the Finance Member here in this country, the East India Company, and as a result of those facilities, were able to kill the Portuguese and Dutch trade in the Gulf of Martaban. My only purpose was to remind Government that, perhaps at one time they were given good treatment by our forefathers and now, when we are fallen on evil days, perhaps the old associations and old memories might help them to come to our just aid and assistance. I remember that, immediately after me, a sigh of relief was heaved by my friend Mr. K. C. Neogy, who said that we were now relieved of this old story and we might go for a second to the Finance Bill. If Mr. Neogy was actually an impartial critic, he would surely have taken exception to our friends on my right, who last year and this year have been indulging in things which are not connected with the Finance Bill. This afternoon, Sir, you will remember that some flings were made at our expense by the Honourable Member from Burdwan. I do not think I can go down to his level of abuse, and I think it will be better if I leave him severely alone at that stage. My purpose is this; it is not that we cry for the moon, it is not that we want anything at the expense of others. What we cry for is this, that our just and legitimate demands in all spheres should be respected and considered.

Now, Sir, coming to the Bill itself, I might pertinently make one observation with regard to the items which form part of it. From the very lucid statement which has been put forward for our consideration by the Honourable the Finance Member, it appears, on the face of it, that perhaps the proposed taxation demanded by him are for purposes for which we have all been clamouring. On a reference to paragraphs 88—89

[Mr. Anwar-ul-Azim.]

onwards, you will find that he has distinctly stated that, out of the revenue that will be accumulated, he expects some surpluses which will be utilised for the coming reforms. My friends on my right have observed that, even they can read between the lines of what the Finance Member said in his budget speech. If these paragraphs are taken impartially, they can easily see that some sort of change is coming on in the administration of the provinces, and for that purpose, some amount of money will be needed. If we cry for being Ministers and Executive Councillors on the one hand, and at the same time decry Government with reasons, plausible or otherwise, I do not see how we can call ourselves consistent. Because you know that we cannot possibly have the cake and eat it at the same time. If you mean to follow the example of England here, you must pay for it. You could not possibly have a panchayat or *baitakkhana* gossip and run the whole administration on those lines. So I say that some of the items of taxation, which have been put forward in the Finance Bill, are justifiable.

I would like to refer to one other matter and that is in connection with one or two remarks which fell from the Honourable the Finance Member in reply to the speeches made during the budget discussion. Referring to the members of the Standing Finance Committee, he said that gentlemen who form the personnel of that Committee should be rather intelligent exponents of the case of Government so far as the financial side is concerned. I think it is a very legitimate demand on his part to make of those Members who are on the Finance Committee. So far as that Committee is concerned, I do not know much. I am sure quite a lot of intelligent gentlemen have been sitting on that Committee, and I am sure they try their level best to grasp the things put before them. But it seems to me that there is some sort of a hide-and-seek policy so far as the formation of these Committees is concerned. If you analyse the past history of the formation of the Railway Finance Committee, you will find that there are many gentlemen who are not only not conversant with the railway side of finance, but are absolutely innocent of any ability to take any part in the proceedings. That is the state of affairs in some of the committees which are formed, and I am sure I need not say very much so far as the selections to other Committees are concerned. They show such a lack of imagination. What about the Banking Enquiry Committee, and others of that kind? In the budget speech of the Finance Member he has very eloquently pleaded the cause of the provinces, and also for their agricultural populations. He says that, for agricultural development lots of things are necessary and they will require lots of money. May I not pertinently ask him whether it should not form a very important matter for discussion whether these provinces should be given some power of original taxation and not rely for the success of their administration on the good graces of the Government of India?

Last of all, I agree with the Deputy President with regard to our general story in all its bearings and spheres. It seems to me that, unless certain cases are threshed out here on the floor of the House they do not generally draw the attention of the Government of India. I for one should have thought that, if the Government of India, as such, meant business, then they, out of their own initiative, would have looked to things which were likely to be beneficial to all and not have created this annual discussion which sometimes causes acrimony. I do not think, Sir, I shall be justified

in taking any more time, except that I reiterate what I have said on other occasions on the floor of the House, on the cwt motion of Mr. Kelkar and on the Demands for Grants. Last of all, I wish to say, without showing any disrespect to you, Sir, I think you were rather hard, while talking this morning, about a Muhammadan gentleman whose name was not mentioned. (An Honourable Member: "Nameless".) Yes, but of course he has been found out and he is practically nearing the time to retire and I do not think we shall be right just to let him have an impression that we did not wish him well at the time of retirement. One other matter, which is absolutely personal, but I should like to mention it. So far as Mr. K. C. Roy is concerned, he is a distinguished Honourable colleague of ours.

Mr. Deputy President: Nothing about Mr. K. C. Roy. Personalities are not to be discussed here.

Mr. Anwar-ul-Azim: With these words I close my speech.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I desire to make a few observations though at this late hour. My reason is that the debate, as I understand, has been wrongly conducted for this reason, that it would be showing a great deal of irresponsibility if we, at this juncture, reject the Finance Bill. The occasion which is given to us should be utilised, to my mind, for two purposes. One is honest criticism of the Government's work during the past year, and the other is useful suggestions for the future. If we can satisfy these two heads during this debate, I think the Honourable the Finance Member and Members of Government would feel very grateful.

Sir, I would like to mention, as regards the first point, that we have, according to my calculation, given more to the Finance Member than what he has actually asked in the shape of taxation. First of all, one point will make this clear, namely an additional duty proposed by Sir Purshotamdas Thakurdas, from 30 to 38 per cent. on silver thread, silver wire, etc., will certainly give the Finance Member an additional income. I, therefore, think, Sir, that I should draw the attention of the Honourable the Finance Member to this, that if there is surplus, he should not allow other departments as it has been the case in the past, to run extravagant expenditure because there is a surplus and they can spend it in any way they like. The Finance Member has, in his budget speech, on page 50, from paragraph 77 onwards, traced the whole of the present situation regarding the need for taxation, regarding the retrenchment in expenditure and the future outlook in the country, and I, Sir, having regard to his statement, will not allow a single pie to be spent more than what is absolutely necessary. Now, as regards the one point on which I think the Honourable Members here are feeling very dissatisfied, namely the consultation with party leaders, I think I am voicing the opinion of my Honourable friends here when I say that the system which is adopted by the Government of consultation with leaders is a system which has not met with the approval of many Members of this House. (Hear, hear.) Whilst they do not wish to discourage the policy of consulting with leaders, they must make it clear that leaders should not be made to keep strict secrecy about these matters and that they should be allowed to consult their followers. If they would do that, much of the criticism would undoubtedly disappear.

[Mr. Fazal Ibrahim Rahimtulla.]

The second point is that the large number of Members in this House at present do not belong to any party whatsoever. Then do I understand that Government desire to deliberately exclude these people from consultation? Or do I draw the inference that, by this system, they want to force every individual from belonging to one party or the other? I hope, Sir, that the Government will consider this aspect of the question, that whilst I have no objection to Government consulting the party leaders in arriving at a settlement satisfactory to every one, they will see that a grievance of this character should never be allowed to remain amongst the Members of this House.

Sir, I would like to congratulate my Honourable friend, Mr. Ranga Iyer, on his very able and brilliant speech this morning. I think, Sir, there is one point to which I take exception in his speech. In his enthusiasm he has told this House that it is only Mahatma Gandhi who can deliver the goods on behalf of India. Whilst I have very great reverence for Mahatma Gandhi and I do not wish to say anything which would directly or indirectly reflect on him, I must say, Sir, that at this juncture, at any rate, he does not enjoy the confidence of the Mussalmans of India. I hope, Sir, that whilst he is concentrating his efforts on the question of civil disobedience, and on the question of forcing Government's hands, he will concentrate on winning the goodwill and co-operation of all the minorities in India. If he were to go from here as the ambassador of India all by himself, with the goodwill and co-operation of all minorities, I have no doubt that with the ability and respect that he commands throughout this country and other countries, he would be able to secure for us a great deal more than any individual who went either in his individual capacity, representative capacity or collective capacity to the Round Table Conference. (Hear, hear.)

(At this stage Mr. President resumed the Chair.)

Sir, a great deal has been made out about the Round Table Conference. I have seen people holding out threats that if such and such a condition is not fulfilled, if such and such a thing does not happen, they will not go to the Round Table Conference. I want to say very clearly that Indians would commit a great blunder in their life if they do not go to the Round Table Conference unconditionally.

Mr. President: Without invitation?

Mr. Fazal Ibrahim Rahimtulla: We will be invited at least that is my information. I would like to point out that we have, times out of number in this House, said that the present Government are an irresponsible Government. We have times out of number pointed out that there are grievances of ours which the Cabinet Members either are not in a position to remedy or are prevented from remedying by persons who are not in India but who practically rule the Cabinet of India from England. I therefore think, Sir, that this is an occasion which should be utilised by every Indian for putting forward our views jointly, unitedly and with one voice, if we wish to secure an honourable place for India within the Empire.

Sir, there is one point which my Honourable friend, Maulvi Muhammad Yakub, touched this morning, and it was regarding the services. I should like to mention, Sir, in short, that our grievances in this matter are these,

that whilst Government have given us pledges—and one of these pledges was read out by Maulvi Muhammad Yakub as given by His Excellency Lord Reading, the ex-Viceroy of India, that, when there are vacancies, one-third of them should be allotted to the minority communities in India. I think in the case of Mussalmans that is a very wrong thing to do. The point that I wish to make is that every vacancy should be filled by the minorities until one-third of the total number in the services is filled by the minority communities in all the Departments of Government. That is the point at issue. If you go on filling one-third of the vacancies as they occur by the minority communities, you will never be able to satisfy all the minorities, and specially the Mussalmans of India.

Mr. President: Is the Honourable Member not satisfied with Lord Reading's pledge?

Mr. Fazal Ibrahim Rahimtulla: That pledge, as I read it, does not say one-third of the vacancies occurring, but one-third of the total number—employed in all the Departments. Another point, Sir, is this—and I think I am voicing the opinion of the minorities here—that the system of examinations that has been introduced in the Departments is merely a farce; it is a device which is deliberately made as an obstruction to the minorities getting employment in the Government Departments and to stifle public agitation. Government should lay down the minimum qualifications required, without any system of examinations, and they should also recognise the degrees of the Universities in this country. If they adopt this system, many of the grievances now prevailing would to my mind disappear.

Pandit Nilakantha Das: My friend proposes abolishing examination in recruitment. But what will happen if there are more than the required number of candidates even from the minority community?

Mr. Fazal Ibrahim Rahimtulla: We have more than the number required. Sir, another point that I wish to make is that Government should by no means adopt a policy of repression. This policy, instead of keeping the country quiet, will make the country greatly agitated, and the remedy will be worse than the disease. The only point, to my mind, on which the Government should concentrate their attention is the question of poverty and unemployment in India. They have, I am glad to say, brought forward a measure, namely, the Textile Protection Bill, which will secure employment for a large number of Indians in this country. (Several Honourable Members: "Question".) I do not wish to reply to my friends Mr. Das and Mr. Ghuznavi because I reserve my speech on this point for a later occasion when we shall be discussing the Indian Tariff Bill. At that stage my friend Mr. Ghuznavi, who has traced the history of the cotton industry in India, will have to hear something from me, but I do not wish to take up the time of this House at this juncture in discussing the Bill which is coming in a separate form and which is going to be debated on its own merits.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Why do you refer to it then?

Mr. Fazal Ibrahim Rahimtulla: I refer to it because it gives employment without allowing the textile industry to be ruined.

Mr. A. H. Ghuznavi: Question.

Mr. Fazal Ibrahim Rahimtulla: What is the use of questioning without telling us how you question. It is no use saying simply 'question' and sitting with folded hands. If Mr. Ghuznavi is able to prove that without special protection he will be able to save the industry, I myself will have nothing to complain.

Mr. A. H. Ghuznavi: Even after getting protection you will not be able to save the industry.

Mr. Fazal Ibrahim Rahimtulla: My Honourable friend's case is peculiar. He has got some grievance, centuries old, regarding the Bombay mills, and he does not deal with the reality of the situation, and unless he comes to the realities of the situation and leaves his grievances of 1905 aside, I do not think he will be in a position to tackle the merits of the Bill which is coming before this House shortly. Sir, I do not wish to take up the time of this House any longer. I again repeat we would be committing a great mistake if we reject the Finance Bill.

(Mr. Mukhtar Singh rose in his place.)

Mr. President: Does the Honourable Member from Meerut wish to speak?

Mr. Mukhtar Singh: Yes, Sir.

Mr. President: How many minutes does the Honourable Member want to take?

Mr. Mukhtar Singh: One hour, Sir.

Mr. President: I am sorry I cannot give the Honourable Member one hour.

Several Honourable Members: The question may be now put.

Mr. Mukhtar Singh: I will finish in 45 minutes, Sir.

Honourable Members: The question may be now put.

Mr. President: If the Honourable Member wishes to speak for fifteen minutes, I will allow him to do so.

Honourable Members: The question may be now put.

Mr. Mukhtar Singh: I will finish within fifteen minutes, Sir.

Mr. President: The Honourable Member cannot finish within fifteen minutes. Mr. Navalrai.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, in not supporting this Bill, I would like to draw the attention of the House to one or two policies of the Government. I will refer to the salt tax first. With regard to the salt tax, there has been a very grave, I shall say, the greatest resentment in the country. It has led to civil disobedience by Mahatma Gandhi. I would therefore not say anything more with regard to that. But I would draw the attention of the Honourable the Finance Member to a definite question with regard to the grievance of the fisher-folk belonging to the Districts of Malabar and South Canara. Sir, these

fishermen are on the coast and they have been making their living on fish. That fish is being salted, i.e., being cured with salt earth gathered from low lying saline fields. There was no salt tax in this, and these people used to cure their fish without any payment of tax. When the salt tax was introduced, these men also became affected by it; so they agitated and showed their discontent, and the result was that a yard system was created for supplying salt gratis to these people to cure their fish within these yards. Now, Sir, this did not come to the help of all the fishermen on the coast; it benefited only those who live near by these yards. They only could get their fish cured there but since then, they have been deprived of even that convenience by the management of the yards being transferred to the Madras Government, who do not care to take a sufficient interest in these yards. Now, with regard to this, Sir, as there is not much time at this hour of the day, I would only say that this question of the grievance of these fishermen has been hanging fire since a very long time. The policy of the Government has always been to redress even an admitted grievance only when it is too late. Now, this has been pending since a very long time. Regarding it, the Honourable Mr. Ramnadas Pantulu moved a Resolution in the Council of State recommending that the management and up-keep of the fish-curing yards in the Madras Presidency be taken up by the Central Government. The debate that took place in the Council of State on the 3rd March, 1927 shows this. Now, though this Resolution was adopted in the Council of State, and though it is now more than three years since that Resolution was passed, Government have not been able to do anything. I would, therefore, draw the attention of the Honourable the Finance Member to this definite grievance of these poor people and ask him to wait no more to come to their relief.

Then, Sir, a word as regards the Public Service Commission. The other day I heard the Honourable Dr. Ziauddin saying that the Public Service Commission should not exist, for the reason that, in the Public Service Commission, the members are not proficient in all subjects, and therefore they cannot recruit for offices of all kinds. Now, Sir, if my Honourable friend had had his attention drawn to what the selection boards or heads of offices are doing with regard to recruitment, I think he would not have referred to the Public Service Commission in the terms he did.

Mr. President: That is not a reason for rejecting the Finance Bill?

Mr. Lalchand Navalrai: That shows, Sir, that Government's policy is wrong with regard to that. I would only say, Sir, that the Public Service Commission is doing fairly good work, but that the selection boards require to be greatly improved.

Dr. Ziauddin Ahmad: I know the working of the Public Service Commission in India and I know the working of the same institutions in England and elsewhere.

Mr. Lalchand Navalrai: I do not say that the Honourable Member does not know it, but what I meant to draw his attention to was that he should divert his attention to what the Selection Boards are doing. The Selection Boards are sending for hundreds of people, taking so much money on the application forms from them which the Government supply and examining hundreds of candidates, but the result is only that they give preference to some people and select only a few.

[Mr. Lalchand Navalrai.]

Now, Sir, coming to the Finance Bill itself, I submit the policy of the Government with regard to retrenchment has been entirely wrong. I am glad the Finance Member has shown sympathy with regard to the curtailment that he proposes to make. We are told that a Commissioner is going to be appointed for that purpose but, Sir, unless the policy of the Government is changed, no Commissioner, for the matter of that not even a Committee, will be able to do much. In this connection I may submit that the present policy of the Government is not to touch for curtailment from top to toe, but to touch the toe only. Therefore, strict instructions should be given to the Commissioner who may be appointed to consider the pay and emoluments, not only of small officers and subordinates, but he should begin from the top. He should take the office of the Secretary of State for India in hand first, then the salaries of Members of the Executive Council and so on. The other day I heard the Finance Member saying that, even when we get Dominion rule and begin to rule ourselves, we will not be able to keep the Executive Councillors on a lower pay. I submit, Sir, that when Dominion rule is granted to us, we will be cutting our coat according to our cloth; at present the Government wants to cut an English coat, even when there is no sufficient cloth.

In this connection I would like to cite one or two instances to show how retrenchment is being effected, at present. I was reading a pamphlet written by a Professor, Mr. H. R. Bhateja, M.A., who is a Professor of Economics in the Patna University. He has referred to an instance that happened in the Educational Department which supports my view. This is what he says in his pamphlet:

"The pay of the post of the Vice-Chancellor of the Patna University was retrenched, but as the I. E. S. officer had to be provided for somewhere, he reverted to his substantive post, carrying about the same emolument. All officers acting in the chain of his vacancy were removed back until an unfortunate teacher officiating on a small pittance was thrown out of employment."

This is, Sir, what happens with the fate of retrenchment. Now, have we not enough of instances in the Central Government itself? We have an instance in the Central Board of Revenue. Recently, Sir, there arose the question of the appointment of a permanent Secretary to the Board, and what do we find? Since Central Board of Revenue was separated from the Finance Department, a Deputy Secretary, taken from the Finance Department, was working as a Secretary of the Board, and he was doing his work quite satisfactorily. We know Mr. Sundaram, who has been acknowledged to be a very competent man, and he was carrying on very well; yet the Government thought that a permanent Secretary should be appointed and who should he be? I have read the minutes of the Finance Committee, and I find that they wanted to provide for an I. C. S. man with an emolument rising up to Rs. 2,500. That is so far as one of the higher offices of the Central Board of Revenue is concerned, but now let us see what they have been doing in some of the smaller offices. On the one hand, they raised the pay of the Secretary; on the other hand they considered the pay of the peons of the Income-tax Department in Bombay and Sind. There we find, while the Commissioner of Income-tax, Bombay recommended that the peons of Bombay should be put on the same level as other peons in the mofussil, they made an increase of one or two rupees in the pay of these peons, but advocated that the peons of

the Income-tax Department in Sind who had been drawing one rupee more than the peons in other Departments in Sind should be retrenched. This is the way, Sir, in which retrenchment is being carried on, and I say, until the policy of the Government remains unchanged, there will be little or no use in appointing any Commissioner or Committee.

I will now say a word about the sugar tax. My Honourable friend Mr. Abdoola Haroon from Karachi put forward the grievance with regard to sugar tax preference. It related to Kathiawar State. Imperial Preference is strongly opposed in this House and Sir, on the same principle I would ask there should exist no State preference and the differential treatment as to recovery of sugar tax should be done away with as well. With regard to sugar industries, in my own life I saw so much sugar-cane growing in fields and small factories making sugar which have fast disappeared in villages. So these small industries should be reorganized and given the necessary help to revive the sugar industry of this country. If in any case however the tax is being increased greater attention should be paid to the development of the sugar industry.

Coming now to Imperial Preference with regard to cotton piece-goods

Mr. President: You will have an opportunity to speak on it tomorrow.

Mr. Lalchand Navalrai: Only one word, Sir, with regard to Imperial Preference. I am entirely opposed to it. There has been a great deal of feeling among the public on this question, and the unanimous opinion of the people is that it should not be allowed. I have received certain telegrams from the Karachi Merchants' Association and also from Calcutta, and I will read only one telegram: It says this:

"Karachi Merchants' Association strongly oppose introduction of Imperial Preference in Indian budget in connection with protective duty on cotton piece-goods. Such preference will ultimately cause harm to India by subjecting her fiscal policy to interests of other parts of Empire and will initiate hostile legislation in countries concerned, harm many trades and other interests and strain India's relations with other countries."

Sir, I endorse all this. I will not tire the House any more. I would only say that in not supporting this Bill I will ask Government to take note of their wrong policies.

Mr. W. A. Cosgrave (Assam: Nominated Official): I move, Sir, that the question be now put.

(Mr. Mukhtar Singh rose in his seat.)

Mr. President: I am sure the Honourable Member will be very reasonable. It is already getting too late.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Thank you very much, Sir. After all, I have got the chance of speaking on this motion. The main point that I want to discuss today, is that it is an admitted fact.

Mr. Jehangir K. Munshi (Burma: Non-European): Might I suggest, Sir, that you might adjourn now till eleven o'clock tomorrow?

Mr. President: No.

Mr. Jehangir K. Munshi: It is already very late now, Sir.

Mr. President: I must finish the Third Reading today.

Mr. Mukhtar Singh: The only point that I want to make is this. Who is responsible for the poverty of the masses? Is it the monsoon or the excessive rain which, as the Finance Member said, is responsible or is it the Government that is responsible for the poverty of the masses? I shall dismiss the question of the monsoon and the excessive rain within a few minutes by saying that it is not only in India that the rain god is not pleased with the Indians. Such natural calamities do occur in every country of the world. Rather, I should think India is very fortunate in that respect. Even England is affected by floods and frost, Japan is affected by earthquakes. Sir, a country that has perennial rivers flowing and contains any amount of sub-soil water cannot be at a disadvantage as regards want of monsoon. If you refer to the figures, you will be pleased to notice that, in 1890-91, the irrigated area was 21.1 per cent. as compared to the total cropped area. The percentage of irrigated area to the cropped area in 1921, after a lapse of 30 years remains the same, i.e., 21.1 per cent. That clearly shows that the Government have done nothing worth the name in the meantime. They have not tried to increase the facilities for irrigation and now it does not lie in their mouth to complain about the want of monsoon. Besides this, during the short time at my disposal, I shall try to convince the House that the Government are responsible for the poverty of the masses of this country on other scores. The first point is the question of the burden of taxation. In 1911-12, the burden of taxation per head, excluding land revenue, was Rs. 1-7-0. In 1916-17 it rose to Rs. 3-4-2, and in 1926-27 it reached the figure of Rs. 4-3-5, an increase of 291 per cent. If you compare the figure of 1916 to 1926, you will find that, within a period of ten years, the burden of taxation per head has increased by 216 per cent. and still the Government say that they are not responsible for the poverty of the masses. The land revenue in 1907-08 was Rs. 2,99,48,000. It rose in 1927-28 to Rs. 38,52,17,000, an increase of 28.7 per cent., and still we are made to believe that the Government are not responsible for the poverty of the masses. There is one general complaint which I made last year also that Government have taken pretty good care that there should not be a committee or commission to inquire into the economic condition of this country. So far as I am aware, there has not been a single committee or commission which has taken up the question of land revenue, the policy of irrigation, policy of transport, custom, tariff, etc., etc., in order to inquire whether really the poverty of the people is due to Government's policy or it is due to want of monsoon and excessive rain. If complete economic inquiry is made, I am sure it will be found that Government are responsible for the poverty of the masses. People are already convinced about it, but the Government will also be convinced of it if they really want to be convinced. In Great Britain 4.4 men live on a land of 100 acres. In Denmark 5.5, in Germany 6.5, in France 7, in Holland 9, in Belgium 10 and so on live on 100 acres of land. What about India? In India 66 men are living on the same area and this clearly explains why Indians are poor. Every day the pressure on land is increasing. Last year I pointed out that the percentage living on agriculture in 1881 was only 58 per cent. In 1921, it has increased to 73 per cent. That clearly shows how far Government are trying to encourage industries or engage the

people of this country in other pursuits. The Honourable the Finance Member has made his policy quite clear in his budget speech. He says:

"In the first place and above everything else, it is necessary to stimulate and improve the agricultural production of the country, so that they can retain for themselves and enjoy a greater portion of the produce for their own subsistence. In the second place, it is desirable to encourage industrial development, provided it is done in conjunction with and in supplement to the agricultural life of this country."

What does that mean? It means Sir, that this Government would not encourage anything unless it has something to do with the agriculture of this country. This is why we find Imperial Preference in our textile industry. We saw, year before last, that the Tariff Board recommended a tax on the import of cloth, but the Government imposed a tax on yarn. It clearly shows that the Government do not want the poor people of this country to prosper. I am told, in season and out of season, that improvement in agriculture is the only method by which this poverty can be removed. I want to disabuse the Honourable the Finance Member and his Government of this idea. Improvement in agriculture will not in any way increase prosperity but it will bring in more misfortune. I wanted to press that point when Mr. Sykes put certain questions about the low rates of agricultural produce. I was told by the Honourable the Finance Member and Sir Frank Noyce that stabilisation of prices is beyond the control of any Government and the price is always controlled by the demand and supply of the country. But my Honourable friend will feel convinced if I read a passage from a recent book published in America, "Our Debt and Duty to the Farmer". On page 192, the author of this book says:

"The sufferer from sciatica or similar disease may secure temporary relief from paroxysms of pain by hot fomentations and may lessen the frequency of acute attacks by medicines which stimulate the organs of elimination and have a quieting effect on the nerves. He gets no permanent relief, however, and no assurance against recurring attacks until the cause is discovered and removed. Just so the farmer may find some relief from his economic difficulties by cutting down expenditures, by reducing production costs, by reducing marketing costs through co-operative associations, and by readjusting production. Because of weather conditions he may find his income temporarily increased. In 1924 for example our wheat farmers enjoyed the unique experience of a very large crop and a fairly good price at one and the same time. As a result they were able to meet their interest and tax payments, pay off some of their debt, and make some needed purchases. But they had no assurance that they would receive a profitable price the next year. The fundamental trouble with agriculture is the distorted relationship between prices of what farmers produce and the prices of other commodities, and the large increase that has taken place in his fixed expenses such as labour, interest, transportation, and taxes. Until prices of farm products rise to a fair ratio with price of other things, or prices of other things drop to approximately the level of farm prices, agriculture will continue to suffer economic injustice. Farmers themselves cannot bring about this change except as a sufficient number of them abandon their farms and thus reduce production. This is a most dangerous and unwise policy from the national point of view, for such a process is always carried too far and results in great hardship on consumers before it can be checked. It is also a grossly unjust method because it requires that large numbers must die financially that others may live."

This is the opinion of an American author and it is also the view adopted in England itself. I may tell my Honourable friend the Finance Member and Sir Frank Noyce that, in England, this question was inquired into in 1924. If I am not mistaken, a Committee sat for stabilisation of agricultural prices and they have published a Report Economic Series No. 2—Ministry of Agriculture and Fisheries. They found out that agricultural prices may rise or fall in consequence of those causes which bring about a rise or fall in the general level of the prices of all commodities, including

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agricultural products taken together. The prices may be so great as to cause the greatest value of a large crop to be less than the small crop. It has been calculated that American growers of cotton receive more for a crop of nine million bales than for 113 million bales while American producers received more for a crop of three million bushels of wheat than for one million bushels. Further on they say that no one would deny that a favourable season in which there had been plenty of rain and sun and freedom from physical disturbances producing rich and healthy crop should be an advantage to the producer and therefore I should think that he desires nevertheless in the existing conditions of organisation of agricultural industry it is frequently a disadvantage to the production of a thing that he fears. In other words, it is true to say that there is no adequate machinery for the economic distribution and marketing. On account of that it frequently happens that a favourable season, yielding a heavy crop, leads to temporary congestion of the market and thus the farmer has to sell his entire crop at a loss. In spite of the above statement what do we do here? Sir, in this country, we do nothing else, but we try to increase the yield of the crop. The Honourable the Finance Member can very well say that it is a question of demand and supply. But what do they do in England? Do they rely upon the principle of demand and supply? No. They have the Oat Subsidy Act, the Wheat Subsidy Act and quite recently they have the Beet Sugar Subsidy Act. The cultivator is given subsidies for the different crops that he produces and yet even with the help of so many subsidies, the English farmer cannot survive on land and the population on land is decreasing every day. That clearly shows, Sir, that without any sort of protection, you have no right to blame the Indian agriculturists for his poverty. When the Government does not discharge their responsibilities he could not be anything but poor. I may read to you, Sir, a passage written not by an agitator, not by a non-co-operator, but by Mr. W. S. Blunt in his book "India under Ripon". At page 245, he says:

"I believe, it may be stated absolutely, that the whole of peasant indebtedness originally came from the necessity thus imposed of finding coin to pay the land taxes . . . This is the last worst evil which English administration has brought upon the Indian peasantry. . . . We have given the ryot security from death by violence, but we have probably increased his danger of death by starvation."

Sir, this is the condemnation in the words of an English author. What have you done, may I inquire, for the stabilisation of prices? In every country, in America, in Germany, in France and in all other countries, they have revised their customs duty, they have revised their tariff duty and on account of that they have been able to protect their agricultural industry. But in India where the producers have to send all their raw produce to England, nothing is likely to be done. England wants agricultural produce at a very cheap rate and this is why India should remain an agricultural country and the agriculturist should not be protected. And further, according to the Honourable the Finance Member, no industry which is not connected with agriculture should be allowed to survive. If this is the policy, I am afraid a time is coming when in spite of the persecutions, in spite of your repression of the workers in peasants and workers leagues, you will find that the peasantry of this country will realise that it is not God that is responsible, but this Government is responsible for their miserable lot. I have not much time at my disposal, yet I want to

ask my Honourable friends on the Government Benches, how many times their land revenue policy has been enquired into and how many times revised? I may state straightaway the land revenue policy adopted in my province. According to the Tenancy Act of my province a tenant is debarred from filing a suit for the abatement of rent, while a landlord is allowed to bring his suit for enhancement of rent. Why? Because land revenue is assessed on the amount of rent that the zamindar pays. If he gets more, Government gets more. This explains as to why the rent paid today can be increased, but cannot be decreased. If your policy rests upon this vicious principle that no abatement of rent should be allowed but only an enhancement of rent should be allowed, then how can you say, let the tenant improve his condition. In spite of this your main cry is, let him improve his condition. Is that the policy, Sir, by which you can improve his condition? Or make his position better? I was told by Sir Frank Noyce that the Agricultural Research Council will bring prosperity to this country. The Research Council with an amount of ten lakhs and an agricultural council which is not responsible to this Legislature and about which the Government have not got the courage to put the whole scheme before this Legislature? Can that Council be expected to bring about everything? I am sure that if it is to get money for research work, that research work will consist only of how to improve the yield of agriculture. It cannot enter into the question of economy and there is the end of the matter. I was told the other day by a very responsible officer of the Government of India that even Pusa is not responsible for the economic side of agriculture and rightly too. Why should they care for the economic side of agriculture?

If the Honourable Members care to go to Meerut, they will find that a very large area is badly affected by locusts while all the entomologists that Government have at their command at Pusa and in the province are writing slips after slips giving instructions for the destruction of locusts. But cannot the Government spare these experts to remain there on the spot and to show the way by which locusts can be destroyed? They are afraid they cannot do it and they do not know how to do it, and therefore these experts, who are drawing fat salaries, avoid being at the spot. They do not want to get a bad name by their failure. Is that the way in which the agriculturists are going to be helped?

Let me say a few words about the Agricultural Institute at Pusa which is said to be doing great things in the way of improvement of agriculture. I went to Pusa and I stayed there one day more than I was required, and what did I see? The only thing that I saw was that there exists no atmosphere of a research institute. It was not a temple of knowledge, but a temple of discord and heart burnings between Indians and Europeans. If even amongst research workers you cannot arouse feelings of fellowship, comradeship and co-operation, how can you expect to improve the agriculture of the country? Sir, I will refer to one passage in the evidence given before the Royal Commission on Agriculture, in Part I, Volume II, by one Mr. Joshi. He stated in his evidence:

"The marked difference in pay, prospects and status of these services, constituted and officered as they are at present, requires to some extent a readjustment as these differences would ordinarily create an artificial sense of superiority in the members of the higher branch and thereby very often prevent the feeling of comradeship amongst scientific workers which is highly desirable but which is under existing differences hardly attainable."

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This is the evidence given by one of your subordinates and speaks volumes of condemnation. Being a subordinate he could not give his opinion in a more forcible manner; not because he did not feel more strongly, but because he could not express it for fear of persecution. The Indian staff organised an association of all the research workers on behalf of which Mr. Joshi was examined and as soon as this opinion was expressed, the members were forced to resign their membership of this association. The number of members when this evidence was given was 80 and it was reduced within a week to 35. This is the way in which even the Indian research workers are treated. If agriculture is a transferred subject, I would ask Government to transfer this subject to Indians and Indians alone, and if they do not improve the condition of the people, then we shall cease to talk of Indianisation. If the direction given by the superior staff is there, nothing is possible and nothing is achievable. As long as the experts will look to the interests of England alone, nothing is likely to be achieved. I may have stated a number of other things if I would have the time, but I will only refer to one thing which the Honourable the Finance Member said the other day. He told us that if the salt tax was abolished, the eight crores which Punjab got by the cultivation of improved variety of wheat could not have been secured. Let me tell him that, last year, the Punjab did not get 8 crores, but lost, if not 8 crores, more than 8 crores, because you allowed the Canadian wheat to come into that province and to undersell the Punjab wheat. Canada which was only cultivating about 2 million acres of wheat about 20 years ago is now cultivating 23½ millions. It is a new country whose soil has just been brought under cultivation and it can easily undersell wheat in any other country whose fertility of the soil has decreased by continuous cropping. The Government quietly allowed that wheat to be sold in the Punjab and in United Provinces, and still we are told that the Punjab cultivator has got 8 crores by the improved variety. I may be confronted with the Report

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Had the climatic conditions in the Punjab nothing to do with the import of foreign wheat?

Sardar Kartar Singh: Their prices are affected by the import of foreign wheat.

Mr. Mukhtar Singh: No, Sir, I was submitting that the method of your reporting is defective and deliberately too. How do you arrive at the figure of 8 crores? I know how you arrive at it. You have no agency by which you can know that this improved variety has really given a profit to the cultivator and if so by how much. What do you do is like this. From the Agricultural Research Institute at Pusa you get a report that the improved variety must give so much more than the ordinary variety. You take for granted that it is so, and then you multiply the area by the figure of profit your experts have calculated and you get the figure of 8 crores as profit. Is that the honest method of writing your reports? Is there any other country which does it like that? I have been studying the Agricultural Year Book issued by the United States of America. I have never found such a thing there. No Government would do it. You know perfectly well the value of your improvements and this is why you take to this method of arbitrary calculation. I hope, Sir, this explains as

to how the Finance Member said that 8 crores have been put into the pockets of the Punjab cultivators. But if he goes to Punjab he will find that the Punjab cultivator has lost a large amount in producing wheat last year.

This is about your improvement. There are two questions more to which I will draw the attention of the Finance Member. This country is poor, not because the agriculturists do not produce sufficient, not because the people of this country are lazy and unintelligent, but because the people of this country have to support themselves and support the whole population of England. Therefore they are poor. Some people draw fat salaries here, and others draw fat dividends from factories the products of which must be sold in the Indian market and the indigenous article produced in this country should be discouraged. I will make it clear to you only by putting two or three instances. We were told that the Government of India have done a lot for the agricultural people by introducing good varieties of manure and fertilisers, and that the Railway Board have been good enough to reduce the rates on fertilisers in order to keep the agriculturists living. Is it so? Potassium nitrate, which has all the elements required by the agriculturists of this country, has been ruined by your excise policy. But you will allow the import of sodium nitrate, which contains sodium, an element injurious to the soil of this country. Yet you will not allow the potassium nitrate manufacturer of this country to live. Potassium nitrate has a handicap even in railway rates to which I drew the attention of the House last year. But here is a very recent instance. The East Indian Railway increased its rates on manures a few months back and at once there was a representation from the manure manufacturers and at once the rates were decreased. (Interruption). Yes, for the sake of foreign manufacturers. I hold in my hand a copy of a letter dated the 5th December, 1929, in which these railway rates were decreased. At the same time, what do we find? On bones, the rates were not decreased in spite of the representation of the people as bones are required to be exported outside India. I shall refer only to a few figures, Sir, which will convince you about the vast difference in rates. The rates now on the East Indian Railway for different foreign manures and fertilisers are:

for 50 miles 7 pies per maund,

100 miles one anna 2 pies per maund,

150 miles one anna 9 pies per maund,

200 miles two annas 3 pies per maund,

300 miles three annas 2 pies per maund,

and so on.

Now, what about the bones? For 50 miles alone the exporter has to pay one anna eleven pies per maund in comparison to 7 pies in the other case; for 100 miles, he has to pay 2 annas 9 pies, in comparison to one anna 2 pies; for 150 miles he pays 3 annas 7 pies in comparison to one anna 9 pies, for 200 miles 4 annas 3 pies in comparison to 2 annas 3 pies, for 300 miles 5 annas 8 pies in comparison to three annas two pies, and so on. I have got the entire schedule in my hands which will convince you of the policy which is followed by the Government. Now I may be allowed to give another instance of reviving the agriculturist by their railway policy. I refer to the Bombay milk supply. You know, Sir, since a very long time in Bombay, she-buffaloes are used for the purpose of milk and what is done

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with them? They are imported from the Punjab. They are taken there and after one lactation period, all of them are slaughtered. I will give you some startling figures and still the Government sits tight on the question. In 1900-01 the number of she-buffaloes slaughtered in Bombay was 1,198. (Interruption.) They are not slaughtered for meat. I will tell you why? In 1927-28, this number of 1,198 increased to 26,094. In a place which imports cattle from the Punjab, milch cattle are allowed to be slaughtered to the extent of 26,094 in one year. Is it likely that the breed of she-buffaloes will survive?

Mr. President: The Honourable Member must now conclude.

Mr. Mukhtar Singh: Only five minutes, Sir, with your permission. I was submitting, Sir, why they have been slaughtered. It is not because meat was required, as I am told people do not like the meat of a she-buffalo. They were slaughtered because they could not be carried back from Bombay to other mofassil places. Why? Because the Railway Board increased the rates from Rs. 50 a wagon to Rs. 92 a wagon and they will not make any concession for dry buffaloes of a cheaper rate. The milk supply of Calcutta can be met with, because there are different rates at which a season ticket holder can take milk every day from the mofassil to Calcutta at cheap rates. But that is not done in Bombay. Here people cannot take their buffaloes to the mofassil and bring milk to Bombay. The result is that all the people outside Bombay are starving, because they have no industry and they are not allowed to follow dairy industry. Bombay is starving for milk because they cannot keep cattle, and still the Government will say that if they care for anybody, they care for the masses alone. If you really want the masses to be satisfied, make an honest effort to help them. Your hypnotism over the masses is disappearing. In 1921 non-co-operation had clearly broken that hypnotism, and now people are convinced that it is not God alone that brings to them misfortune, but there is something wrong somewhere, and I submit, Sir, it is much better if the Honourable the Finance Member revises his policy. I say that all your railway policy, all your agricultural policy, all your tariff policy, should be revised with only one end in view and that is that India should live and that the people of this country should at least exist. I maintain they have a right to exist and if that right is acceded, they will be satisfied. Even for your own sake, you will have to keep them in existence. I wish, Sir, that the Honourable the Finance Member, economist as he is, financier as he is, should try to go deeper into the matter. I would not have touched this point at all if I had been convinced that these points would be cleared up in the Banking Enquiry Committee. But I know, Sir, that that Committee has nothing to do with all these questions and this is why I have to draw attention to them here. The poverty of India is not due to the factors which you proclaim to be responsible for. But your own policy has brought this ruin and misery and the sooner you wake up, at least in your own interests, the better. (Applause.)

Mr. K. V. Rangaswami Ayyangar (Madras: Landholders): It is very unfortunate, Sir, when in England the socialist Government has come to power and when in India such excellent gentlemen as our Viceroy and our Finance Member are presiding over the destinies of our affairs, a taxation to the extent of five to six crores of rupees has been levied during this year. Sir, when I entered the Council in 1916, we had only a

taxation of 85 crores or so. Now, it has increased by 50 per cent. in the course of 14 years. Sir, it is the case in all countries that the taxation has been much reduced from the war time Budget. The present day Budget of ours is worse than the war times. Every country has reduced its taxation. But, unfortunately, we have got increased burdens while we were promised during the war a reduction of taxation after wars. Sir, it is said that the reforms were the cause of heavy burdens in India. We wanted reforms only for the purpose of reduction of taxation burdens and not for the name of reforms. The conditions due to reforms seem to be worse than war conditions! Sir, there is no corresponding benefits of the reforms that have been the cause of the heavy financial burdens in India. If the reforms should be the cause of the heavy burdens, I should wish that we go back to the old pre-reform days rather than enjoy the luxury of these reforms.

Sir, the salt tax was the only tax that was taken exception to on behalf of the masses during the pre-reform days, but now, Sir, there is not only one tax, but there are half-a-dozen taxes that on all sides are pressing on the poor man. He has to pay a heavier price for his plough-share, for his spade, for his scythe, and for every kind of tool that the purchases, for the clothing that he wears, for his migration, because the third-class fares have increased, for his sugar and now for kerosene oil, and I say, for his silver also. Sir, some Honourable Members were nodding disapproval when Mr. Birla was saying that silver was a poor man's commodity, but I say that silver is really a poor man's commodity because the richer people have taken to diamonds and gold; for his ornaments for so many other things he has to go in for it.

Sir, ever since the late Sir William Meyer left the Finance Department, I may say a policy of bold taxation has been inaugurated and the goose that was laying golden eggs is being gradually throttled. It is no wonder his purchasing power has vanished and industries in India and abroad that were fed by him are suffering.

Sir, Members on these Benches want more money for agriculture, for irrigation and for so many other things. The Finance Member has to provide for funds for discharging the increased duties placed upon the Government. Sir, I may say that there are ways open to Government for finding money without increasing the taxation at this time. We should not lock up money now by way of railway reserves for some few years—at least so long as trade depression disappears. We should not also lay aside a debt sinking fund. If these two things are done now, at this time when the country is troubled by all sorts of calamities, we can have a Budget without any increased taxation. The Finance Member, Sir, has challenged us and said that whoever may be the Finance Member it would be impossible for him to meet the deficit except by increased taxation. But now, Sir, I have suggested that we should raid the Railway Reserve Fund and should not have the debt sinking fund. I do not congratulate Honourable Members on this side for voting against the Honourable Mr. Neogy's Resolution that we should go back on the convention or agreement in respect of the Railway Reserve Fund that we are adding to every year. Sir, we do not have a reserve fund for anything except Railways. We do not have a reserve fund for the Army; we do not have a reserve fund for loss on opium revenue or customs or any other thing, and it is only want of confidence in this side of the House that made Sir Charles

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Innes propose a reserve fund only for railways because he perhaps thought that on account of our having a hardy annual in the debates where irrigation and such other matters were trotted out as requiring more money while the contention of the Government was that the railways wanted more money. Sir, the railways have built up 30 crores for five years and we are laying aside now five crores every year; and for debt sinking fund we may be laying aside two or three crores; so that if we make a temporary raid on these two funds, I think we can have a balanced Budget, and we may resort to the railway reserve fund and the debt sinking fund after the present depression is over.

Sir, one other thing I wanted to say is this. A lot of influential support is given to the question of having a certain percentage of seats in Government services given to different communities, as Hindus, Muslims. Sir, I do not think any community is behind any other community in the matter of passing any competitive examination. When this is admitted and as is proved by our having such eminent men on these Benches hailing from one community or other, I do not think, Sir, that having a certain allotment to particular communities in services will go to enhance the efficiency of the Government. I am opposed to this communal allotment, and I say that if only efficiency should be the guidance in the matter of recruitment to the services and not communal considerations, Government will be more efficient and will be run at a cheaper cost. Sir, it has been admitted by speakers on this communal problem that their community are in no way behind other communities in the matter of efficiency, and when such is the case, where comes the allotment of 30 per cent. or 35 per cent.? Let there be impartial judges and let them judge whether this particular person is more efficient than the other. To say that a certain man, the moment he is converted from Hinduism and became a Christian or Muhammadan, should be given preference over another man is rather a thing that reasonable people cannot understand. The only one subject that requires to be pressed on the attention of the Home Government that means doing justice to India is the doing away of preferences because one belongs to this particular religion or that particular caste.

Sir, if we oppose this taxation and throw out this Bill it would not be like the failure of a Bill in the House of Commons; and I join in the sentiments of some Honourable Members on this side who have said that throwing out the Bill is no impeachment or censure of the Government. What we only say is that we cannot be parties to this high taxation when there should be a considerable reduction from the war burdens.

The Honourable Sir George Schuster: Sir, we have ranged over a very large field both in time and space during the course of this debate. We have been taken back to the period of Plassey by Mr. Amar Nath Dutt, and we have come very near to the present. We have dealt with agriculture, with the Public Service Commission, with the representation of communities, the Round Table Conference, in fact with practically every subject which has interested the public in India during the last year or two. But I must confess, Sir, that the amount of time devoted to the actual proposals of the Budget this year has been singularly small.

It is extremely difficult to reply to this type of debate, and as the time is late, I propose to confine myself to a very few remarks.

The general theme of those who have opposed the Finance Bill has been that, in the words of my Honourable friend Mr. Kelkar, the Finance Bill represents a sort of "consolidated demand of confidence", and Honourable Members who have no confidence in the Government must therefore oppose the Bill. Or perhaps, they may put it in another way, namely, that as at present, they have no responsibility or no power of controlling financial policy, they must, as a protest against this state of affairs, vote against the Finance Bill. No doubt there is a great deal of truth in the last contention, but at the same time I would ask Honourable Members to consider that in fact they do have a great many opportunities for influencing Government's policy. If we consider the position as though we were two opposing armies, it is always interesting for one Commander to attempt to get into the mind of the Commander of the opposing forces. Now I do not mind telling you, as one who represents at the present moment the Commander of one of the opposing forces, that all that is said in this House has a very considerable influence, at least on our financial policy for which I can speak. I think that, if Honourable Members will look at the proposals that have come up in the financial field this year, they will see what great effect the remarks they make from their side have on Government's policy. Further, if they will also consider the possibilities that do exist under the present constitution, I think they will also recognise that there are very considerable opportunities for influencing policy. I was very glad in the speech of my friend, Mr. Amar Nath Dutt, to find some recognition of the work done by the Standing Finance Committee. After all, one should remember this, that all new expenditure does come up before the Standing Finance Committee, and even when it is non-voted expenditure, the matters are brought before the Standing Finance Committee for their information. Therefore, it is open to the unofficial parties in this House at present to exercise a very great influence on the Government's financial policy.

Apart from that general ground for opposing the Finance Bill, a good many points have been made, as they must necessarily be made, in the course of this debate dealing with particular affairs, and as far as my answer is concerned, I wish to take this opportunity of dealing with some of those points. My friend the Deputy President who, I am sorry to say, wished to condemn us as Members of the Executive Council to a somewhat unhappy fate, dealt with a point which was also taken by my friend Mr. Fazal Ibrahim Rahimtulla in his,—if I may so describe it—bright and business-like speech, on the question of representation of Mussalmans in the services. That subject has already been dealt with in many questions during the course of this Session, and I can only say that the matter is going to be inquired into again and that the position as it exists now after five years of the policy which was initiated in that letter which my friend the Deputy President read out, is going to be reviewed, and I trust that I shall have the opportunity of discussing it, so far as concerns the Departments coming under my own control, with representatives who are interested in this matter.

Then, Sir, we had some points raised both by my friend Mr. Lamb and Colonel Crawford, and, as Colonel Crawford dealt with the whole of the points in which his Group is interested, I should like to base my remarks on his speech. He explained again what was in the mind of his Group in moving a motion in regard to retrenchment, and there I should like to take this opportunity again to explain our position in this matter.

[Sir George Schuster.]

The view seems to be held by certain groups and parties in this House that a mere inquiry by a departmental officer will not be sufficient. I wish to make it clear that, at the present stage, all that we propose to do is that this officer on special duty should make a careful survey of the whole ground, analysing the reasons for the growth of expenditure, and that, when his Report with a clear analysis is available, it will be again submitted to Members of this Assembly, and that our future line of action will then be decided after I have had an opportunity of discussing the matter with representatives of the Assembly. Therefore, I do not wish the impression to get abroad that this departmental inquiry is necessarily the end of the matter.

Then on the question of our policy with regard to kerosene taxes, there is one point as regards which the Government have been extremely sensible in the course of the discussions which have taken place in the House on this matter. We do feel that as regards the small companies, there is a possibility that this change in the relative levels of import and excise duties may create some hardship, and may affect the finances of those smaller companies, and we recognise that that is a matter which must be very carefully watched. If we are satisfied that a good case has been made out for the relief of any of the smaller companies and that some special relief is needed for them, then I think that means can be found for giving the necessary assistance by powers which the Government already possesses, and without special legislation. The matter requires careful watching, and any claim for special assistance will have to be thoroughly established. It goes without saying that anything that the Government may do in this matter will be reported at the first opportunity to this Assembly, and discussed with them.

Then I should like to refer to the speech, the very interesting speech on points regarding income-tax administration,—which has become almost an annual event from my friend Mr. Gaya Prasad Singh. He will not, I am sure, expect me to reply in detail on all those points, but I can assure him that his speech will be most carefully read, and that all the suggestions he has made will be carefully examined, and taken up if necessary. He recognises the fact in his own speech that some of his suggestions have already been taken up, and I should like to say that I welcome this type of criticism, because it helps us to consider points which might otherwise escape our attention.

My Honourable friend, Sir Purshotamdas Thakurdas, had some remarks to make on the question of sugar, and referred to the special duty that rests on the Government now, in view of the heavy charge which they are taking out of sugar, to take steps to encourage development of the sugar industry in this country. I thought that I had made it quite clear in my budget speech and in my subsequent speeches, that that was the intention of the Government. The special points to which he made reference, the need for some special assistance to manufacturers, possibly in the direction of special transport facilities, special freights and so on, all those are points which will be considered by the appropriate organizations. There is at present a special Sugar Committee considering various points, and, as I stated in the House the other day, it is probable that a Tariff Board inquiry into the same industry will be undertaken in the near future, so that all those points will be taken up.

Then I come to the speech of my friend, Mr. Anwar-ul-Azim, and the point that I wish to refer to in his speech is his reference to the provinces and to the indication which I had given in my own original budget speech, that, supposing a surplus was available at the end of this year, it was our intention that one of the directions in which such surplus should be employed, might be in helping the provinces by way of financial assistance and giving a start possibly to the new constitutional developments. My friend made this point, that it will be better for the Central Government to allow heads of revenue to go to the provinces rather than that the Central Government should itself collect the revenue and distribute it in the form of doles. That, of course, is a pertinent observation, and I can only assure my friend that the whole question of the relation between the Central Government and the provinces and the redistribution of heads of revenue is a question which we know will have to receive most serious consideration in the course of this year and to which already I have given a great deal of preliminary thought. The fact that these new taxes may put us in a position to help the provinces financially does not necessarily mean that that assistance will be given merely in the form of doles. It must be taken that it is likely to put us into an easier position, and the way in which distribution would be made is something which has got to be worked out in the future.

Then, I would like to refer to the speech made by my Honourable friend, Mr. Fazal Ibrahim Rahimtulla. He, I am glad to say, made his speech on the lines of what I think he described as "honest criticism and suggestion for the future". That I must say is the type of speech which I like to get. He raised some questions about the additional revenue which we might derive from the increased duty on silver thread and silver ware and from the excise duty on silver, all of which, as he correctly pointed out, were not included in my original budget proposals. The same points were also raised by my Honourable friend Mr. K. C. Roy. I have not yet got detailed estimates of the possible yield on the silver thread duties, but I understand that it may be something in the neighbourhood of one lakh. As regards the excise duty on silver, that I do not treat entirely as an additional windfall. I had based my calculations as to what we should get from the import duty on silver on certain assumptions as to the amount of silver which would be absorbed by the country, and, whether it is produced in the country or imported from outside, whether we get our returns in the form of excise or in the form of import duties, does not necessarily alter the amount. But as my Honourable friend will have noted, I made no secret of the fact that I considered that our estimates of revenue from the silver duty were on the conservative side. Perhaps I may leave it at that, but, as regards the point which was made by my Honourable friend arising out of this possibility of additional revenue, I should like to say that I am entirely in agreement with him. His point was this, that, if the Government find themselves in possession of a surplus, that must not be regarded as an excuse for relaxing the most rigid control of expenditure. I have already told this House that I regard myself as being under a most solemn pledge that we will continue a policy of economy and retrenchment, and that no extravagance will be permitted until this Assembly has had a chance of reviewing the position based on that report to which I have already referred. I recognise that the position of being in possession of a surplus puts a Finance Member under a very great responsibility. I trust that I shall be equal to that responsibility.

2400

LEGISLATIVE ASSEMBLY.

[24TH MAR. 1930.]

[Sir George Schuster.]

Then, lastly I would refer to the long and interesting speech made by my Honourable friend, Mr. Mukhtar Singh. I should like to say to him that all that he said about the general economic condition of the country is a matter in which I take the very greatest interest. I trust that, in various ways, such as the possibility of an Economic Advisory Council to which I have referred, or the Central Council of Agricultural Research on which my Honourable friend serves, or the Banking Inquiry Committee, on which also my Honourable friend serves, we shall be able to work out a constructive economic policy which will give my Honourable friend greater satisfaction than the policy which he has criticised in the past. He himself, owing to his position, has great opportunities now of helping the Government in developing such a policy, and I would only ask him to continue to make that careful study of the subject, which the speech he has made today shows he is already making.

My final remarks will concern themselves with the speech made by my Honourable friend, Mr. Aney. Before I deal with that I should like to express my personal regret that the Honourable the Leader of the Nationalist Party has been unable to be present during these debates owing to illness. His absence has undoubtedly made my own task easier, but for personal reasons I certainly regret it, and I should like to convey to him, through the party, my sympathy in his present illness.

I should like also to congratulate my friend Mr. Aney on the speech which he has made, which, speaking as one who was the subject of criticism, I recognised as most effective. In particular he selected the growth of expenditure and I think that that was the first time, in the course of these debates, that this particular aspect of the question has been closely examined. It is obviously a vulnerable point in our position. There has been a substantial growth in expenditure on civil administration in the last six or seven years, and it is on that particular point that I wish Honourable Members to concentrate their attention when we are able to put before them the Report, to which I have already referred, in the course of the next two or three months. The figures by themselves look much worse than they really are, and, if we had had time to go through, one by one, the various five per cent. cuts given notice of by my Honourable friend, Sir Hari Singh Gour, in connection with the various Departments, I should have been able to show in each case to this House what were the reasons for the growth in expenditure. There was not time for that, and indeed an examination of that kind can be much better pursued by a quiet study of the Reports. I trust that the Report which we shall present will be informative, and I trust that Honourable Members will subject it to their very careful criticism, and help Government to find means of economy where economy can be introduced without endangering the public interest.

Apart from criticising expenditure, my Honourable friend quite naturally criticised our scheme of taxation, and put this on the broad ground that we are taking a very great risk in asking the country now to support an additional burden of about five crores of new taxation. I agree that, stated in this broad way, it does seem a great deal to ask the country to do at present; but the whole case which I have presented in all the speeches which I have made in the course of these debates is that these taxes in themselves are not entirely an evil, if you consider them one by one. Take for instance the tax on silver, I would point out that now, even with

our new tax imposed, any man who wants to buy silver will be able to buy silver in India at a price somewhat lower than that at which he could buy it at this time a year ago. Therefore the burden of that tax will not, I submit, be very heavily felt in the country.

Then again take the case of sugar. I think I am right in saying that the wholesale price of sugar has during the last year fallen by something more than the amount of tax which we are imposing. Now, I do not say that the consumer will not perhaps feel the burden of that tax, for I think one of the points which the Government should inquire into is a point to which my attention was drawn the other day, namely, the wholly disproportionate increase in the retail prices which has been made since the imposition of that duty. In those ways, perhaps the consumer is sometimes made to suffer more than the actual imposition made by the Government justifies.

Of the cotton tax I think I need not say much. The increase of from 11 per cent. to 15 per cent. is, I think, one of those taxes which would be almost universally accepted in this House as an appropriate measure at the present stage. Therefore, I am only left with the income-tax. This has perhaps no special merit about it, and in fact the only merit which I claim for it is that, as I said yesterday, it completes the balance of my scheme and distributes the burden of the new taxes fairly as a whole. It falls on comparatively wealthy people and I do not think it can be said to be a really disastrous burden on the country. For all these reasons I have felt some confidence in proposing my plan of new taxation to this Assembly, and I feel so certain in my own mind that additional revenue is at the present stage required, and will in the long run benefit the country, provided that we attempt no extravagance in ordinary administration, and provided that we concentrate our attention on beneficial and constructive measures, that at the close of these long debates I feel myself unshaken in the ground which I took up at the beginning. Therefore what I would ask this House to do is to give me a chance by passing this measure, and see what comes of it.

Maulvi Muhammad Yakub: The Honourable Member has not touched the question of reforms for the North-West Frontier Province which was referred to by my Honourable friend, Dr. Ziauddin Ahmad. It is a very important question.

Mr. President: The question is:

"That the Finance Bill, as amended, be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 25th March, 1930.

LEGISLATIVE ASSEMBLY DEBATES

No. 42, Dated 25th. March 1930.

Pages 2403 to 2462 (wanting)

LEGISLATIVE ASSEMBLY.

Wednesday, 26th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further consideration of the following motion moved by the Honourable Sir George Rainy on the 13th March, 1930:

"That the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration."

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, speeches on this motion yesterday, especially from those Benches which are opposed to this motion, clearly indicate that, of the two principles underlying this Bill, on the first one of protection for this industry, there is practical unanimity. The only discordant note that was struck was on the first day of the discussion by my Honourable friend Diwan Chaman Lall. If I disagree with my Honourable friend Diwan Chaman Lall, I must at least give him credit for consistency in his attitude on all items of consideration of protection before the House. Whether it is protection for the steel industry, or for the paper industry or for the textile industry, ever since 1924, my Honourable friend from the Punjab has been consistent, opposing every motion for protection to the industry, irrespective of the merits of that protection, on this one ground only that there is a good deal left to be done yet by people engaged in industries in India for the amelioration of labour in India. Sir, there will be none amongst those who seek to support this Bill who will challenge Diwan Chaman Lall's dictum that the condition of labour in factories in India is nothing approaching the ideal. But even my friend Diwan Chaman Lall will agree that labour can only prosper if industry exists, and the ruin and closing down or even weakening of industries, he, I am sure, will recognise, does mean a weakening of the chances of improvement in the standard of labour.

The other friend who opposed this Bill is my friend from Bengal, Mr. Ghuznavi. Mr. Ghuznavi's complaint however was that he was very apprehensive that this protection, including as it does what is called Imperial Preference, is not adequate for the cotton textile industry. On the score, therefore, of protection being necessary I take it that my friend Mr. Ghuznavi not only agrees with the principle of the Bill, but has some criticism to offer to Government that they have not offered in this Bill enough protection for the cotton textile industry. Barring these two, I do not think I remember having heard any other Honourable Member who has spoken in this House till now say that he is opposed to the principle of more protection being made available to this industry.

[Sir Purshotamdas Thakurdas.]

Sir, Diwan Chaman Lall showed considerable attachment on his part to the methods employed by factory owners in Japan, and incidentally, I infer, to the support given by the Government in Japan to the textile industry. There is only one omission, which I think Diwan Chaman Lall may himself like to be brought to his notice, and that is that he overlooked informing the House that the Government in Japan gave protection to all industries in Japan when the Japanese currency was brought back to its pre-war parity, and an *ad valorem* protection of 10 per cent. was gazetted by the Government in Japan for at least a period of one year from the date on which the removal of the gold embargo was decided upon in Japan. I have here a cutting which shows that this protection has been offered not to a few industries which can be said to be national, but to all industries suffering from this appreciation of the Japanese currency. One of these is:

"... industries which would sustain losses without such protection, by reason of a sudden increase of imports on the recovery of the exchange to par."

I wonder whether my Honourable friend, when he rises to speak on the third reading of this Bill, will, on his behalf at least, rub this point into my friends on the Treasury Benches, and point out to them that, if not totally, a good deal of the trial, which is now being experienced by the textile industry, is due to the omission of Government to do this in India in 1927, when they officially decided to accept the ratio of 1s. 6d., an appreciation of 12½ per cent., and a deliberate and unmistakable bonus to the same extent to all imports to this country.

Mr. President: The Honourable Member is inviting Diwan Chaman Lall to speak again!

Sir Purshotamdas Thakurdas: If he wishes to, on the third reading, Sir. I am sure he will speak.

Mr. President: That means that the Honourable Member is not anxious to go back to Bombay soon!

Sir Purshotamdas Thakurdas: I do very much, Sir. I wonder if you will prevent Members from speaking if they have something new to put forward.

Sir, before I proceed further, I think I owe it to this House and to the Japanese merchants in India that I inform this House, about two telegrams received by me from two representative bodies in connection with what I communicated to this House on the 7th instant. I then said that I had a telegram in my possession that day, which indicated that there were reports in Bombay that the Japanese Government may give a bounty of 5 per cent. to make up for the proposed preference to British cotton goods imported into India, and that large quantities of piece-goods were being hurried to India in order to get entry into British Indian ports before this Bill was passed into law. The telegrams in my hand say:

"Quotations in your speech March 7th incorrect as Japanese Government not promised any bounty nor will tax Japanese nation for benefit of Indian consumers. Deny reports heavy cloth sales with rebate to buyer if protective duty levied."

An Honourable Member: Whom is it from?

Sir Purshotamdas Thakurdas: One telegram is from the Japan Cotton Shippers' Association, Bombay, and another is signed by Mr. Kinoshita, the Manager of the Japan Cotton Trading Co., Ltd., from Bombay.

Now, Sir, I do not wish to deal with the several arguments adduced by Members who have been anxious to criticise Bombay mill industry and Bombay mill management. But it was some relief to me to hear yesterday from my Honourable friend Mr. Neogy that he, who had been opposed to protection for the cotton textile industry till now, has now turned friendly to Bombay and that he was prepared to offer his assistance to this House to prevent Bombay from, what he called, committing suicide. I am sure, Sir, that assurances of such well-meaning watchfulness, on the part of Honourable Members in this House, on those who are interested in the cotton textile industry of Bombay, are most welcome, and I look upon this, Sir, as a very good sign of the friendliness of this Assembly towards the enterprises of Bombay, be it in the direction of cotton textiles or anything else. But I cannot help feeling, Sir, that there is a very serious misapprehension when Honourable Members in this House connect this Bill mainly or mostly with the welfare of cotton mills in Bombay only. It is true that Bombay mills are worst affected by foreign competition and therefore it is natural that this protection, if given, may benefit them in the first instance. But I submit, Sir, that it is incorrect to say that this protection will benefit either mainly or, I dare say, even principally the Bombay mills. If this protection is likely to do substantial good to mills in any part of India, it is to mills which are outside Bombay. It may, in the first instance, give Bombay a little more immediate relief than those up-country, and for this purpose I cannot do better than quote from the Statement of Objects and Reasons, where the Honourable the Commerce Member himself has the following sentence:

"From the evidence in the possession of the Government, it appears that, during the last three years, and particularly in the last six months, the pressure of external competition has intensified and that the cotton mill industry throughout India is depressed, though the extent of the depression varies at different centres."

I ask the House to mark the words, "The cotton mill industry throughout India is depressed".

Now, regarding the extent of the depression, Bombay, as it is a port, naturally does suffer most and suffers earliest from depression brought about by competition from foreign imports. But it does not necessarily follow that, should nothing be done, mills in Bombay alone will go down; that mills in Bombay alone will suffer and mills elsewhere in India will not be affected. What is, Sir, bad for Bombay today will be bad for Ahmedabad, Sholapur, Delhi, Cawnpore, Calcutta and Madras within a few weeks or months, and at the latest, within less than a year. It is necessary, therefore, Sir, that this House should clearly bear in mind that the protection which they are considering today, even though Bombay may be made the bull's eye at which people may go on marking and shooting, that protection is also for mills up-country, side by side with Bombay. If this is borne in mind, I have not the least doubt, Sir, that those, who are interested in this industry out of Bombay, will feel at least this, that Bombay is bearing all the brunt in connection with the criticism, but they are going to benefit equally with Bombay if not more. If this protection enables the Bombay mills to avoid losses, it will enable the mills up-country to pay a small dividend, if they have not been paying that till now. If it will enable the Bombay mills to pay a small dividend of 5 or 6 per cent., it will certainly enable the

[Sir Purshotamdas Thakurdas.]

mills up-country to pay a larger dividend than they have been paying without it. It is only natural that they should do so, and I do not grudge the up-country mills their good luck. The up-country mills have the advantage of their geographical situation, and it is only natural that they should so benefit more. But I say this now in order to bring home unmistakably—and which I consider is above challenge—that in dealing with this question, it should not be overlooked that the Assembly will help not only the mills in Bombay to escape the immediate catastrophe, but they will also be helping the mills all over India to escape from that danger.

There has, Sir, been considerable criticism regarding the methods of mill management in Bombay. I personally welcome all such criticism, especially for my City. Of course I feel that criticism coming from Honourable Members in this House is criticism which comes from responsible well-wishers of the industry, and ought to help to keep Bombay up to the mark and to prevent them from avoidable slackness. I do not take exception to any words of warning or of advice given in friendly spirit by the bitterest opponents of this Bill, because I cannot possibly believe that there is a single Indian today who is inimical to the textile industry of India, whether it be in Bombay or elsewhere. (Hear, hear.) It is this conviction of mine that makes me say, Sir, that as far as I am aware, every one in Bombay will welcome all such criticism not only now but for ever hereafter. But there is, Sir, considerable confusion in several of the impressions which some of my Honourable friends who criticised Bombay have. There has been a little too much stress laid on some catch-phrases which, we know, become popular as soon as they have mentioned once or twice over in some Government report or by some commercial association, be it either in full knowledge of facts or in partial ignorance of same. Take, for instance, Sir, one item which has been mentioned, rather profusely, in the course of the discussion. I think it was my Honourable friend from Orissa, Mr. B. Das, who started the criticism regarding the mill agents' system, the system known as the commission agents' system. Now, Sir, I do not wish to defend that system through and through. But I wish to point out to my Honourable friend, Mr. B. Das, that what is wrong with that system is that there are not enough safeguards ensuring efficient mill-management in case of hereditary management proving inefficient. There is not sufficient watchfulness on the part of the shareholders and there may not be enough safeguards provided in agreements with mill agents. But if my Honourable friend says that that system ought to go, and the system of management of joint-stock concerns, especially cotton mills, should be the system of management through managing directors, I would like my friend seriously to consider over it and to point out to me any part of India where industrial or commercial enterprises have been managed successfully by managing directors?

Mr. B. Das (Orissa Division: Non-Muhammadan): The Bombay Electric Supply and Tramway Co., Ltd.

Sir Purshotamdas Thakurdas: I wish my friend had named something else. I happen to be connected with that Company, being the Chairman of the Board of Directors, and I do not like to say anything about it myself. But surely he can select something else outside Bombay. If Bombay is doing the wrong thing, why not point out something which is being done in the right way either in Bengal or in Bihar and Orissa or Madras?

Mr. B. Das: May I point out, Sir, that I did not mean to attack the managing agency system; my criticism was to point out certain defects in the managing agency system.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): We have quite a large number of tea garden companies which have been flourishing all these years under Indian management, which are entirely under the system of managing directors, and not managing agents.

Sir Purshotamdas Thakurdas: I am not conversant with the requirements of tea garden management, though I am prepared to accept my Honourable friend's view, but with regard to what my Honourable friend Mr. B. Das said, perhaps he will agree that it is not necessary to eliminate managing agents on a commission basis.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): I may say, in order that my Honourable friend Sir Purshotamdas Thakurdas might develop his argument, that the instance cited by Mr. Neogy is not helpful to Mr. Neogy's argument because, so far as I know, those tea garden companies which are managed by managing directors have to borrow money from many Marwari business men at the rate of 12 to 15 per cent.

Mr. K. C. Neogy: But they flourish all the same.

Sir Purshotamdas Thakurdas: I am very glad, Sir, that my Honourable friend Mr. Birla is able to help me with a few facts regarding Mr. Neogy's instance, but with regard to my Honourable friend, Mr. B. Das, may I put it to him that it is not necessary to eliminate the managing agents? All that is necessary is to improve the system.

Mr. B. Das: That is my point.

Sir Purshotamdas Thakurdas: I am glad that my Honourable friend Mr. B. Das agrees that there are certain directions in which the managing agency system can be usefully improved. But I am afraid that there may be other Members in this House who think that it is desirable to eliminate and to stamp out this system. I venture to assert, with due respect, that the day they do that, either by legislation or by any other method, will be a bad day for industrial enterprise in India.

Mr. B. Das: I never meant that.

Sir Purshotamdas Thakurdas: I agreed with Mr. Das as soon as Mr. Das made his meaning clear. As a matter of fact, both Mr. Neogy and Mr. Das will agree that, during the last few years, when there has been a good deal of company promotion in connection with either Indian banks, small or big, or insurance companies or anything else, if my Honourable friends have seen some of the prospectuses, they will confirm me that these have mostly been started with managing agents and not with a managing directorate.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): I do not think banking companies can be cited as an instance.

Sir Purshotamdas Thakurdas: I accept that my Honourable friend Mr. Vidya Sagar Pandya's latest flotation of a bank has been under the system of managing directorship; I fully accept that.

Mr. Vidya Sagar Pandya: There are no banks in the country under managing agents. Can the Honourable Member cite names of any banks under managing agents?

Sir Purshotamdas Thakurdas: I thought I just agreed with Mr. Pandya about his new bank. My point is that we should not be in a hurry to come to the conclusion that, because Bombay mills and companies are run by managing agents, therefore, they deserve no protection. As a matter of fact, I feel, Sir, that those, who are intimately acquainted with the sacrifices made by managing agents till now in Bombay, ever since the first mill was started there in 1860, sacrifices made to get the mills to stand during crises like the present one and others in the past, which they have passed through in 1900 to 1907, would feel as I feel, Sir, that I would like to take my hat off every time to these managing agents who have not spared their last pie in standing by their mills in the hope that those mills would successfully pass through a crisis. By all means I would welcome an inquiry by Government into the evils and the comparative good of this system. It will clear up the issue unmistakably, but I feel that, to rush to any conclusion as suggested by some of the remarks made here would be misleading to this House.

My next point, Sir, is again in connection with what my Honourable friend, Mr. B. Das, said. He complained that the mills in Bombay were over-capitalised. I do not know what my Honourable friend, Mr. B. Das, meant by over-capitalisation. What he meant perhaps was that mills were either floated or were put up during the boom period at prices which, under present conditions, look very high. Let me tell my Honourable friend Mr. B. Das that of the few mills which changed hands in Bombay during the boom period at prices varying from Rs. 60 and Rs. 70 lakhs to a crore and a half, most have up to now gone under the auctioneer's hammer; there are practically none of these left: they showed their unsoundness for financial purposes within a few years after the boom period came to an end.

Mr. A. H. Ghuznavi (Dacca Division: Mubammadan Rural): May I point out that, at page 207 of the Tariff Board's Report, it is said "Over-capitalisation has contributed to accentuate the depression in Bombay"?

Sir Purshotamdas Thakurdas: The Honourable Member is referring to the summary of conclusions; I thought he was pointing to the relative paragraph in the body of the Report.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): It is three years old any way.

Sir Purshotamdas Thakurdas: I do not think I would be justified in taking up the time of the House by reading extracts from the Report, but I will talk this point over with my Honourable friend if he desires it, so that he may speak later on this if he wants to. My point, Sir, is this. I should have thought, and perhaps those who are connected with banking in connection with mills in Bombay or in Ahmedabad will bear me out, that the complaint regarding the mills in Bombay and in Ahmedabad till now has been, not that they have too much capital, but that they have too little capital, that they were under-capitalised, that they have not any capital with which to do the current day to day financing required by these mills. Most of these mills continue to borrow on the credit of their managing agents in the open market from day to day, inviting a crisis as

soon as there is a flutter in the money market. Sir, regarding the majority of the mills in Bombay and in the Bombay Presidency, I may say to my Honourable friend, Mr. B. Das, that their weakness is not over-capitalisation, but under-capitalisation. Whether it is the right system or not, I am not prepared today definitely to pronounce before this House. I am pointing out that, if these mills had all been floated with the capital necessary firstly for the purpose of putting up the factory and in addition for the purpose of carrying on the day to day financing of the mill, perhaps so many mills and so many enterprises in this direction would not have been in existence at all. Sir, I will say only one word before I proceed further, and that is that I am convinced from my connection with the management of mills and my knowledge of the conditions under which financing of mills is being done in the Bombay Presidency, that, but for this system of managing agents, who stake their all on their mill companies, at least four times the number of mills which have gone down till now in the Bombay Presidency would have gone down. A more acute crisis in these mills has been prevented by the spirit of self-sacrifice partly in personal interest if you so choose to call it, but still it is there—which makes the managing agent stand by his mill up to the last moment, in the hope that something new will turn up and will enable his particular concern to turn the corner.

The next question, Sir, is the 4 per cent. increase in the revenue duty, and the 3½ annas minimum on greys. The question is, is this adequate? Even the Government, Sir, feel that this is not adequate for the immediate requirements of the mills. As pointed out by my Honourable friend, Sir Cowasji Jehangir, yesterday, when an Honourable Member of the temperament of the Honourable the Commerce Member definitely comes to that conclusion, he will be a bold man in this House who can say that the Honourable Sir George Rainy has been extravagant in what he has offered to the mill industry. If, Sir, there is any defect in the Honourable Sir George Rainy in that connection, so far as this side of the House is concerned it is that, he is too strict, and I have never seen, if I may say so, any leniency on his part when he sits down to consider and decide what measure of protection is necessary.

I will now come, Sir, to that part of the principle involved in this Bill which has been the bone of contention. Having come to the conclusion that this 4 per cent. increase in the revenue duty and the 3½ annas minimum on grey goods is not adequate, Government propose to give the additional protection

Mr. A. H. Ghuznavi: When did they propose to give this additional protection?

Sir Purshotamdas Thakurdas: I should have thought, Sir, that the questions and answers on the floor of the House when Mr. Jinnah was speaking yesterday made it abundantly clear that the original proposal of the Government of India was this, and Government subsequently put on something more, which is the bone of contention today, I mean the protective 5 per cent. duty. Perhaps, my Honourable friend was not in the House when this discussion took place yesterday on the floor of the House. Now, Sir, Government propose to give this additional protection by what they call "special protective duties", which have been generally referred to all

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through this discussion as Imperial Preference; I suggest to my Honourable friends who oppose this Bill on this particular ground, that this House is incapable of giving Imperial Preference, and Government cannot possibly expect this House to give Imperial Preference. Indeed, the Honourable the Finance Member says this much in his speech in paragraph 59: "We do not, and in fact, we could not, ask the Assembly to commit themselves at this stage to accept the principle of Imperial Preference". I ask the House to mark the words of the Finance Member, "We could not". Sir, I think the words are deliberately used. Imperial Preference can only be given according to the Colonial Conference Resolution of 1902, after full protection is afforded to the indigenous industry. The Fiscal Commission's Report, page 120, paragraph 216, has this—the heading is, "The Principles of Imperial Preference": "The points of chief importance which emerge from this Resolution"—that is the Resolution of the Colonial Conference of 1902—"are"—I will read, Sir, the most important one—"that there was no question of the Dominions abating their protectionist policy, and no idea of establishing free trade within the Empire". It is admitted, Sir, that if the protection given by the Government of India with their proposal to the Cabinet was alone to be given, it would not be adequate protection. It was 4 per cent. increase in revenue duty and 3½ annas minimum on grey goods, and Government have come to the conclusion that this is not adequate. And Imperial Preference can only come *after* adequate protection is assured. Further Sir, Condition No. 4 says that, "The preference given should be wholly voluntary, and should not go beyond what the circumstances of each unit might reasonably permit". What I wish to point out is that it should not be protection given under a certain set of circumstances, which are either created or which happen to come about. It should be something offered voluntarily by the country offering preference. And the last condition, Sir, is that the United Kingdom should, if possible, grant certain preference in return. None of these, I submit, exist today. But I was a little surprised when my friend, Mr. Birla, emphasised the Imperial Preference aspect. Mr. Birla, Sir, is one of the five Indian Members of that Commission who signed the Minority Report. At least two names out of these five command great confidence in the Indian public today, and they are the names of my friend himself and of the distinguished Chairman of that Commission, Sir Ibrahim Rahimtulla, whose name is well known throughout the length and breadth of this country. The Minority Report, Sir, in Chapter IV, under the heading "Imperial Preference",—my friend himself is a signatory to it—says this:

"The principle of Imperial Preference implies the uncontrolled power of initiating granting, varying and withdrawing preference from time to time, consistently with each country's interest and on lines which are not injurious to itself. India must therefore possess the same supreme powers as are enjoyed by the Dominions before Imperial Preference can become for her a matter of practical politics. India has not yet reached Dominion Status."

Mr. Ghanshyam Das Birla: May I inquire if the Honourable Member wishes to suggest that this is something worse than Imperial Preference?

Sir Purshotamdas Thakurdas: I am telling the House that what is before the House is not Imperial Preference according to his Minority Report.

Mr. Ghanshyam Das Birla: It is something worse than that?

Sir Purshotamdas Thakurdas: I will come to it presently if the Honourable Member will have a little patience.

Then, Sir, a little later they say more in the same strain. But I must not take very long in my speech, and I may take it for granted that this part of the House knows what is in the Report. I think I have quoted sufficiently to point out that, even according to the Minority Report of my friend, what is being offered today and what is under discussion in the House is not Imperial Preference as defined in the Report.

Now, Sir, the policy followed by the Government of India, so far, is not a policy of "protection", nor as my friend the Honourable the Commerce Member reminded me earlier this Session, is it full fledged protection. Imperial Preference can only, as far as I am able to understand the Colonial Conference Resolution, come in after full protection is assured to the industry concerned. The policy of the Government of India is of protection with discrimination.

Now, I wish to ask my friends of the Nationalist Party whether it is not wrong to apply the term Imperial Preference to this, for the simple reason that India is not independent enough in her own house to enjoy that privilege, and secondly, because there is nothing that we stand to gain today from the United Kingdom in return for this concession which the Government of India are offering to the United Kingdom.

Mr. K. C. Neogy: Is it not the case of Government themselves that, so far as fiscal matters go, India does enjoy the position of a Dominion?

Sir Purshotamdas Thakurdas: I am not here to defend the policy of the Government. I am only trying to put before the House the way I read the position in this Bill. My friend's question perhaps is meant for the Treasury Benches, and I am sure the Honourable the Commerce Member will give him a satisfactory reply if he can.

There is, Sir, further this question. Many in this House feel, and indeed they have said so, that they do not wish the relations of India in any way antagonised with either Japan or Italy or Holland, or indeed with any other country which exports piece-goods to India. Now, I ask Members on this side of the House if they have any voice today in connection with India's relations with any foreign powers? When Imperial Preference can be given by this House, will not the House consider the question of the existing commercial treaties and the developments, both international and others, perhaps of a serious nature, which may result as a consequence of their policy? Can the House today be said to be responsible for it? I am sure every Honourable Member who is opposed to this will at once say that we are not and we cannot be responsible for it, because we have no voice in it. I am only mentioning this in order to bring home my point that the idea of saying that what is being offered is Imperial Preference is wrong. It may be, Sir, a very convenient method of expressing what some have in mind. I wish to make it clear, Sir, that there is no Imperial Preference which can be given by this House in the present condition of India's fiscal policy, and in the present condition and position of my friends and the elected Members in this House.

Mr. Vidya Sagar Pandya: By what other name will the Honourable Member call this difference of 5 per cent. in favour of Lancashire, if it was not preference?

Sir Purshotamdas Thakurdas: Sir, I therefore conclude that this is not Imperial Preference as it should be understood. All the same it metes out special treatment to U. K. goods. Government say that these U. K. goods do not compete with Indian goods. Those who are opposed to this Bill say that they do compete. Government point out that this measure is not intended by them to help the expansion of India's textile industry but only to enable it to live and escape the crisis. It is devised, according to the Government, as an emergent measure. At the worst, therefore, the measure that is before the House can be in force for only three years, and it can be modified at the end of three years. Granting that the burden on the Indian consumer is higher to the extent of the protection conferred on the United Kingdom, the proposition, simply put, reduces itself to this—is it advisable for this House to save the Indian textile industry in which—according to Mr. H. P. Mody—about 100 crores of capital is invested, from further depreciation for a limited period of three years, with the extra burden which may be thrown, or which will be thrown, if you prefer it, on the Indian consumer by this protection offered by the Government of India to the United Kingdom? The worst charge against the Bill can be that it affords protection to U. K. industry, simultaneously with the Indian industry. This Assembly must weigh the scales with this and decide which is the heavier of the two scales. I hope that my Honourable friends who interrupted me to ask what this was if not Imperial Preference will be satisfied that I have, at least, put forward the issue in a clear and unmistakable manner.

Mr. Ghanshyam Das Birla: I have no dispute if the Honourable Member wants to call it protection to U. K.

Sir Purshotamdas Thakurdas: You can call it that. I will not differ about the wording. If my Honourable friend wants to call it in the way he has called it, I will not take exception to it. I want to have the issue as clearly put before the House as possible, and let us then understand whether as practical business-men, those who wish well of the Indian textile industry can come to some common conclusion.

Mr. Amar Nath Dutt (Burdwan Division: Non Muhammadan Rural): There are idealists here.

Sir Purshotamdas Thakurdas: I beg your pardon. I had overlooked you. In the peculiar circumstances in which the industry is placed at present, my Chamber thinks that protection should be afforded to the Indian textile industry. This in short is the question and there is no fear of a precedent in this connection being quoted later.

I agree that, if the industry were in a position to stand further trial, it may be desirable for it, as my Honourable friend Mr. Birla recommended, to oppose this form of protection in the hope that, if the Indian textile industry refuses this protection now and waits for a few months longer, they may get more. Now, Sir, I know that my Honourable friend is himself engaged and interested in this industry, but I also know that there are representative bodies interested in this industry direct, speaking in the names of, shall I say, 75 per cent. of the mills interested in the textile industry all over India. These bodies inform us, and indeed Mr. Mody has definitely said so on the floor of this House, that it would be dangerous to expose this industry to further onslaught and competition from abroad. In short, the position therefore is this. Does the Assembly make the

economic aspect of the problem subordinate to what may be the political aspect of it? I understand, Sir, that socialism says, where we can progress with the present order, it may be achieved; and I understand that communism preaches—Bring about political revolution first and then or rather thereafter try to secure the economic equality. For business men it would not be unpatriotic nor would be inexcusable if they decided that the principle of socialism might be accepted, especially when, as in this case, it is for a limited period of three years. I feel, Sir, that I shall at least be credited with having put the reasons why my Chamber have decided to favour this Bill in a manner which is impartial and which is not clouded by any other issue.

Mr. T. Prakasam (East Godavari and West Godavari *cum* Krishna: Non-Muhammadan Rural): Is it impartial?

Sir Purshotamdas Thakurdas: That is for the House to judge. I do not think I need repeat that it is so. All I can say is, that I have honestly tried to think over it, most seriously since the Budget was presented and with great oppression on my mind, at times, and I have tried to put before the House what strikes me till now, according to my limited capacity, as a fair presentation of the problem.

Sir, it must, I am sure, have struck the Honourable Members on the Treasury Benches, "Why all this opposition to this Bill if the Bill is conceived according to them in the best interests of the Indian industry and is to be in force only for three short years?" Let me tell them that the real reason is the past history in connection with the textile imports from the United Kingdom into India, which is dark and not such as to make Indians not suspicious. I do not wish to give any instances in this connection. I know it is not pleasant to many to hear them but I cannot help quoting Sir W. Joynson Hicks (now Lord Brentford) who said, some time back, and I am quoting from an extract which I came across in the *Bombay Chronicle*. Sir W. Joynson Hicks is reported to have said this:

"We did not conquer India for the benefit of the Indians. I know it is said in missionary meetings that we conquered India to raise the level of the Indians. That is can't. We conquered India as the outlet for the goods of Great Britain. We conquered India by the sword and by the sword we should hold it. I am not such a hypocrite as to say that we hold India for the Indians. We hold it as the finest outlet for British goods in general and for Lancashire cotton goods in particular."

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): That is why we ought to give preference to Lancashire?

Sir Purshotamdas Thakurdas: I am leaving the decision to you.

Dr. A. Suhrawardy: Thank you.

Sir Purshotamdas Thakurdas: With this mentality of British statesmen, with the history of Great Britain regarding the cotton textile industry till now, is it any wonder that we in this House, and in fact the whole of the Indian public, should fight very shy of whatever may be devised, with whatever high motives and ever so innocently, by my Honourable friends on the Treasury Benches? There may be a good deal in my friend Mr. Birla's apprehension that, once protection is allowed to the United Kingdom in the Indian market, it may not be easily removable. The course of this will depend upon the future relations of India and England. If it is a contented India under the British Crown, I expect that there will be room for plenty of deliberate Imperial Preference for U. K. goods with

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the free vote and goodwill of representatives of the people of India in this House hereafter. If it is a depressed India in bondage of England, then all that I can say is, God help both England and India.

Sir, I have now put before the House my frank reasons for supporting this Bill. I wish to quote, in support of what I have said, from a telegram which I received from my Chamber, and I will only quote one or two sentences from it. The telegram says:

"If there was any guarantee that adequate protection would be forthcoming immediately without any element of what is called Imperial Preference, Committee would have unhesitatingly accepted it in preference to the proposals put forward (by Government). Committee feel that they have been compelled, in absence of any alternative, reluctantly to accept Government proposals rather than see this national industry in which all parts of India are interested, wiped out of existence which would be a calamity not to Bombay city alone but to the whole country."

I think, Sir, after this, there should be no question of the motives of those on this side of the House who support this Bill. I have, for purposes of my remarks today, taken for granted all the worst apprehensions of my Honourable friends who oppose this Bill. Similarly, my support to this Bill is under circumstances which are unavoidable.

Sir, the unenviable position of the Indian industry could not have been better exemplified than by what has been clear on the floor of the House during the last three days. It has been necessary for some representatives of Indian commerce and industry to get up from their seats and plead before their fellow Members here, whose solicitude for India's national industry cannot possibly be questioned, for support of this Bill. I suggest that the villain of the whole piece is not the Indian millowner but the existing transitory stage of the reforms and the unenviable position in which we are from the constitutional point of view. Sir, the approval of the Legislative Assembly, to this Bill, if secured, must be regarded as the inevitable result of the circumstances in which we are placed, and must be regarded as one which left no option to those who support this Bill. But there is a touch of morbid humour for some and humiliation for others in the discussion before this House. When a part of the country is actively pleading for independence and for boycott of foreign cloth, we in the Legislature are being asked to give protection to a British industry as it has been called, and, indeed, is bound to be in the eyes of the public outside. What a moment to choose for such a gesture to Great Britain! If this gesture of goodwill from the Government of India to the Government of Great Britain, Sir, is to be useful, to the United Kingdom, it is not unlikely to foment agitation in this country for not only boycott of foreign goods but, I am afraid, for boycott of British goods. I am sorry for the psychological moment which has been selected for this measure. I very much wish, Sir, that it were possible for the Government of India to avoid this unfortunate moment for the expression of this friendly gesture. As far as we are concerned, I can assure my Honourable friends on my right that there is no pleasure to anyone of us to support the Bill and to vote in a different lobby. It is there that we feel that we are the victims of the circumstances in which the country and the constitution of the country at the moment is. If there is any feeling which is uppermost in the minds of Indians who vote for this Bill, I should not be surprised if it is a feeling of humiliation because they are the victims of the circumstances in which the country is placed today.

Sir the measure is said to be an emergency measure, designed to give immediate relief, and an immediate stimulus to the industry. Will it be effective? Who are the best customers of the productions of Indian mills, and even of Lancashire mills? I have no doubt the reply can be only one, namely, the masses. The Right Honourable Mr. Snowden, Chancellor of the Exchequer, a few months back, is reported to have said somewhere that, if he could only increase the purchasing power of the masses of India by something, however, tiny and small, he would get all the custom which might be necessary in order to keep the mills in Lancashire going. I propose to quote to the House from a speech delivered by the Marquess of Linlithgow at Rangoon on 7th November, 1927, when he was in India. The Noble Marquess said:

"Raise the purchasing power of the ryot, and in one stroke you will give to the industry, to manufactures, and to commerce in general an extended field for service. The prosperity of the factory is linked indissolubly, and to their mutual advantage, with the productivity of the field. Industry requires raw materials and markets for finished products. The cultivator sees in a prosperous industrial population an ever increasing market for the produce that he grows."

I wish to ask whether, with all the protection which is ensured either for Indian manufactures or for British manufactures, Government have made sure that there is, amongst the customers of these two, which at present appear to be the object of solicitude of the Government of India, that power which can really keep these two going. It strikes me that we are, or rather the Government of India are, following a policy which I cannot put in more apt words than the words which you, Mr. President, at least can fully understand:

"Agai dor, peeche chor."

(The crowd runs ahead, the thief is behind.) In ordinary course, a crowd follows a thief in order to catch him, but in this case the crowd runs ahead to catch the thief, who is behind.

What about the purchasing power of the masses, the royal class of customers both of Lancashire and the Indian textile industries? I close my remarks with this question which I particularly direct towards my Honourable friends on the Treasury Benches, Sir George Schuster and Sir George Rainy.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, the Honourable the Deputy Leader of the Independent Party, with a great deal of hesitation, asked and answered the question: "Who is the villain of the piece?" He said that it was not the millowner, and I agree with him. The millowner is the victor; he is not the villain. And even so the victims are the masses for whom he pleaded so apologetically. The villain of the piece, if I may say so without meaning much offence, without meaning any offence, is the Honourable the Commerce Member. He is the villain of the piece for this particular reason. Whenever he wants to do something for a national industry—and I am willing to grant that it is a national industry—he puts the nation on the horns of a dilemma. The capitalists are a part of the nation, even as the followers of Diwan Chaman Lal! But the Honourable the Commerce Member delights to put the entire nation on the horns of a dilemma. He says, if you want protection—and we most certainly want protection for the Bombay industries,—then you must at the same time be prepared to give the "special protection" for Lancashire! That is

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the whole problem. Protection for the millowners of Bombay and special protection for Lancashire! I wonder whether the Honourable the Deputy Leader of the Independent Party will accept that descriptive phrase "special protection". Obviously the Honourable the Deputy Leader of the Independent Party is not listening to what I am saying. Well, Sir, after having made a speech, Parliamentary formality expects him to answer a question from a subsequent speaker.

Sir Purshotamdas Thakurdas: I am sorry.

Mr. C. S. Ranga Iyer: I am glad that the Honourable the Deputy Leader of the Independent Party is willing to answer my question. I wanted to ask him whether he is prepared to agree to that description of what I may call "special protection for Lancashire". He does not like the word preference, but is he also prepared to call that "special protection".

Sir Purshotamdas Thakurdas: It has been so-called by the Honourable the Finance Member.

Mr. C. S. Ranga Iyer: I know that the Honourable the Finance Member has called it "special protection", but I wanted to know if a representative of the great commercial interests in India is also willing to call it "special protection", because I attach equal importance to his description of the same thing.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Surely the Honourable Member can see that in the Bill itself. Surely the Bill itself is very clear and if the Honourable Member has read it, he would see that it does impose a differential duty.

Mr. C. S. Ranga Iyer: Therefore we have also the Honourable the Leader of the Independent Party agreeing to this.

Mr. M. A. Jinnah: The Bill says so. It is not my opinion.

Sir Purshotamdas Thakurdas: I am always willing to give any information which I can to the Honourable Member, but I am afraid, Sir, that I am not able to follow his question clearly. I have put, from the practical point of view of a mere merchant, my view of the case and I have nothing further to add to what I have already said.

Mr. C. S. Ranga Iyer: I know the Honourable Member has nothing further to add. I was only asking whether he agreed to the description of the kind of protection given to England, as a special protection—protection on the one side and special protection on the other. I should like to know why we should be asked to grant "special protection" to England. I am quite willing to grant protection to the Bombay industries. That is what the Leader of my Party wants. I cannot understand, however, why either the Honourable the Finance Member or the Honourable Members on the Independent Benches should ask us to grant special protection to England.

Sir Purshotamdas Thakurdas: I am very sorry that my Honourable friend thinks that I agree with or approve of what the Government are offering. I have tried to put forward my view, and if it suits my Honourable friend, Mr. Ranga Iyer, to distort my view, I cannot help it. He can go on repeating his own version.

Mr. C. S. Ranga Iyer: I beg the Honourable Member's pardon, if he thinks I am repeating my own version. I am only stating a matter of fact which the Honourable Member cannot deny, namely, that he is in agreement with this Bill.

Sir Purshotamdas Thakurdas: I am not.

Mr. C. S. Ranga Iyer: His vote will show.

Sir Purshotamdas Thakurdas: If I vote for this Bill, if I support this Bill, I support it under circumstances which leave me no option.

Sardar Kartar Singh (East Punjab: Sikh): He is not a free agent.

Mr. C. S. Ranga Iyer: I must, in all fairness, admit that the Honourable the Deputy Leader of the Independent Party is supporting this Bill under circumstances over which he has no control. But I should like to know whether the special circumstances that prevail and which compel the Leader and the Deputy Leader of the Independent Party to take a particular course of action—I should like to know whether the special circumstances that govern them will also be taken into consideration by those in England who are carrying on a propaganda for special Imperial Preference. The Honourable the Deputy Leader of the Independent Party quoted, by way of justification of the Government measure, the opinion of the Honourable the Finance Member, saying that it was not Imperial Preference. Of course my Party has throughout maintained, and I do maintain, and I shall presently prove, that it is Imperial Preference. But I am first willing to take my stand on the ground which the great Leader of the Independent Party enunciated yesterday, and which his principal lieutenant in this House endorsed today. And, Sir, the Deputy Leader of the Independent Party said that it was not Imperial Preference and by way of authority. . . .

Mr. M. A. Jinnah: I think the Honourable Member is misrepresenting, and I do appeal to him, to his sense of fairness, that he should not go on repeatedly misrepresenting what I have said, and if he has not understood what I said, I should like him to get a copy of that speech of mine and carefully read it.

Mr. C. S. Ranga Iyer: I accept the Honourable Member's challenge. I am not misrepresenting him. I shall read what he said.

Dr. A. Suhrawardy: Not misquote him either.

Mr. C. S. Ranga Iyer: I am not misquoting, nor misrepresenting. He said that, "Imperial Preference can only be either a reciprocal arrangement between two free nations or a voluntary gift from one to another" and now his Deputy quoted the Honourable the Finance Member as having said that it was not Imperial Preference and he. . . .

Mr. M. A. Jinnah: Sir, that is not my speech. I do not know what the Honourable Member is quoting from.

Mr. C. S. Ranga Iyer: The quotation that I just read out is from the Honourable Member's speech.

Mr. M. A. Jinnah: Where did he get it from?

Mr. C. S. Ranga Iyer: I got it from the local newspaper report (Cries of 'Oh! Oh!' and Laughter.)

Mr. M. A. Jinnah: I appeal to the Honourable Member, who has got considerable experience as a journalist, how speeches are reported in the newspapers.

Mr. C. S. Ranga Iyer: It is the report of the Associated Press.

Mr. M. A. Jinnah: It is all the same.

Mr. C. S. Ranga Iyer: I am glad that the Honourable Member has repudiated the report of his speech by the Associated Press, namely, his interpretation of Imperial Preference. I thought, Sir, the Honourable the Leader of the Independent Party almost said yesterday that this was not Imperial Preference.

Mr. M. A. Jinnah: I never said that. This is deliberate misrepresentation now. I have said it over and over again that I never said that.

Mr. C. S. Ranga Iyer: Then, I am glad that the Honourable the Leader of the Independent Party concedes that this is Imperial Preference. Now that he concedes that this is Imperial Preference, my difficulty has been minimised. Are we or are we not to vote for Imperial Preference? So far as my Party is concerned, it will not agree to it and so far as the country is concerned, it will not agree to it either.

Now, I shall deal with what the Honourable Member's Deputy has said. He said, it was not Imperial Preference. The Honourable Leader of the Independent Party (Mr. Jinnah) did not say so. Therefore he will have to settle his dispute with his own lieutenant.

Sir Purshotamdas Thakurdas: Leave it to us, and proceed with your speech.

Mr. C. S. Ranga Iyer: Mr. Jinnah does think it is Imperial Preference, while Sir Purshotamdas Thakurdas thinks it is not, I am now concerned only with the latest speech on the subject and I say that this is Imperial Preference, because, Sir, Imperial Preference is preference shown by one part of the Empire to another of the Empire, against a country which does not belong to the Empire. That is Imperial Preference pure and simple. In this there are three countries involved, and all the three countries are mentioned in the Statement of Objects and Reasons printed and presented to us relating to this Bill. One is Japan, the other country is India, and the third country is England. I would put it like this, first England, second India and thirdly Japan. Now, India is a part of the British Empire, England is a part of the British Empire and Japan is not a part of the British Empire.

India gives, under this Bill, preference to England, India discriminates against Japan. This is pure and simple Imperial Preference. The Honourable representative of the Bombay Mill industry interpreted, if I am not misrepresenting him, that Imperial Preference meant reciprocity of obligations.

Mr. H. P. Mody: Reciprocity of benefits.

Mr. C. S. Ranga Iyer: I am willing to be corrected. There is reciprocal benefit accruing both to the millowners of Bombay and the millowners of England from this Bill. (Laughter.) Bombay gets protection. The millowners in England, according to the official language, get special protection.

Therefore there is reciprocity of benefits. Now then according to his own definition here is a case of Imperial Preference pure and simple. I do not know if Mr. Jinnah said yesterday, at least he is reported to have so said, that Imperial Preference must be in the nature of a voluntary gift.

Mr. M. A. Jinnah: Sir, may I instruct the Honourable Member? I merely stated that, as I understand the principle of Imperial Preference, it can be either as a reciprocity or as a voluntary gift. That was merely my idea of what I understand to be Imperial Preference. I said nothing more and nothing less.

Mr. C. S. Ranga Iyer: I am glad to know that. The Honourable gentleman's idea is quite correct. For the present case, it is crystal clear. Imperial Preference is not a voluntary gift, but an involuntary surrender on the part of those. . . . (The rest of the sentence was drowned in laughter.) And in spite of the very reasoned, the very appealing and the very enthusiastic speech which he delivered, I do not think the Deputy Leader of the Independent Party can make us agree with his dictum that this is not Imperial Preference. Even though he has quoted his own Chamber in regard to that,—and he has quoted it in the best interests of the country, of which I have no doubt—even though he has quoted the Honourable the Finance Member to assure this House that this is not Imperial Preference which he is anxious we should not be committed to, I have one very great difficulty, and that is this. We are dealing with England. We had the assurance of the Honourable the Commerce Member yesterday that this action has been taken by Government on their own initiative and without any inspiration from outside. I do not for a moment suggest that he was inspired by the great propaganda that was being carried on in England by the megaphones of Imperialism, the *Daily Mail*, the *Rothermere* and the *Beaverbrook* groups, all of which wanted Empire free-trade and all of which have merged themselves finally in the party of Mr. Baldwin, the principal plank on whose platform is nothing else and nothing more than Imperial Preference. Sir, I am reading from the *Morning Post*, the official organ of the Conservative Party in England:

"The official policy of the Conservative Party, as summed up by its leader Mr. Stanley Baldwin, is, safeguarding, Imperial Preference, Imperial rationalisation and Imperial co-operation."

I do not know whether there is rationalisation or Imperial co-operation here. It is not certainly co-operation between a dependency and a country which is governing it at present. It is most certainly Imperial Preference.

Mr. M. A. Jinnah: It is "India, Peace or War?"

Mr. C. S. Ranga Iyer: Yes. This is certainly Imperial Preference. (Laughter.)

Sir, I also find in the *Morning Post* the die-hard correspondent at Delhi of that die-hard paper describing what the significance of the passing of this Bill would be; and he says:

"If this Imperial Preference in this amended form is accepted by the Assembly, it is not because the unofficial leaders here respect the mandate of the present Socialist Government, in whom they are beginning to lose confidence, but because they wish to help the Government of India by endorsing the plea of the Right Honourable Stanley Baldwin in behalf of Empire preference."

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Well, Sir, I know the manner in which propaganda has been carried on in England on behalf of Imperial Preference. Sir Purshotamdas Thakurdas, whom I do not find now in his seat, will not be quoted by the great Conservative Party.

Mr. M. A. Jinnah: Sir, I may inform the Honourable Member that he has deputed me here to look after his interests. (Laughter.)

Mr. C. S. Ranga Iyer: The Leader of the Independent Party, who is acting as deputy for his Deputy Leader (Laughter.) will I hope correct me if I am not correctly representing Sir Purshotamdas Thakurdas. Sir Purshotamdas Thakurdas denied on the floor of this House, and quoted in support of his denial, the Honourable the Finance Member that this is not Imperial Preference. But when the Conservative Party, from whose official programme and policy I have just quoted, launch their campaign in England, I do not think even the Leader of the Independent Party will say that the speech of his Deputy will be quoted or even be recognised during the great election campaign in England, or for that matter, when the Conservative Government comes to power. I do not want that Conservative England should have an opportunity of saying, at the forthcoming election to the great democracy of Britain, that India is committed to Imperial Preference. The Conservative Party, I must frankly say, is not our friend at present. The Leader of the Conservative Party had most certainly taken a friendly attitude, but the very fact that he has surrendered since to the Rothermere gang and the Beaverbrook gang only shows that the real party, so far as India is concerned, is not the Conservative Party but the Conservative die-hards. The die-hards are the salt of the earth (Laughter.) and they are certainly the salt of the Conservative Party. And what is their programme? Their policy is, "No more surrender to India", "Imperial Preference" and so on and so forth. I am quoting this from the *Nation and Athenaeum* which has published an extract from the party programme. "Imperial Preference and no more surrender to India." This is Lord Rothermere's manifesto on behalf of his party, which has since merged itself in the Conservative Party after the explanation that Mr. Baldwin gave, when he explained Empire free-trade as the goal of his policy and that for the time being he would take his stand on Imperial Preference.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Lord Rothermere had not joined with the Baldwin or Conservative group when he made the statement, "no further surrender to India". This he stated months before he joined Mr. Baldwin and to attribute either to Mr. Baldwin or the Conservative Party this statement is to mislead the House and has a sinister motive.

Mr. C. S. Ranga Iyer: Mr. Baldwin issued the following invitation to Lord Rothermere, published in the *Morning Post* of February, 25. He said:

"No political party in this country can at the present stage adopt Empire free-trade which is no doubt the goal that we have in view. But the only business-like method with which to start the journey towards the great ideal is that contained in the official Conservative policy of safeguarding, Imperial Preference." . . . etc.

After this memorable appeal of Mr. Baldwin to the Rothermere and other groups, they merged themselves in the Baldwin group, and we have to deal with the official policy of the Conservative Party and the goal of the Rothermere group. Taking these two things together, I will not be a party to the policy of making this Assembly play the part of a handmaid to British Conservative Imperialism. And that will be the interpretation that will be put, that is being put, that has already been put on it, because the *Times*, in an editorial, appealed to India to pass this measure of Imperial Preference with a view to get the sympathy of England. I do not propose to ask for the sympathy of England by giving them a bribe, for this is nothing more or nothing less than a bribe. (Hear, hear.) But at the same time I fully grant the very difficult position in which the representatives from Bombay are placed. Sir, the very tactful, lucid, clever speech of the Honourable the Leader of the Independent Party yesterday made it quite clear to us that he was supporting this Bill, not because he liked the opportunity to discriminate in favour of England, but because he was afraid that this Bill would be wrecked if it was amended in the manner in which the Leader of my Party sought to amend it. It is not because he is in love with this Bill, but he feels that he is on the horns of a dilemma and he feels that, somehow or other, he must help the Bombay industry. I feel, Sir, that we, who are for a policy of protection, so far as the industries of India are concerned, are in the same difficulty. There is no getting away from it. (Hear, hear.) Just as they have weighed the pros and cons of the question and come to the conclusion that it is necessary to sacrifice this bit of idealism for what is practical, even so we have come to the conclusion that it is necessary to sacrifice what seems a little practical lest we should be interpreted as having committed ourselves to a policy of Imperial Preference fraught with danger to the future of our industries. The assurances of the Honourable the Finance Member may be very good. But they are not binding on him, because his constituency is not in India, but his constituency is, Sir, nothing more than the great British Government. For these reasons, it would be impossible for us to give our support to what is Imperial Preference. I say it is Imperial Preference, even as the Deputy Leader of the Independent Party said it is not Imperial Preference. I am sure, if it is interpreted as Imperial Preference, he will be the first man in India to stand up and emphatically protest against it, and it is with a view to guard himself for the future, that he himself has said it is not Imperial Preference. (Applause.) I quite appreciate the very diplomatic, very far-reaching effect of that protest against the future interpretation of this policy as Imperial Preference. Now, Sir, to the official denials.

They said they are not asking this House to commit itself to Imperial Preference. I do not attach much importance to what they ask and that they do not ask. For instance, I do not accept their denials and confirmations. They deny that we are the representatives of the people. They deny that we are organised in and out of this House. They say we are a very microscopic minority. We do not accept their denials. They say we are a very microscopic minority. We do not accept their denials. For my part, I refuse to accept their denials that this is Imperial Preference, for the simple reason that their denial is not binding on the British Government; mere official denials cannot liquify hard facts in regard to the Indian policy.

Lastly, with regard to the tariff, we must be grateful to the Leader of the Independent Party to have quoted to this House the authority of the

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Secretary of State. We must also be grateful for the ruling that you Mr. President gave on that point and again when you invited the Members of the Executive Council to assimilate themselves to the position of Ministers. If they were Ministers, if they had a constituency, if they had an election to face, I am sure they would not have been a party to a policy of Imperial Preference. They would not have taken the position that this is not Imperial Preference. I do not for a moment say that their intentions are not true. They may honestly feel and say this is not Imperial Preference, but they have no power over the forces that preside in their own country and they have no power to interpret away the interpretations of their superior authority. Sir, tariff autonomy has not been granted. It is just as well that Mr. Wedgwood Benn knows that tariff autonomy has been denied on the floor of this House by the Commerce Member when he repeated his own view in the course of the exceedingly convincing speech of the Honourable the Leader of the Independent Party on the question of tariff autonomy. What did the Honourable the Commerce Member say? He said, "I have come to this House with my mind made up. I have come to this House either to endorse this Bill if it is passed in the manner in which I want it to be passed, or I have made up my mind to put it into the waste-paper basket. If you amend it as the Leader of the Nationalist Party wants it to be amended, we will have nothing to do whatever with the Bill. If on the other hand you amend it as the very intelligent late Member of the Swaraj Party has amended it, if it is amended in that subtle manner without affecting the principle of the Bill, then I will accept the Bill". That is not tariff autonomy. That is not consulting the House. That is holding a pistol to the heads of the Members of this House and telling them, "Take this Bill or go without protection for your Bombay industries". (Interruption.) The Honourable gentleman who represents the Anglo-Indian community in this House says it is "tariff monopoly".

Lieut.-Colonel H. A. J. Gidney: Tariff monopoly.

Mr. C. S. Ranga Iyer: He is so monotonous that he says this is tariff monopoly. (*An Honourable Member:* "Tariff monopoly.") Call it monopoly or call it autocracy or call it anything you like. Tariff autonomy does not exist. It is much better that the socialists, sitting on the Treasury Benches in Westminster, should abstain from believing in things that are not true. Tariff autonomy has not been granted to us, and it is good that His Majesty's Government have been taught by the Honourable the Commerce Member, an important Member of the Viceroy's Executive Council, that His Majesty's Secretary of State was talking through his hat. Sir, it is a repudiation of the Secretary of the State by a Member of the Viceroy's Executive Council. Nothing more and nothing less than a strong, clear, forcible, emphatic repudiation of His Majesty's Secretary of State who, to see the Indian feelings, perhaps, said that, "Tariff autonomy has been granted to India", "Dominion Status is in action". Well, nobody in this House has said we are a Dominion, or that there is Dominion Status in action. It is good, it is necessary, that the Socialist Government should know that what they are trying to do in England is being undone in this part of the world, and it is undone in letter and in spirit in this important measure. They are giving us Imperial Preference and they are saying it is not Imperial Preference. Soft words cannot liquify hard facts, and whether the Bombay industries are going to be benefited or not, I am not

going to take my stand on the question of Imperial Preference to which I am not going to be a party. Sir, yesterday a nominated Member from Bengal in a very energetic speech (*An Honourable Member:* "Madras") a nominated Member, the Editor of the *Bengalee* of Calcutta (*An Honourable Member:* "He comes from your own province."), in a very energetic speech, took exception to the presence of distinguished representatives of another friendly country in the neighbourhood of this House. Sir, in the House of Commons, when England had resumed diplomatic relations with Russia, it was a pleasure to see distinguished representatives of that great country in the Distinguished Visitors Gallery. We have not cut off diplomatic relations with Japan. That ought to be sufficient for a nominated Member of Government. (Laughter.)

Sir, the Honourable the Deputy Leader of the Independent Party referred to the boycott of British goods. He feared, I think, that British goods were going to be boycotted by way of protest against the passing of this measure—I hope I am representing him correctly—while the responsibility for sowing the dragon's teeth will be on those who vote for this proposition. (Applause.)

Mr. K. B. L. Agnihotri (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I rise to oppose the Bill. My opposition is not based on the ground that protection is being granted to the cotton mill industry; on the contrary, I have been all my life a supporter of protection being granted to the cotton mill industry in India. The cotton industry in this country has been a great national industry in the past, is a national today, in spite of what my Honourable friend, Mr. Chaman Lall, may say, and it will continue to be a national industry in future. I do not agree with the view of my Honourable friend, Mr. Chaman Lall, who has got advanced ideas, that an industry is not a national industry unless it is nationalised. That is not the argument that I am going to advance. I consider that every industry, which employs millions of people, and which adds to the national wealth of the country, is a national industry, and that to support such a national industry should be our primary duty in this country. Now, if I make any opposition today to this Bill, it is because it involves the principle of Imperial Preference. Not only that, this Bill is a unique Bill, in that it has been brought forward for protecting an industry not in existence in this country. For instance, the manufacture of white, coloured and finer cotton goods is not an industry that exists in the country, according to the note circulated by the Honourable the Commerce Member, and according to the statement in the Report made by Mr. Hardy. So we need not provide any protection for that. Protection should be given to an industry that exists in this country, not that the protection should be given for an industry which does not exist in this country; and that is another reason why I consider that this Bill is objectionable. I am surprised to know that the millowners of Bombay, shrewd as they are, intend to support it. I fail to understand how they have agreed to support it. I find that the Bombay millowners are anxious to get some support from Government in the form of a protective duty. I am afraid it is not going to bring them any protection. I would tell them that it would be better for them not to accept such a gift as this from the Treasury Benches, which might have the effect of ruining their own Indian industry. I shall put before the House later what has been the history of the cotton industry in this country in the past, and what has been the attitude of those who have ever been professing that the interests of this country have always been before them, that they are the

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trustees and that we should have trust in them. I will also say a little later how, even in spite of the 3½ per cent. cotton excise duty, the Bombay cotton industry survived, not only survived but gained in strength. That will show to them that the depression which the industry is feeling at the present moment will not be a long lived one, and they should not be despondent. What is offered in this Bill is not a real protection; what we have before us is an Imperial Preference with a loaded pistol from the Government Benches, when they say, "Either have this protection with Imperial Preference, or you go without protection at all". Could we not do without such protection? For many years our industry has gone without such protection, and could we not wait until we are in a position to have real protection ourselves? Supposing we accept, what would be the result? The home industry will suffer, nay, will die out. I have no doubt they are fully aware of Mahatma Gandhi's movement for the production and use of *khaddar*, the improvement and development of the cottage homespun industry, and the movement of boycott of British cloth which is at present in their favour; the Swadeshi movement has been helping the mill industry in the past. The British cotton industry has suffered not only because of the import of Japanese goods into this country, but because of the development of the Swadeshi movement, that gave an impetus to the Indian mill industry. Therefore my humble submission to my friends, the Bombay millowners, would be that they should wait.

Mr. H. P. Mody: How long?

Mr. K. B. L. Agnihotri: It is a question of time. If they could wait for about 70 years, from 1853, when the first cotton mill was erected in Bombay, if they could brave the situation created in 1895, and in the early periods inspite of the imposition of the cotton excise duty, if they could recover from that position, and not only recover, but develop their mill industry, it goes without saying that they could meet even this present competition from Japan. No doubt the competition was due to Japanese favourable labour conditions; Japanese industries have benefited by women being employed and other favourable conditions. But what do we find today? From the Honourable Sir George Rainy's speech we find that labour conditions in Japan have changed; they have adopted the same Washington hours Convention to which India has subscribed, and in their mills the women are now working for shorter hours. My humble submission therefore would be that the period when full recovery is attained will not be far off. Sir, it may be the convention that our tariff autonomy consists in the joint agreement of this Legislature and the Government. But then part of this Legislature, about half of it, with the nominated Members is the Government itself. Of the elected Members, a majority of them do not want this Bill, which involves the principle of Imperial Preference. Even the Government themselves, in their cable to the Secretary of State, have said that it is solely for revenue purposes that they are imposing this extra duty; in that cable they do not themselves show any preference to England. How can they come forward and say that they shall not agree to the views of the majority of elected Members of this House for that tariff autonomy which has been granted to us and that they shall keep to their views which are different from those of the so-called elected representatives of the country? No Government which professes to stand on the strength of public opinion can for a moment consider this course desirable. Therefore I am of opinion that the millowners

should have no apprehensions of losing protection and should not accept this Bill. Were we to refer to the Bill itself and to the speech of the Honourable Sir George Rainy, it would be amply clear to us that there is nothing beyond the principle of Imperial Preference provided in this Bill. It was quite a correct statement when my friend Mr. Jayakar said the other day, that we might call it Protection or Imperial Preference or give it any other name, but preference there was in the Bill. Simply because the Honourable Sir George Schuster happened to say to this House that it included only a principle of differentiation and he did not use the words "Imperial Preference", are we to conclude from that statement that this does not include Imperial Preference? I may refer the House to his speech in which he himself stated that, at this stage of the Bill, he was not prepared to ask the House to accept the principle of preference. Similarly the Honourable Sir George Rainy also says that we should commit ourselves to the principle of Imperial Preference at this stage. He said, if I were to ask the House to do that, I should be asking the House to rule out of discussion important amendments that were proposed in this House, and he meant thereby that unless and until the amendments are considered by this House, we cannot say that we have committed ourselves to the principle of Imperial Preference. From this it will be clear that this is a measure which involved the principle of Imperial Preference, but though they are not at present prepared to say that Imperial Preference has been accepted by us for the simple reason that, if the Bill is taken to the amendment stage when the amendments are considered, and if the Imperial Preference question is thrown out, the Bill as it would emerge thereafter would not contain the principle of Imperial Preference; otherwise it would certainly contain the principle of Imperial Preference.

Now, looking to the Bill as it is, what do we find? It is clearly stated therein that duty is to be imposed on the goods that are not of British manufacture. It will thus be clear that it is not only a case of Imperial Preference, as has been inferred by us, but it is a clear case of Imperial Preference, which has been embodied in the Bill itself. Therefore, Sir, any argument to the effect that the Bill does not involve any principle of Imperial Preference is futile and cannot be borne out by facts. On the other hand, Sir, I do not know whether the Government Benches have deliberately avoided the use of the term Imperial Preference. They probably scented that there would be a strong opposition on this question of Imperial Preference, and so perhaps they have been careful enough not to use the words Imperial Preference in the body of the Bill. But I would not blame them for this. I would rather blame ourselves that we had not properly attended to the Bill. I do not suspect the Government Benches nor do I accuse them of having deliberately refrained from using the term Imperial Preference in this connection, thinking that, if they used that term, the House would have known from their own statement that this measure would involve the principle of Imperial Preference, and the House could have gone a step further and would not have laboured to find whether or not this Bill involved any principle of Imperial Preference or only laid down a new and novel principle of creating an enactment to protect the industries of England, which England herself is strong enough to protect by enacting her own laws. But the question is whether we, as a mere dependency or as a Dominion in embryo or as a subordinate branch of the British Government, should take this step of providing in our laws an Act to protect the foreign industries that are not in existence in this country or do not compete against ours in this country, as I have

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pointed out, and as will be amply borne out from the Report of Mr. Hardy, as also from the speech of the Government Member. This is a matter for our serious consideration.

My humble suggestion is that we should throw out this Bill, if for nothing else, at least for this, that it involves a novel principle of creating a new law to protect the English industries.

Then, Sir, the second point that I wish to deal with is this. Taking it for granted—and it is a fact—that this Bill involves Imperial Preference, the question is whether we should or should not support it. True, as a dependent nation, we have no voice in the matter. It is true that the Government would certify the Bill if we throw out this present Bill. But if the Government want to have Imperial Preference introduced, let them do so as they did by the imposition of cotton excise duties, and by artificially fixing the exchange ratio; they can certainly protect the English industries and give them the protection that is near to their heart, but we should not be a party to it, not because personally or individually we are averse to it, but the country is against it. Also because we have taken upon ourselves the sacred duty of representing the constituencies which we have the honour to represent. We have also taken upon ourselves the responsibility to put before the Government what our constituencies think about the present measure. The Government have got the eyes to see, but they will not see; the Government have the mind to think, but they will not think; the Government have the heart to understand, but they will not understand. Were anybody with his eyes open to go into the country, he would be able to gauge the true feeling in the country. The Government do not seem to know it. Now, so far as England is concerned, what is the feeling in the country? It is against her; I think there is hardly a man who has not the spirit in him to feel that India should some day, if possible, be ruled by Indians themselves, that so far as possible, India should not remain under the tutelage of any nation, be it howsoever benevolent, as England claims to be, be it howsoever kindly watchful of our interests as England professes to be; but there is no nation in the world, there is no educated man in this country who has not the desire in his heart to have self-government, be it in Dominion form, or be it in form of independence, but every one of us wants self-government, in whatever form it may be. It may be expediency that makes us say what some of us say, but I have not been able to come across any Indian who has once travelled across the seas or who has seen foreign countries, who has not brought with him the idea that India should also be on the same level as England or as any other self-governing countries in the world. Even England has given out the idea that India should, in the fullness of time, have the same equality of status in the Empire as any other part of the Empire has; that is, England does realise that India should also be made an equal partner of the Empire. That may be our ultimate goal, but it is our goal. It may be that our masters or the persons who pose as our trustees or who are managing our country for us may consider that, for the time being we are not fit or competent enough to carry on the administration of our country, but they cannot deny our right to self-government. They have admitted it times out of number that self-government is our goal. Therefore, my humble submission is, if this is the feeling which the Government find about the general position in the country, they should

certainly be able to know what the feeling is about their policy in regard to the industries in this country. Indians from one end of the country to the other know full well that in the 16th and 17th centuries India could hold her own so far as cotton industries were concerned. It was Indian silk and cotton industries that brought the foreigners to the shores of India, which brought the English to our country for trade purposes. It was a providential destiny that linked India and England together, and we have to see how our interests have in the past been watched by the Englishmen who are our trustees. If the preference to England is in the interests of India, in that case alone it should be given. Only in that case the Bill should be allowed to pass. Government Members have been very clever in putting forward this proposal before us. Sir George Rainy said, at the concluding portion of his speech, that had it not been in the interest of India, we would not have taken the responsibility, and no Member of the Government would have taken the responsibility to put this Bill before this House. Now, how are we to know it? The only course open to us is to see from the past history how our interests have been watched in the past, and how they are watched at present. We have to see how our industries flourished in the past, and in what condition they are now. I shall not fire the House by reading long extracts, but I will show in brief what the condition of the country was in the 17th century. India was a cotton-producing country and its muslin was the envy of nations. Its calico or dyed cloth was the envy of the English nation, and England out of sheer envy, prohibited its use in England itself. Coloured goods, fine muslins and fine silk were not only produced in this country in sufficient quantity for the people of this country but used also to be exported to foreign countries. In short, India thrived at that time on the earnings of its cotton and silk industry. How have these things died out? In the year 1769, a letter was issued by the East India Company to Bengal to the effect that, "The Company desired that the manufacture of raw silk should be encouraged in Bengal and that the manufactured silk fabrics should be discouraged and they also recommended that the silk winders should be forced to work in the Company's factories and prohibited from working in their own homes". This letter was written on the 17th March, 1769. This is how our interests were watched in the year 1769. I am quoting from "The Economic History of India" by R. C. Dutt. In the Report of the Select Committee of the House of Commons in the year 1783, it was said that this letter contained a perfect plan of policy both of compulsion and encouragement, which must, in a very considerable degree, operate destructively to the manufactures of Bengal. Its effects must be to change the whole face of that industrial country in order to render it a field of the produce of crude materials subservient to the manufactures of Great Britain. This was how our Indian industries were treated in the year 1769. Further, before the Committee of the House of Commons, as will appear in the Minutes and Notes on the affairs of the East India Company in 1813, pages 463 and 467, one Mr. John Ranking, a merchant, was examined. He was asked:

"What is the *ad valorem* duty on piece goods sold in the East India House in London?"

He said:

"The duty on the class called calicos was £3-6-8 per cent. upon importation, and if they are used for home consumption there is a further duty of £6-8-8 per cent."

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"There is another class called muslins on which the duty on importation is 10 per cent., and if they are used for home consumption £27-6-8 per cent."

"There is a third class of coloured goods which are prohibited from being used in this country," (that is, England) "upon which there is a duty on importation of £3 6s. 8d. per cent., and if it is used for home consumption an additional duty of £78 6s. 8d. The duty on muslins used for home consumption is £31 6s. 8d."

From this you will realise what was the condition of the industry in India at that time, and what embargo was placed on Indian export and import of Indian cotton goods in England and their sale therein. From this we shall find out what was the interest that was taken in our industries and affairs in the year 1769 and up to the year 1813. Even now, in spite of the loud professions to the effect that we are on the same basis as the Dominions, that Dominion Status is working in this country, as Mr. Ranga Iyer pointed out from the speech of the Right Honourable Wedgewood Benn, do we find that it is not a fact. The discussions yesterday between the Leader of the Independent Party and the Government Benches must have shown that there is no tariff autonomy. Although Dominion Status has been said to be in action because it was said India enjoyed tariff autonomy, Dominion Status is only kept as our goal, we have not got it yet, and we may not get it for thousands of years to come. He will be a bold prophet who can say that we will get Dominion Status in our generation and in our time. I am a pessimist in that way. I believe it is not coming in the near future.

Now, let us see what another historian, Mr. H. H. Wilson, says about this. In the Parliamentary Debates of 1813, he said:

"The real object of the Parliamentary inquiry of 1813 was to promote the interest of the manufacturers of England. Napoleon Bonaparte had excluded British manufactures from the Continental ports; the merchants and manufacturers of England were labouring under difficulties; the country was menaced with distress unless some new method of sale for its industrial products was discovered."

Then further on, five years after the date of the Parliamentary inquiry in 1832, another historian, Montgomery Martin, described and 1 P.M. condemned the commercial policy of the time. About the conditions of our industries he said:

"Since this official report (Dr. Buchanan's economic inquiries in Northern India) was made to Government, have any effective steps been taken in England or in India to benefit the sufferers by our rapacity and selfishness? None! On the contrary, we have done everything possible to impoverish still further the miserable beings subject to the cruel selfishness of English commerce. The pages before the reader prove the number of people in the surveyed districts dependent for their chief support on their skill in weaving cotton, etc. Under the pretence of Free Trade, England has compelled the Hindus to receive the products of the steam-looms of Lancashire, Yorkshire, Glasgow, etc., at mere nominal duties; while the hand-wrought manufactures of Bengal and Behar, beautiful in fabric and durable in wear, have had heavy and almost prohibitive duties imposed on their importation to England."

This was the way in which our interests in the 18th century and in the early part of the 19th century were watched by our self-styled rulers in India.

Further on, on page 300 he shows how our industries fared in this country and why our industries were ruined at that time:

"Had they sanctioned the free importation into England of Indian cotton and silk goods, the English cotton and silk manufactories must, of necessity, soon come to a

stand. India had not only the advantage of cheaper labour and raw material, but also the experience, the skill, and the practice of centuries. The effect of these advantages could not fail to tell under a system of free competition. * * *

Accordingly, England prohibited the import of the goods dealt in by her own factories, the Indian cotton and silk fabrics. The prohibition was complete and peremptory. Not so much as a thread of them would England permit to be used. She would have none of these beautiful and cheap fabrics, but preferred to consume her own inferior and more costly stuffs. She was, however, quite willing to supply the Continental nations with the far finer fabrics of India at lower prices, and willingly yielded to them all the benefit of that cheapness; she herself would have none of it."

This is the way how England protected her own industries, and looked after the interest of India. This is the way, Sir, we wish India should protect her own industries. I wish to tell my Honourable friends, the Bombay millowners, that they should not be impatient. I can assure them that every man who has ever cared to read the economic history of this country shall be prepared to help the Indian cotton industry whatever may be the odds. I, for the matter of that, am prepared even to raise the duty to a higher percentage than what is proposed by the Honourable the Commerce Member, not because it may be hard on the poor consumer, but because it will protect our industry and it will protect the very cotton industry that has died out in the past. It will not only give this country a breathing time but it will give us an opportunity which is badly needed for this country to develop her cotton industry of the finer stuff. What does my Honourable friend the Commerce Member say about this? He says that we are imposing this duty and we are giving protection to England not for the purpose of development in India of cotton industries, in finer stuff, but we are providing this duty for the purpose of protecting the industry which is already in existence. I quite agree that, so far as that industry is concerned there is such need at present. It has braved the storm of the foreigners in the past, it has braved the lull of depression in the past, and it has braved the storm of the high and exorbitant duties that were levied against it. These duties were imposed at a time when this country had been placed in a very low economic position, but the economic history has been taught to us by our learned masters and we have also learnt it well at the feet of our Gurus on the other Benches. Would we not, after having learnt this much, come to the help of our own Indian industry when need would be? But, Sir, what was the bone of contention between the English and Indian industries in the past? It was not only the plain grey goods or those goods which were manufactured by not only the weavers but also the women folk in their houses in the villages, but it was the industry that produced finer silk yarn, that produced finer stuff in cotton and that produced coloured goods in this country. These products were the competitors of the foreigners in the trade at that time. It was to protect that industry that we fought in the past, and it is for that industry that, even now, I am prepared to ask the Government to impose even a higher duty if necessary. And I propose to do this for the simple reason that, although it may be a costlier thing to us today, in the future, as the wealth will remain in our own country, it will be for our use and benefit. If we develop the production of finer stuff, it would mean also the employment of more labour. It will give employment to the millions of my unemployed countrymen. It will give employment to those educated classes about which even the Government publication called, "India in 1927-28" has

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said that the unemployment question in the educated classes was severely felt in the country. It is, believe me, very severe and something has to be done to alleviate the distress. People who have received education are not paid enough wages. In fact, their wages do not come up to the level of the wages of the illiterate labourers in the mills of Bombay. Now, if the finer yarn is produced, which requires more intelligence, more educated youths, who are roaming about the country aimlessly and without any work, could be given some labour. It is not only for the purpose of developing that Indian industry, but also for the purpose of finding employment for the Indian youths that I urge on the Treasury Benches to give protection to the Bombay industry. I will later on show that the protection that they propose to give is not enough. Sir, it was that industry of finer stuff, to kill which, to murder which, the English manufacturers in the past fought their utmost. I have so far given to the House the English history up to the period before 1833. Let me show to the House the interest that was taken in our industries from 1833 onwards, say, up to the year 1895.

In 1877, Sir John Strachey, in presenting his financial statement before the Governor General in Council, repudiated the doctrine that it was the duty of the Government of India to think of Indian interest alone and confessed the sentiment that there was no higher duty in his estimation than the duty which he owed to his own country. The Commerce Member said the Bill was in our interests. Sir, I dare not charge the Executive Councillors of the Government of India, who are representing the Government in this House, that they are unpatriotic when they say that. I would not charge them with this, but I would at least say that they have as much the interest of England at heart as they have of this country. It is in the interest of England that on a mere letter or a mere reminder from the British Cabinet about the possible disaster to Lancashire trade that the Executive Councillors of the Government of India thought it proper to give a preferential duty to England. I thus submit, Sir, that, even today, the interest that is evinced in the case of our own industry is apparent enough by this preferential duty that is raised in this country. Now, Sir, I would just put before you what was done by Lancashire to foreign industries about the year 1877. I am quoting from the "Economic conditions in India" by one Mr. Pillai, from page 190:

"While the imports of twist and yarn remained almost stationary in the seventies, the Indian exports went up from 2.01 million lb. (annual average) in the quinquennium 1871-75 to 15.39 millions in the succeeding quinquennium; and though the imports of manufactured cotton goods were steadily on the increase, the Indian exports of cotton manufactures of all sorts rose from 12 million yards in the earlier half of the decade to 19 millions in the latter half."

My Bombay friends will please note that even at that time the mill industry was developing and prospering:

"Lancashire which regarded the Indian market as its own close preserve, was frankly alarmed by this tendency, though yet it was hardly affected by the development of the Indian industry. In 1877-78, therefore it began to exert itself in the matter. The deficiencies in Indian revenue caused by the Mutiny and other military activities in India had forced the Government to levy heavy import duties amounting at one time to 20 per cent. *ad valorem* and Lancashire attributed the prosperity of the mills to their protective influence. It accordingly got the House of Commons

to pass a Resolution to the effect that 'in the opinion of this House, the duties now levied on cotton manufactures imported into India being protective in their nature, are contrary to sound commercial policy, and ought to be repealed without delay as soon as the financial condition of India will permit'. As a matter of fact as we shall see later on, the duties had no protective effect to speak of, as the Indian products did not compete with those of Lancashire; there can be no protection where there is no competition. But Lancashire was persistent and the House of Commons reaffirmed their Resolution of 1877, with the result that on March 13th, 1879 the first step in the ultimate repeal of the import duty on cotton goods was taken. It was then confined to the coarsest class of Lancashire grey goods, which came nearest the region of Indian competition. In 1882, all import duties were abolished, and India became fully a free trade country."

Now this was the pressure which Lancashire brought to bear and this was the result of the Resolution which was moved in the House of Commons, the Mother of Parliaments, which has ever been watchful of our own interests. My Honourable friends, representing the Bombay millowners, will kindly attend to the subsequent passage which occurs in the same book. It runs:

"The years immediately following the repeal of the import duties saw a rapid development in the Indian cotton industry. It was stated by Sir Henry James in the House of Commons debate of the 21st February 1895, that between 1882 and 1895, the number of spindles had increased from 1,550,000 to 3,500,000 and that while in the six years ending in 1882 the United Kingdom held two-thirds of the trade with Hong-Kong, China and Japan in the four years ending in 1895, four-fifths of this trade had passed to India."

This would show that, even in spite of the abolition of the import duties of 20 per cent., which were levied against British goods at that time, the Bombay mill industry could manage to recover, not only recover but develop its growth. I may also remind Honourable Members that, at this time, that is the year 1878, was the period of famine in the country, and still, in spite of that, and immediately after famine, the Bombay mill industry was able to develop. In this connection, I may also submit that the whole bone of contention just now, as I have said, was the position of the finer counts of the cotton industry in this country. Where is the protection to Bombay in that matter? Where is the protection for those mills of finer cotton stuff the manufacture of which is being started? Only the other day, yesterday or the day before, I read in a newspaper that Sir David Sassoon was contemplating the starting of five mills in Madras for production of finer stuffs. If such mills could be started at present, what is then all this talk of depression in industry? Are we to act on the telegraphic communications of such interested persons from Bombay to the effect that, if the grant is not made immediately, there will be a closing down of all the mills in Bombay? This was the cry raised before the whole country in 1927, three years ago, when the Tariff Board was appointed to inquire into this question. This was the cry raised at the time when the Tariff Board presided over by Sir Frank Noyce reported that the Bombay mill industry required protection. That was the time when protection should have been given to the Bombay industry. It was the time when labour conditions in Japan were favourable to them and were a handicap to us in this country, that the protection was needed. If protection was not given at that time, in 1927, and when those conditions have changed in the year of grace 1930, when during the course of these three years the Bombay mill industry is carrying on, how can we say that the Bombay mill industry will die and it will not tide over the present crisis if protection is not forthcoming. I am quite prepared

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to give protection to the Bombay mill industry. I am agreed in giving protection to the Bombay mill industry for this reason and for this reason alone, that it is to develop the industry of the country in finer stuff, to develop the industry which I consider to be national; and for the development of that industry alone, in which our salvation lies, I shall be prepared to give protection. It is for that sole purpose that every one on this side of the House would be prepared to give protection. But for that, we are not prepared to sacrifice our principles. We are not prepared to lay a precedent for the future. We are not prepared to endorse the protection given to Lancashire in the past, for at that time the activities of Government could not be said to have been with the approval of the country. Knowing the public opinion in the country, which was growing stronger and stronger every day, the Government cannot now, by their mere ukase, raise the duties so as to give preference to Lancashire. At that time it could not be said that we approved their action or that we supported them in principle, but today the position has changed and my humble submission is that, if for nothing else, at least as it creates a precedent, it ought not to be supported. We should not say that we are forced to accept this Imperial preference because it also gives protection, or because the Honourable the Finance Member and the Honourable the Commerce Member are holding a loaded pistol to our heads and saying that, unless we take this thing as it is, they are not going to give us any protection. We should in such a case be prepared to say, "Take away the whole thing". If we could survive after so much obstruction in the past, if we could survive after a much stronger attack on our industry, should we not be able to survive now when we have built up the industry, when we have sunk crores and crores of capital and built up some reserves, should we not be able to keep that industry going for two or three years more? My humble submission is that we can do so, and if any support from the country at large is needed, the country will be ready to give it. I can give one instance and that is that in spite of Mahatma Gandhi's non-co-operation movement, in spite of Mahatma Gandhi's influential leadership in the country—today he can take behind him the whole country if he so pleases—in spite of a few people who may have submitted to him in the days of the non-co-operation movement, in spite of all these things, his exhortations for the use of *khaddar* alone were not accepted by us against the use of mill-made goods. Why? At that time we believed, rightly or wrongly, that the supply of *khaddar* could not be enough to meet the demands of the people in the country. At that time we believed that in view of the luxuries we had taken upon ourselves and to which we were attached, we would not be able to spin the *charka* for an hour or two every day in our own households, and we believed that, because of the education we gave to our ladies, and because of their constitution or rather the luxuries to which our womenfolk were accustomed, they could not be able, or they could not be strong enough, to go on spinning and could not be able to produce yarn enough for the production of cotton goods sufficient to meet the demands of the whole country. In view of all these things, we did not at that time support Mahatma Gandhi in his campaign against mill-made goods, and in his cult of the exclusive use of *khaddar*. We at the same time told Mahatma Gandhi that, "We are prepared to take up your banner, we are prepared to follow your banner,

provided you include the products of Indian mills, the yarn and cloth manufactured by mills in India".

Mr. B. Das: I hope my Honourable friend Mr. Mody recognises it.

Mr. H. P. Mody: I hope I do.

Mr. B. Das: Deeds and not words are wanted.

Mr. K. B. L. Agnihotri: From this we may show to our friends of the Bombay mill industry that it was because of this that we kept back at the time, knowing full well, as we did, the economic history of this country, knowing full well how it had fared at the hands of our well-wishers, rather our masters, knowing all these things, how was it that we did not subscribe to *khaddar*? It was because we thought that we should encourage the mill industry of Bombay (Hear, hear.) that we sacrificed our national principles for the sake of development of our national industry.

It was for this reason, and this reason alone, that the educated Indians did not follow Mahatma Gandhi in such a large number as could be expected in his propaganda for the *khaddar* movement. And that is the sacrifice which we are prepared to make in favour of the Bombay industry. We can promise them, we can assure them that we shall not only be content to use Indian goods ourselves, but we shall also try our level best to encourage and ask our fellow-countrymen outside to use Swadeshi cloth. That will bring us our regeneration; that will give us the bright future for our country. Dominion Status may or may not come to us. If economically we are strong enough, if our economic growth is perfect and complete, we are sure that we shall have a millenium in no time. Therefore my humble submission is that, having this asset, having this promise from us, the Bombay millowners should not be tempted to accept a bait which is nothing but a gratification and an illegal and immoral gratification. It is nothing short of a gratification to them, a bait to them, a temptation to them. They should not lower themselves and their self-respect by accepting a bribe. I am not prepared to endorse the threat which some of my friends have made that, in case the Bombay millowners accept this bait from the Government Benches, it will alienate the sympathies of the people who will resort to boycott of their goods. That may or may not be the result. It is for them to realise. Therefore my humble submission would be that we should not accept it, and my request to the House will be that it should not abet this act of the acceptance of an illegal gratification by the Bombay millowners from Government and it should not support the Government in passing this Bill, as laid before us, as it involves the principle of Imperial Preference, as it involves the principle of special protection to England. I am prepared to accept, for the sake of argument, my Honourable friend Sir George Rainy's remarks that it is only for the purpose of protection of the existing industry that he is giving this protection to the cotton industry. But what has he to say about the coloured goods? Has not Mr. Hardy found that India also produces coloured goods and that too in pretty large quantities? What protection is he giving to coloured goods? He takes away all the coloured goods from the purview of grey goods. That was a thing which required protection. England is perfectly willing to accept this 15 per cent. duty, or even a 20 per cent. duty on plain grey goods so long as it does not affect its finer stuff, so long as it does not affect

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its showy goods, so long as it does not affect its coloured goods. The other day, Mr. Ainscough, the Trade Commissioner for India and Ceylon, showed how the British traders' prospects could improve. I think I will be tiring the House if I read the whole article, so I will read a portion of it. He says:

"The Indian market may conveniently be divided into two separate and distinct groups: Firstly, there are the bazaar trades, which include all the imported articles in general use by the vast Indian population, and which are sold to Indian importers and dealers in the bazaars at the ports and large distribution centres throughout the country.

In this group price considerations are paramount, and low price and showy appearance are greater desiderata than equality, durability or even value for money. This group includes cotton and woollen piece-goods."

What I wish to point out is that England, in the past, tried its level best to see that the manufacture of the coloured goods should not be encouraged; the sale of coloured goods produced in India should not be encouraged in England. England not only imposed heavy duties thereon, but prohibited its sale throughout the country. There must be some reason for this; and what is the reason? The reason is human nature. We have to look to our tendencies towards luxuries. It is a part of our human nature to show ourselves well off by use of fine dresses and clothes, to see that our ladies appear in good dresses, to like the coloured and showy goods. Gaudiness is the rule of human nature. And in spite of civilisation, it still continues and lingers on. It not only lingers on, but the votaries of fashion have found to their cost that the coloured articles in their various shades are much more popular today than what they have been in the past. Ladies, as a rule, are very anxious to show themselves off by putting on gaudy and coloured dresses. Similarly, as for ourselves, how many of us here are putting on the coarse stuff which is produced in this country? How many of us are here to patronise Lancashire and British trade in the market? We shall find, by looking at our own selves, that even these millowners of Bombay, these champions of Indian mill industries, are the greatest defaulters and the greatest culprits, in the use of finer stuffs. They manufacture cotton goods for the use of the poorer classes. They do not manufacture cotton goods for those rich people and the middle-class people who are prepared to empty their pockets in the purchase of finer stuff and gaudy things, which are showy and fine to look at. Therefore what is the industry that we should encourage. What is the thing that should be developed? It is not the coarse goods only but finer cotton goods. What about the grey goods? What do we find from the statistics that have been supplied to us by Government? We find that in India there is steady growth of grey goods. There is not one year in which the Indian cotton industry has not developed, in spite of these handicaps. Will any Honourable Member of this House show, from the statistics supplied to us by that Government, that in any year, after 1917 up to date, the produce of grey cloth has decreased? Whether we judge it on the consumption or production, whether we judge it on the amount of imported goods from England or the imports that we receive from Japan or other countries, there is no decrease in the production of our own factories in India. Therefore my humble submission is that the cotton industries or the mill industries in Bombay, which produce grey goods, can hold their own even now, in spite of any handicaps, that may be existing against

them. What is needed is not the coarse cloth that may be used by the poorer people, but the finer stuff that may be used by the educated people, by people who are votaries of fashion and are growing in luxury. It was for this reason that England came to this country. It was for this purpose that other foreigners came to our country. If you will permit me, Sir, I will show, from page 257 of, "The Economic history of India" as to who are to be looked to for consumption of cotton goods:

"Warren Hastings was asked: 'From your knowledge of the Indian character and habits, are you able to speak to the probability of a demand for European commodities by the population of India, for their own use?'

'The supplies of trade', replied Warren Hastings, 'are for the wants and luxuries of a people; the poor in India may be said to have no wants. Their wants are confined to their dwellings, to their food, and to a scanty portion of clothing, all of which they can have from the soil that they tread upon.'

From this you will find that it is not the poorer classes of this country that are to be considered for the use of the products of the Indian industries, but it is the well-to-do classes which indulge in luxuries that are to be catered for and considered. So, Sir, my submission to the House will be that the millowners of Bombay be requested, the Government of India be urged, not only to protect the cotton industries in respect of grey yarn but to develop the produce of the finer stuffs, to protect the coloured goods, for which no protection is provided by my Honourable friend on the other side. I urge that it ought to be done. Otherwise, we will only be giving protection to England and to other countries. Now take the case of dhotis, the bordered dhoti. The dhoti is brought within the purview of grey yarns, but the bordered dhoti has been carefully kept out. May I ask any person with an intimate knowledge of the use of dhotis in this country whether, in the whole of Bengal, the whole of the United Provinces, the whole of the Central Provinces, the whole of Madras, the whole of the Bombay Presidency, and the whole of Bihar and Orissa, i.e., practically four-fifths of the continent, the male population use dhotis and the female population use sarees? The dhoti or the saree is a piece of cloth with a border. Is there any protection to that? Now the Ahmedabad mills, the Bombay mills and mills in my own province, the Empress mills, produce large quantities of these bordered dhotis. How does my Honourable friend, the Commerce Member, protect them? He does not say anything about that. Leaving aside the finer goods, take the case of dhotis which are used by the ordinary middle-class population. When a middle class man goes to the market, he asks the cloth merchant to supply a pair of dhotis and the cloth merchant brings out the mill product of my friends, the millowners of Bombay, or the mill products of my friends, the millowners of Ahmedabad or those of my friend, Mr. Birla, in Delhi, or the mill products of Tatas in the Central provinces. Along with them, he also brings out, it may be a bleached stuff, or of the finer yarn, the dhoti produced by Lancashire or Manchester. When the man sees both of them side by side, he sees that the foreign product is finer than the Indian and also it is cheaper than the other. What does he then care to purchase, this coarse cloth or the finer cloth from Manchester or Lancashire, which is also cheaper at the same time? He would choose the latter. May I ask my Bengal friends, or the nominated Members from Bengal, for the matter of that, what cloth they would use in their houses? They are the persons from the middle-classes, and unless they use the Dacca or Shantipur dhotis, they will succumb or their ladies will succumb to the temptation of purchasing the finer material produced by Lancashire,

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which is also cheaper. Does he care to know whether the thing that is being produced in this country is cheaper in the long run, or whether the stuff that is cheaper at the moment is cheaper? He is concerned with what is cheap at the time of the purchase.

In this connection I will support my friend, Mr. Ghuznavi, when he said that, in 1905, when the Swadeshi movement came in, when the whole country was throbbing with new enthusiasm to use Swadeshi goods, my friends from Bombay did well use their opportunities at that time. I would not say that they used them wrongly. Perhaps I would have done the same thing in their place. They found that the whole country was burning with enthusiasm for Swadeshi goods, and they thought, why not take advantage of their sentiments, of their patriotism? And so they raised the prices. Sir, I am going to show that in those early days, working under the inspiration that I received by my contact with the Leader of the Nationalist Party, during my college career at Allahabad, I thought that the use of Swadeshi cloth by my countrymen would be beneficial to my country, and I used to preach to my fellow countrymen, to my shopkeeper friends in the mofussil towns in the Central Provinces, the backward tract of the country, about the use and sale of Swadeshi cloths. But everywhere I went I received only one reply. They said the foreign thing was cheaper and the country-made goods were dearer. A man, who had to purchase, say, six pairs of bordered dhotis for his large flourishing family, would not buy the dearer stuff. He would ask. How could he pay for a pair Rs. 5 or 6 for the product of Ahmedabad or Bombay, when he could get superior stuff from Manchester or Lancashire for Rs. 2 or 3? All my appeal for patriotism or for the future benefit to the country would not have any effect on him. Of course that is human nature. That was human nature, it is human nature and it will continue to be human nature in the future. Therefore, my suggestion is that this protection which you give is not enough. If you have the interests of the country at heart, if you want to give protection to the cotton industry of this country, this pious profession that we look to your interests and so on will not do. You should give protection to bordered dhotis also.

My Honourable friend has said that we have committed ourselves to discriminating protection, and that it was the discriminating protection which was advocated by a Commission presided over by an Indian himself, quite right, but my humble submission is that there are circumstances and circumstances for a thing so also a question of expediency. There may have been certain circumstances at that time which led the Commissioners to write a report like that, and there may have been an expediency for it. It was a time when there was a ban on protection, protection was taboo at that time, and therefore in order to bring round the Government of India to their views it may be, the Commission at that time thought, "Let us first accept this slight little thing which will give some impetus to our industries". But the millowners of Bombay do not care to look ahead, they do not care to see what will be the future of this industry, but they are watchful and anxious to accept any little gift which might be of help to them at the present moment. Discriminating protection does not mean that we should not encourage an industry which can, in course of time, hold its own in the country and which can meet competition after some time in future. Now in the case of the finer stuff, as I have pointed out, it had

been in existence in this country before. The finer material, in spite of their being no support from the Government, is carrying on today. What I say is that, if proper and adequate support is given, the mill industry will be able to hold its own and will kill all competition from outside.

Sir, I think I have said enough; and I will not take up the time of the House any longer, but my final warning to the Government would be that they have chosen a very wrong moment, as has been pointed out by the Honourable Sir Purshotamdas Thakurdas. They know that a feeling of Nationalism is growing in the country; they know that it is not only growing but it is predominant; they know that all eyes are watching Mahatma Gandhi. Why are they watching? Do they believe that Mahatma Gandhi, with his followers, will be able to produce as much salt as would be enough to supply the needs of the country? Not in the least. The whole object is to draw the attention of the Government, and through this Government, to our masters in England to this, that the country at present is aspiring to become a self-governing country, I will not go so far and say of becoming independent. I will say that the earlier the Dominion Status is given to us, the better will it be for all. It will not only be advantageous to us, but it will be advantageous to our rulers themselves. What would be the advantage? At present anything that comes from the Government Benches is taken with suspicion by this House; anything which we receive from that side we always begin to scan and analyse to find whether there was any motive behind it. Give us Dominion Status and all suspicion will disappear. Leave it to our own judgment, leave it to our own discretion, to give preference to England. You can then have the grace to say something, and I can assure you that, with the traditions of the past, the Hindus have never shown ingratitude. Hindus will always be grateful to their benefactors. Therefore you need not hurry up this Bill so far as Imperial Preference is concerned. It would not help the Indian cotton industry very much. It may help Lancashire in regaining its industry, but that regaining of the industry of Lancashire may be the ruin of the future of our industry of the finer stuffs. So in order to avoid the suspicion which is lurking in our mind—it may be unfounded, but all the same it is there; we cannot cast our suspicion out for the simple reason that history has taught us otherwise; let us belie that history—so my suggestion to Government is, do not press that portion of the Bill which contains the threat which you have given, that if we do not agree, you will take back this gift. So to avoid suspicion, if for nothing else, do not use such threats, as, "Either take this, or you will not get it again"; such threats always work adversely. It is the elected portion of the House who should be asked to vote on this Bill, and that alone will be the voice of the nation by which they ought to be guided. I will be failing in my duty, Sir, if, in spite of the love that I have for the Government of India, I do not give this warning. I should be the last person to say a word against the English Government, if for nothing else, at least for this, that it has enabled us to know of our own rights, and that we are not in a position to turn the foreigner from our land. If nothing has come to us from the English connection, at least we have learnt this thing, that now we should be united. We have begun to realise what our aspirations are, and what should be our goal. Therefore I say that though it is said to be a blessing in itself that we have been able to voice our grievances, it will be a

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greater and real blessing to us if we have a controlling voice in the management of our country. But apart from all that, we have the country before us, and the interests of the country at present require that you should not give Imperial Preference to England.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Mr. President in the Chair.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, we have heard already the exposition of the Bombay case from two very distinguished Members of this House, Sir Cowasji Jehangir and Sir Purshotamdas Thakurdas. The very telling speech which Sir Cowasji Jehangir delivered in this House yesterday convinced me of three important points, first that the Bombay mill industry is in a desperate condition, and that the Indian-owned industry needs assistance from the Indian Legislature; second, that the Bombay millowners with the home-grown cotton at their very door have been unable to meet the competition of the foreigners, and third, that the Bombay millowners have not been able to manage the Indian labour properly due to external influences. With these points made by Sir Cowasji Jehangir I am in entire agreement, Sir, and if I vote for the Bill, even at the risk of committing ourselves to Imperial Preference, it will be done for the benefit of the Bombay mill industry and the industry elsewhere. There was also a fourth point, which was made by Sir Cowasji Jehangir, about which I am not yet convinced. He maintained that the Bill does not commit us to Imperial Preference, and as he proceeded, I felt that he was an adept in the art of self-deception. My Honourable friend said yesterday that Mr. Chaman Lal had missed his vocation, but, he will find a very formidable rival in Sir Cowasji for the stage. If it is not Imperial Preference, what else is it, I should like to know from the Honourable Member when a country, constitutionally situated as India is, is giving protection to Lancashire. Is there any parallel anywhere? Sir, I have been reading the Report of the Indian Fiscal Commission, and I can find no parallel to it in their Report. Then, Sir, what is it? It is nothing but Imperial Preference, and like my friend, Mr. Chetty, I am not afraid of Imperial Preference, but at the present moment it is Imperial Preference without even a temporary reciprocal advantage. When we are placing at the disposal of the British nation and British industry the only tangible asset that we possess, that is the Indian market, I do say with full conviction that, as time comes, Britain will recognise what we are doing for her. To me, Sir, preference is a purely political proposition, and I beg to differ from my friend Mr. Chetty, when he says that Imperial Preference is a pure economic proposition. To me, Sir, as it has been in all the Dominions, it is a very important political proposition, and I should look forward to the time when we shall be fully repaid for what we are doing now, and it is in the spirit of give and take that I support this Bill, fully understanding that I am voting for Imperial Preference.

Sir, I am surprised that Imperial Preference has not been seriously considered by His Majesty's Government as well as by the Government of India earlier. What is the position of the British export trade to-day? I

have before me, Sir, an analysis prepared by an eminent Australian economist, Mr. Macdougall, whose name is well known to many Members of this House. Since the war, what is the position of the British export trade to this country? It is suffering from a shrinkage or contraction. And who are the people who are competing? It is the United States of America. In 1913, Sir, the total value of the export trade from the United States of America to India was 2.2 millions, and in 1928 it was 11 millions. Who were the other competitors in the field? Our friends, the Japanese. In 1913 the total value of the export trade from Japan to India was 2.9 millions, and in 1928 it was 14.6 millions. This should make the Government of India think that they have a duty to perform. We are prepared to give them preference, but where is the reciprocity? We have no love for the United States of America. In their country we are treated as undesirable aliens, but they are supplying us goods to the extent of 11 million pounds.

Mr. B. Das: How is it exploitation?

Mr. K. C. Roy: I am very sorry for you, Mr. Das. Then, Sir, take the Japanese. I have a great respect for the Japanese. We are proud of their achievements in the East, but what is the justification for the rapid expansion of their trade to the detriment of British industries in this country? I do not feel, Sir, that Japan has done half as much as Britain has done for us. Where was the sense of Indian nationality before Britain came to this country? I will love Britain any day (*An Honourable Member:* "Shame"), because she has done much for us, and if we have got to achieve political results we must rely upon British support and British co-operation.

Now, Sir, an important point has been raised about the constitutional position of this House *vis-a-vis* fiscal autonomy. We have before us three very important expositions. First and foremost is the interpretation given by Sir George Rainy. In the next place, I shall place the interpretation of my friend, Mr. Jinnah, whose views, I may tell the House, are known to every one, because he was one of the promoters of the Reform Scheme in 1916, and a third interpretation has been put on it by our worthy Secretary of State in a debating speech in the House of Commons only recently. Sir, I was in a humble capacity connected with this movement in 1916 in England. I was a witness before the Crewe Committee. I was a witness before Mr. Montagu and Lord Chelmsford, and I also gave my evidence before the Selbourne Committee. The essence of the Convention cannot be understood fully until we refer to the Montagu-Chelmsford Report. The late Mr. Montagu and Lord Chelmsford found themselves unable to make any recommendation. I shall give their own words:

"The changes which we propose in the Government of India Act will still leave the settlement of India's Tariff in the hands of a Government amenable to Parliament and the Secretary of State."

But they proceeded to point out the Indian feeling on the subject.

"This real and keen desire for fiscal autonomy does not mean that educated opinion in India is unmindful of Imperial obligations. On the contrary it feels proud of, and assured by, India's connection with the Empire, and does not desire a severance that would mean cutting the ties of loyalty to the Crown, the assumption of new and very heavy responsibilities, and a loss of standing in the world's affairs. Educated Indians recognise that they are great gainers by the Imperial connection, and they are willing to accept its drawbacks. They recognise that the question of a tariff may be mainly, but is not wholly, a matter of domestic politics."

[Mr. K. C. Roy.]

Tariff is not a matter of domestic politics. Then, Sir, the findings of the Crewe Committee have been ably placed before you by my friend, Mr. Neogy. The sum total of the Crewe Committee's Report, a copy of which I have not got before me, was more or less on the lines of greater reliance for Tariff purposes on the views of the non-official Members of this House. What was the position created by the Joint Committee over which Lord Selbourne presided? The Resolution of the Joint Committee is this:

"In the opinion of the Committee therefore the Secretary of State should as far as possible avoid interference on this subject when the Government of India and its Legislature are in agreement, and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire and any fiscal arrangements within the Empire to which His Majesty's Government is a party."

In the present case we have no Imperial obligations, and we are no party to any transaction or any commitment in the matter of this textile industry, but that is a matter beside the point. Then, Sir, Lord Selbourne wrote:

"Whatever be the right fiscal policy of India for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interest as the interest of Great Britain, Australia, New Zealand, Canada or South Africa."

But of course this parallel is not correct. They have got sovereign Parliaments there, and in our present Parliament we have an irremovable executive and a transitory Legislature. Then, Sir, the question is whether by a Statute this fiscal autonomy,—the word autonomy is not used in the Report; the word used is "convention",—could not have been guaranteed to us. That was one of the considerations which engaged the attention of the Selbourne Committee, and this was the decision:

"It cannot be guaranteed by a Statute without limiting the ultimate power of Parliament to control the administration of India and without limiting the powers of veto which vest in the Crown and either of these limitations finds a place in any of the Statutes of the British Empire."

Technically, Sir, there are no statutory powers conferred upon the Dominion Parliaments, but in actual practice the Dominion Parliaments have absolute sovereign powers, and, Sir, whatever may be the views expressed in this House, I claim that this House has no tariff autonomy whatever. That, Sir, is a matter for constitutional lawyers and for Parliamentarians to decide, but as one who has had something to do with the development of this convention, I am clearly of opinion that, as a convention, its working was based upon assumption of mutual co-operation, and it cannot work consistently and achieve results with strong opposition from the opposition Benches.

Then, Sir, there is one point about which a good deal has been said, and that is about the distribution of certain pamphlets in the lobby of this House. This was a matter that was carefully considered by the Watch and Ward Committee, and there was no more ardent exponent of the sanctity of the lobby than my friend Mr. Ghuznavi. He would not have a policeman or a visitor there. So was my friend Mr. K. C. Neogy. That was the sense of the recommendation of the Watch and Ward Committee. To the best of my knowledge that convention has not been violated by anybody. You are aware, Sir, that it is not an uncommon practice to

distribute pamphlets bearing upon the subjects of legislation in the precincts of the Parliamentary Houses. This was precisely what was done. And why was it done? Because an important Bill of this sort was not taken to the Select Committee. If it had been taken to the Select Committee, we would have examined the representatives of commerce, the representatives of the mill industry from Bombay, Ahmedabad, Cawnpore and other centres.

Mr. C. S. Ranga Iyer: Does the Honourable Member seriously contend that pamphlets are distributed in the lobby of the House of Commons?

Mr. K. C. Roy: I was referring to the precincts, and not to the lobby, Mr. Ranga Iyer.

Mr. C. S. Ranga Iyer: The sanctity of the lobby was violated by the distribution of certain pamphlets. I say that. I saw that, and I know it.

Mr. K. C. Roy: I accept that. I got my pamphlet from the Notice Room.

Mr. C. S. Ranga Iyer: That is no reason why you should dispute the statement that it was so circulated and by its circulation the sanctity of the lobby was violated.

Mr. K. C. Roy: Now, Sir, if a Select Committee had been summoned on a Bill of this sort, what would be the position? Even the Japanese Cotton Spinners' Association could have placed their case before the Select Committee, and we would have heard them gladly.

Mr. President: That stage has not yet passed. It is open to the Honourable Member to move for a Select Committee.

Mr. K. C. Roy: We have spent several days on this Bill and it is time that we finished it one way or other. The need of Bombay, as far as I can see, is very urgent.

Mr. M. A. Jinnah: Divide, divide.

Mr. K. C. Roy: The fact remains that unjust aspersions have been cast, not only upon the Members of this House, but upon some distinguished foreigners who have come in as visitors. I have visited many foreign Parliaments and we have been treated with nothing but courtesy and that same courtesy is due to them. (Applause.) I feel that this Bill is dictated by one of two considerations, consideration for Bombay and the consideration for Lancashire. We are not going to barter away our market, but if we pass this Bill, we shall be in a strong bargaining position and that is the position which I have in view, and with that view I support the Bill as moved by Sir George Rainy.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): I rise to speak at a late stage of the debate and I naturally find that I have been anticipated on many of the points. That is however hardly a grievance. It is only a matter of relief because I will have to touch only on a few of the points. Applying one's mind to the consideration of this question as a whole, one comes up against a number of definite issues, to use a legal phrase; and those issues will be—what amount of protection is already secured after the passing of the Finance Bill to the mill industry? Is it enough. Does the mill industry deserve additional protection? Is the additional protection given by this Bill

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adequate for its purpose? Is the form of this protection desirable? Should the mill owners consent to it, and even if they consent what should the Assembly itself do, and lastly what will be the most desirable form of protection in order to satisfy the needs of the mill industry as well as to satisfy the political conscience of this Assembly? It would be tedious to go over the length of all these issues, but I will take up only two or three and express my views on this Bill. First of all, I must say this that I want to make my opposition to this Bill as precise and as clean as possible. I mean precise in this way. The protection to the mill industry comes in different forms. I have not opposed the increase in the general revenue duty to 15. I am not going to oppose the imposition of the 5 per cent. duty by itself. What I precisely object to is not making that duty general and 20 per cent. all round. That is my precise opposition.

With regard to my opposition being clean, I want to say this, that I want to remove from my mind and the mind of this Assembly all animus about the millowners on the present occasion. In that way alone can my opposition in this House be clean. First of all with regard to the protection. We have already secured to the millowners industry a protection in the form of raising the duty from 11 to 15 per cent. That is of course technically called the revenue duty, but we all know that a revenue duty at a high level naturally gives some kind of protection to the industry concerned. But what is the actual amount of protection that is secured to this industry? It may be said by Government that, in the first instance, there is the positive protection of 15 per cent. In the second place, there is the negative protection in the form of the removal of the excise duty to the extent of $3\frac{1}{2}$ per cent. That makes it $18\frac{1}{2}$ per cent. And then there is this additional 5 per cent. They will pile it up like that. But at one jump we must cut out all this to $12\frac{1}{2}$ per cent. owing to the change in the ratio. Now, much will depend upon the view we take as to whether the prices in the country have adjusted themselves to the new ratio or not. If the prices may be supposed to have adjusted themselves, the protection may be perhaps more. If, on the other hand, the prices may not be supposed to have adjusted themselves, the protection will be less. It is, of course, difficult to calculate what amount of protection will be actually secured under the present conditions to the mill industry. But in any case I say that, even supposing that the protection as now secured to the mill industry, stands at $18\frac{1}{2}$ per cent., or even at 20 per cent. or something like that, because of the incidence of $3\frac{1}{2}$ annas per pound, it is not quite adequate for the purpose. The Government should have been bold enough, at one jump, to go up as far as 30 per cent. for a period of five years, so that ample time could have been given to the millowners to put their house in order and to establish themselves on a firm footing.

Now, with regard to the animus about the millowners, I will say this. When my friend, Diwan Chaman Lall, gets up to speak about the betterment of labour conditions, I always agree with him, especially in regard to the relations of the Bombay millowners and the labour industry in Bombay. But I am going to put in some special pleading in this matter, and it is this, that the impeachment of the mill industry is not relevant to the present purpose. We may impeach them when there is another occasion for doing so, but impeachment of the millowners is hardly relevant for the present purpose. Even if it is relevant, it is not gracious. If we

look at the pitiable condition in which the mill industry finds itself today, no kind-hearted man would ever think of impeaching them on the present occasion or rubbing this point in, but would actually sympathise with them. By that I do not necessarily mean that I could advise them to accept the Bill. That is another point. But that is something quite different from impeaching them on the present occasion. We must in this matter consider the question somewhat impersonally. The mill industry is something definitely different from the millowners. We must try to look at the wood rather than the trees in this matter. We should take a collective view of the whole industry. When I say this, I am, of course, fully aware of the shortcomings and weaknesses of the mill industry. I am perfectly aware of that. For instance, I can definitely say that some millowners have not shown a necessary degree of enlightened self-interest. Some have been working mills with a defective agency system. Some have indulged in speculation in their own shares on the stock exchange. Some have shown imprudence in extending their business in the boom time without laying by sufficient reserves, and some have imprudently distributed their dividends at a time when they should not have done so. Some have been too slow in reorganising the industry and many of them—I will change the word "some" into "many"—have not shown sufficient care and attention for the betterment of the conditions of labour. I am aware of all this, and yet I say that a regular impeachment of the mill industry and the refusal to it of necessary protection on these particular grounds is not relevant and is certainly not gracious.

Things have been said in this House about the difference between a national industry and a nationalised industry. I entirely agree that this is a national industry, though it cannot be called a nationalised industry. If I can call myself a national of this country, why should not this big industry call itself national? But leaving out the word "national" or "nationalised" and avoiding this controversy, can we not legitimately say that the mill industry is an Indian or an indigenous industry, and as such deserves protection? Certainly it does deserve protection. There are so many other industries in the country which are even smaller than the present industry which deserve protection. Take, for instance, workshops, engineering shops, tanneries, tool factories, iron and steel works, mineral oils and so many other industries. Are we not fighting for the protection being given to those industries, though they are not big industries in themselves? Certainly every Indian industry deserves protection on the part of this Government as against a foreign competing industry. Now, I can admit that, if we give protection to the mill industry some bad millowners will share the benefits of that protection along with some good millowners. But which country is there in the world where this does not happen? Whenever you inaugurate a beneficial measure, there will be some bad men who cannot be prevented from reaping the advantages of that beneficial measure. The same may happen in this case. But that is certainly no reason why we should refuse to them point blank the advantages of such a beneficial measure. We may blame the Bombay mills, but what about the up-country mills? What offence have they committed that they should not be allowed to reap the advantage of this protection? There are mills in Ahmedabad, Delhi, Madras and other places in northern India which stand to gain additional protection and which they must have though they may not be in as bad a condition as the Bombay mills. I hold therefore that on the whole the issue of the impeachment of the mill industry is irrelevant and ungracious and therefore we must

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leave it there. Then, I will conclude this topic with giving a parallel about the steel industry. What did you do about the steel industry? We all know that when this question was taken up in this Assembly there were many complaints, similar to this, that the Tata Steel Company did not have sufficient provision by way of Indianisation and that the industry and the labour conditions there were certainly not good, and there were strikes, and so on. In these matters the Bombay mill industry does not differ from the Tata Iron and Steel Company to which protection was deliberately given by this Assembly.

Now, Sir, I claim the Bombay mill industry to be a national industry for these reasons, first of all it is a key industry where crores and crores of rupees of capital have been invested. That industry gives employment to lakhs and lakhs of people, and secondly it serves the ordinary permanent needs of the country in one particular department of life, namely, clothing. There is one thing more which I should like to say with reference to my Honourable friend, Diwan Chaman Lall. I will give him a hypothetical instance and would ask him whether he would like this. Supposing a trade union Bill was before this Assembly, and the object of the Bill was to strengthen the position of trade unions in this country, and supposing somebody were to get up on an occasion like that and say to this Assembly that, because some of the trade unions were misappropriating their money, and squandering the money, or because some of the trade unions funds were being wasted in things like communism, would my Honourable friend Diwan Chaman Lall relish such a criticism at that particular time?

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I would not ask the Honourable Member to pay towards the support of such trades unions, as I am being asked to pay for the support of this industry.

Mr. N. C. Kelkar: What about the strengthening of the trade unions as a whole, strengthening the powers and position of the trade unions as a whole? So I ask in this particular case whether it should be done. We must take pity on the mill industry. Our wrath or ire or displeasure, or whatever it may be, must be reserved for the villain of the piece and not for these pitiable people. Our displeasure, if we show any, will be spent on the millowners, but not directed against the Government which is the villain of the piece in the matter. The Government are acting in this matter like Mephistopheles, trying to capture the soul of the millowners by immediately ministering to their cravings, and next putting temptations in their way. Take only this case. The Government have been seeing that the mill industry is between the devil and the deep sea, if I may say so, the devil of foreign competition on the one hand, and the deep sea of the intentions of Government on the other. And in order to probe the depth of the intentions of Government, the depth which has never been fathomed by anybody, in order to bring that point home to the Government, I will say this. It is being said that Government are very anxious to give protection to the mill industry. The Honourable the Commerce Member has used this strong language about the situation as it exists today:

"I do not think there can be any doubt from all the information that reaches Government to the effect that *emergent measures* are necessary if very *dangerous* results are to be avoided."

You will see, Sir, no words are spared, no emphasis is spared. "Dangerous results", "emergent measures" all these weighty words are used. Then he continues:

"Quite obviously the repercussions on the economic life of the City and the Presidency of any *collapse* in the Bombay mill-industry would be exceedingly *serious*."

That makes it clear that the Government are having in their minds the time when probably or possibly a collapse may occur in the case of the mill industry. Then naturally the question arises, why did they wait so long? Why did they not take up remedial measures in hand in 1927, when the millowners went to their doors on their bended knees and asked for protection? Why did Government hold their hands then and practically side-track the whole question of giving protection to the mill industry? Why did they do it? Now the Honourable the Commerce Member comes to this Assembly using this strong language, such as "collapse", "dangerous results", and so on and so on. That reminds me of a saying of a Sanskrit poet who says:

"Prodipte bhavaneta koop kshanam pratyadyamah keedrishah?"

which, when translated, means, the house is on fire and there is a conflagration, and the remedial measure then is to begin to dig a well for quenching the flames. It looks exactly like that. Why did the Government wait for three years, if they really wanted to benefit this industry by giving adequate protection? Here is the mill industry on fire and are they now beginning to dig a well and tell us that after digging a well they will draw water and quench the flames of this industry. But then the next question is that even though the measure of protection that is given to the mill industry is adequate, whether it will be of practical and material use to the industry? I at once give my opinion, for what it is worth, that the measure is not adequate, and secondly will the mill industry realise all the boasted results of this measure? Look at it. The Government themselves say that it is a temporary shelter intended to be given for three years. Now what will happen during these three years? The first year will go away and no benefit will go to the millowners because there has already been dumping and there will be more dumping so that the first year will practically be useless on account of the dumping. That is, 1931 will be wasted like that. We come to 1933, and then there is to be a Tariff Board Inquiry, so the only year that is available for the millowners to reap the benefit is 1932, and I am not inclined to believe that, in one year, or within a year and a half, the mill industry is going to realise these benefits very much in a material measure. Could they in one year organise their industry, could they put in new machinery in the business? Could they train labour in one or two years? Could they increase really the wages of labour, or better the conditions of labour if they mean to within a year or two?

Then the question arises whether Lancashire will not occupy the void or vacuum that will be created by giving protection as against Japan? The question will always remain one for speculation as to whether that particular void, created by the reduction of the exports from Japan, will be occupied by the Indian millowners or by Lancashire. Who can say definitely what will be the condition? Many shrewd people tell me, who know a good deal about these things, that the result will be that, whereas

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Japanese competition will be out of the way, Lancashire will come in and take its place and occupy the void. Then the question is, why should the country or the millowners even antagonise Japan, Italy or Belgium? Why should they antagonise the whole class of Swadeshi workers who are bent upon propaganda about Swadeshi and boycott in these days now when we are face to face with the struggle for achieving Swaraj? Again, if the millowners assent to this, the most important consideration in my opinion will be that they will be simply confirming the suspicions that are afloat in the air that the millowners themselves, at an earlier stage, have agreed to the preferential treatment to Lancashire. Even before this Bill was heard of or thought of, I can say confidently, so far as I am concerned, I had read in the papers that one millowner, an influential leading millowner of Bombay, had gone to England and made a bargain with Lancashire on the basis of this preference.

Mr. H. P. Mody: Sir, this statement was made by my Honourable friend Mr. Neogy yesterday and is repeated today by my Honourable friend Mr. Kelkar. Permit me to say, Sir, that while I cannot pretend to say on behalf of every individual millowner what he may or may not have done, I can say that, so far as I know, the story has no foundation. Any way, so far as my Association is concerned, no such demand has been made either now or in the past. I wish my Honourable friends would accept my denial as final.

Mr. President: The Honourable Member refers to some individuals.

Mr. N. C. Kelkar: I did not accuse the Association.

The Honourable Sir George Rainy (Member for Commerce and Railways): There was no communication either from our side.

Mr. N. C. Kelkar: The whole thing was stage-managed.

Mr. B. Das: Sir Ness Wadia did it.

Mr. H. P. Mody: May I ask my Honourable friend his authority for that statement?

Mr. B. Das: My authority is Reuter's telegram published three years ago.

Mr. H. P. Mody: I should like to see that telegram and find out in what connection it was made, and I should also like to see the authority for that telegram.

Mr. K. C. Neogy: I quoted what I consider to be a good authority, namely, a reputed journal published from Bombay, the *Servant of India*. I do not know whether the Honourable Member thought it worth his while to contradict that report when it appeared in a paper published in his own Presidency.

Mr. H. P. Mody: When it comes to my turn to speak again, I shall tell my Honourable friend what I think of the matter.

Mr. M. S. Aney (Berar Representative): Was there any contradiction of it?

Mr. H. P. Mody: Why should there be a contradiction of anything and everything that appears in the Press?

Mr. K. C. Neogy: Certainly, if it affects your reputation.

Mr. President: Order, order. Mr. Kelkar.

Mr. N. C. Kelkar: I shall be ready to accept any well-founded contradiction which my Honourable friend may be prepared to offer circumstantially. But that was the impression that was created in our minds two years ago, when this Bill was not thought of or dreamt of. And at that time there was a distinct assertion in the Press that one millowner—I am not accusing the Association at all—went to England and bargained with Lancashire about this protective duty against Japanese goods.

Mr. H. P. Mody: That is not correct.

Mr. N. C. Kelkar: It may be so, but that was the report, and I shall be much obliged to my Honourable friend if he gives the correct version at the proper time.

Sir, I have said all this in order to put before the House my view of what the millowners should do. In the first place, I have said that I have no animus against them. In the second place, I have said that I am prepared to give them all reasonable protection that may be needed for them. Let them come up and support the proposal for 20 per cent. all round, and I am prepared to support it. But I am not going to support them in the present arrangement of a preferential tariff against Japan in favour of Lancashire. In my view, 15 per cent. general revenue duty does give them some sort of protection, and they should help us in raising this question about making it a general tariff of 20 per cent. all round instead of an additional protective duty only against Japan to the extent of 5 per cent. Let them be bold like my Honourable friend, Mr. Birla, whose observations were certainly conceived in a high and dignified spirit; and I may say that his conduct as a millowner on the present occasion is certainly heroic. Every millowner in every part of India should stand up to that example and support us in this House to have an all round duty of 20 per cent. I have already said that, even 20 per cent. will not be an adequate measure of protection. Let us go forward. Our tariff schedule shows that, when we want protection to be given to inland industries or manufactures, we go higher than that. In some cases, the tariff schedule goes up to 30, 40, 50 and 100 per cent. Let them choose any figure which they think adequate. We are out to support them. Let us make common cause against Government and support the particular tariff which they think will be adequate for the particular purpose. But my words may perhaps be wasted upon the millowners. I can realise what particular position they are in, and as the Sanskrit poet says:

“Bubhukshitah kim na karoti papam?”

“What sin is there in this world which a hungry man will not commit?”

The story is told, and we all know it, that a Brahman of Brahmins, Vishwamitra, when there was famine in the land, was ready to eat even the flesh of a dog. Therefore I shall not wonder if, in spite of the defects of the present scheme of protection, the millowners will agree to receive it. In that case we shall leave them to their conscience and to their gains. That, however, does not solve the question as to what we of the popular party or the opposition should do in regard to this Bill. Leaving

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them to their conscience and to their gains, we have to consider what position the Nationalist Party or the other popular parties in the House should take up, and I say that should be unhesitatingly an attitude of opposition to the present Bill.

Now, the question has been discussed as to whether this is Imperial Preference or not. When once we go into the mystifying wood of words, there is no coming out. It is like the *bhukbhulia* (labyrinth) of some of the Rajas. So leaving other words, I will take only the word "preference". I will leave "Imperial" and I will leave British goods. But it is some preference as against Japan and a discrimination. There is no doubt about that. My Honourable friend the Commerce Member has been,—I may say to his credit,—perfectly frank about this. He says:

"Government frankly recognise that, as my Honourable colleague made plain in his budget speech, the method adopted involves preference to British manufacturers."

Though he himself says that his Honourable colleague the Finance Member has not said it in so many words. The Commerce Member has been candid enough to use the word "Preference" for British manufactured goods. But what does the Finance Member say? He says:

"We warned His Majesty's Government that it would not be right for us to ask the Assembly to commit themselves to Imperial Preference as a principle but merely to adopt a particular course which in our judgment was consistent with India's interests at a critical juncture."

We have to mark these words. It is not Imperial Preference, but it is a "particular course of action at a critical juncture" whatever we may understand by it.

Then, he is himself conscious of the crooked nature of this description, for he says in paragraph 39 of his speech:

"Action taken for the provision of revenue is a straightforward matter."

But this provision about protection is not straightforward. The measure for protection that he has proposed is obviously and admittedly not a straightforward matter. The one was a straightforward matter; the other I may characterise as sneaking, surreptitious and crooked. Certainly it is not straightforward, and therefore we see it in its present form.

Now, much has been said in different forms by way of mitigating the evil of this particular principle of preference introduced here. This, as the Finance Member has said, is a particular course of action. Mr. Sarma yesterday said that it was a small measure, a little measure. So he wanted to belittle the importance of this measure of preference. Sir, this belittling reminds me of a small story. The story is about a country parson in England. In one of his official visits, he came across an unmarried mother who had helped to bring into this world a piece of humanity in a way not generally recognised, and the parson naturally reproached the woman with having done this. She held the little brat before the parson and said "what a wee bit it is". I do not know whether she also used the words, "Sir, it is not a policy, but a particular course of action at a critical juncture". (Loud Laughter.) The measure may be small; but you try to belittle this evil, which is a particular course of action at a critical juncture, and say it is a small measure, yet it is illegitimate. Referring to that fiscal authority or convention, I would say

this. If it was a fiscal convention, real and true, then the Government stand in the position of the mother, and the Legislature stands in the position of the father. Therefore any measure brought into being, or sought to be brought into being on that basis without reference to the father or the Assembly is illegitimate. It may be said that this measure is put before the Assembly and who knows it may gain the assent of the Assembly also. But we do know under what conditions it is going to be done. I therefore make a sporting offer to the Government. Let the Government officers, the nominated Members, stand out. The Legislature means the body of elected Members. (Hear, hear.) Let them take a decision. If you win in a division like this, then it is legitimate. Who can prevent you then from proclaiming that this was given assent to? But if you are going to pass this Bill, after declaring your intention that you are going to admit no amendment that may be passed, after having practically told us so, what a great humiliation it is for us. You say you are not going to admit any amendment, even if the House passes it. That at once shows what importance you attach to the vote of the Assembly. Then why should you speak in a dignified manner about the glorification of this non-existent fiscal autonomy? Fiscal autonomy, if it is real, will be tested by three points. With regard to the Government and the Assembly I have already stated what the position is. That is unreal. Then with regard to the Government of India and the Home Government, no one knows what has happened. The Honourable Member has said that he tried to take this House into confidence. I have never heard that secrecy and confidence go hand in hand, and in reply to my Honourable Leader, the Commerce Member has definitely stated that he is not going to lay on the table the whole of the correspondence on this matter. How does this Government therefore say that it has taken the Assembly into its confidence? Therefore, secrecy and confidence do not go hand in hand, and I am not prepared to admit that Government have taken this House into their confidence, and surely there is no real fiscal autonomy in this matter. Then the only point of contact between Lancashire and India remains. That of course is not possible, making Lancashire and India come to any agreement without Government intervening. So, therefore, tested on all these three points of contact, from the point of view of fiscal autonomy, we find that fiscal autonomy is a sham and the Finance Member should have considered twice or thrice before referring to that fiscal autonomy in this particular manner. Instances have been given of the Colonies in which fiscal autonomy has been realised and Imperial Preference has been given. But does the Honourable Member seriously mean that this House is on a par with the Parliaments of these self-governing Colonies? There they can make a free gift of anything. There they are at liberty to make any bargain they please, taking into consideration what political or what commercial or what economic advantages there will be. My Honourable friend, Mr. Jayakar, the other day, said, "I am prepared to give you this measure, but give me in return something very substantial". The Honourable Members opposite did not take up that bait. They stuck to their seats. They made no reply to him. Now, Mr. Shanmukham Chetty said the bargain should be on the basis of economic return. What is the economic return? That question was put to him yesterday by Mr. Neogy, and Mr. Shanmukham Chetty was not able to give any satisfactory reply. Therefore, there is neither political return nor economic return. Then for what consideration shall we agree to this bargain with Lancashire?

Diwan Chaman Lall: Does not the Honourable Member, before proceeding further, think that an authoritative interpretation of the meaning of fiscal autonomy ought to be obtained? Is not that point of order to be raised?

Mr. N. C. Kelkar: My point is that the Finance Member himself knows that this is not in the nature of the tariff autonomy or so called fiscal autonomy. He knows also that India does not like the present Bill and yet he is supporting it and trying to put that before us as if on the basis of fiscal autonomy. I certainly do not want to challenge the veracity of the Honourable Members opposite when they say that they did not receive any mandate from the Secretary of State in this matter. I am prepared to admit that. But that does not obviate the other fact, that the mandate may have come from Lancashire. (Hear, hear.) And mandates in these matters do not come directly. (Hear, hear.)

The Honourable Sir George Schuster (Finance Member): Is the Honourable Member suggesting that there has been any direct communication between the Government of India and the Lancashire industries?

Mr. N. C. Kelkar: I have said not directly. The Government of India lives and breathes in the atmosphere of British commerce (Hear, hear), and I think that idea of a preference originating with Lancashire might have got over the atmosphere or the winds to the Government of India.

The Honourable Sir George Schuster: Will the Honourable Member accept from me the most categorical assurance that no suggestion of any kind of Imperial Preference or preference to Lancashire has ever come to the Government of India, either from His Majesty's Government or from any representative of British industry? The suggestion, as I have already explained, has been explained by my Honourable colleague as having emanated from the Government of India. If any one is to blame for that suggestion if it is not a proper proposal, if it is a proposal which does not commend itself to this House, it is we who are to blame for it. No suggestion of any kind has come to us from any party in England on this matter.

Diwan Chaman Lall: May I inquire whether the Government of India are in a position to accept the vote of this House on the proposals they have made?

The Honourable Sir George Schuster: What does my Honourable friend mean by "the vote of the House"?

Diwan Chaman Lall: If the amendment moved or going to be moved by the Honourable Member, the Leader of the Nationalist Party, is put to the vote of this House, will the Government of India accept the vote of this House on that amendment?

The Honourable Sir George Schuster: The Government of India are in the position of being responsible for a policy on this matter. The Government of India have put before this House what they considered to be a proper proposal, a proposal which, after due consideration and taking into account all the considerations and all the interests which bear upon this matter, they considered to be best in the interests of the country. The Government of India are responsible, and they cannot put that responsibility which rests on them on any other shoulders. That is the constitutional position at the moment and it is for that reason that my Honourable

colleague has announced the decision to which the questioner has referred.

Mr. President: What I have not been able to understand so far is this; whether the Government of India in this matter are responsible to the British House of Commons, or whether they are responsible to this House? They cannot be irresponsible altogether. They must be responsible to someone in every matter, and I want to know, to whom in this matter are the Government of India responsible?

Mr. N. C. Kelkar: I am prepared to accept whatever may be put before us by way of his sincere sentiments by the Honourable the Finance Member. I am prepared to accept whatever is put before the

4 P.M. House by the Finance Member; I am not going to question that; but I am a little puzzled in this matter. I do not understand how the Government of India came to propose special treatment for Lancashire. Why do they not raise the duty to 20 per cent.? They would have got five per cent. more of revenue; they stood to profit by it. Had they really the interests of the consumer in their mind? Sir, the less said about this matter the better. In how many cases did they really think of the consumer? Dr. Johnson once said that patriotism is the last resort of the scoundrel. Here consumers are the last resort of the Bureaucracy in this country. Whenever they want an excuse, they place it on the devoted head of the consumer; otherwise we know how much care they have taken of the consumer. Is all this extravagance for the benefit of the consumer? Is all this new taxation for the benefit of the consumer? Therefore the point is, the Secretary of State did not suggest; it is the Government of India alone who have thought of putting this discriminating tariff as against the interests of Lancashire and as against Japan. The Finance Member has said in his speech that he knows the history of this cotton tariff business, that this has a long and troubled history, but what is the conclusion to be drawn from that troubled history? If he has read that history, he will know Lancashire has been our principal enemy. I do not want to go into that history here. If the Finance Member wants it, perhaps I may reserve it for the third reading, but I tell him and he must remember that there is no other enemy of India with regard to her cotton industry so great as Lancashire. This troubled history extends over two hundred years, and India has suffered throughout at the hands of Lancashire. In the days of the Company, the Government was for protection, but the protection was given for England against the Indian cotton industry. Then when the industry was killed in India, about the year 1840, the Government thought of the blessings of free trade. In 1882 all cotton duties were absolutely removed from the tariff schedule; in 1894 excise duties were put upon the Indian cotton industry. Throughout, we see that the Indian cotton industry has suffered. Indeed, if Government wanted to raise more revenue by taxation, they rather put a duty on salt than put a tax upon the cotton imports from Lancashire. I have no wish to go into this history further, but I really wonder how the Government of India can find a soft corner in their hearts for Lancashire, which has been thoroughly responsible throughout these two hundred years for the ruin of the Indian cotton industry. What would Government have lost if they put a 20 per cent. duty all round? Certainly they would have

[Mr. N. C. Kelkar.]

gained, and the industry would have gained. But this is a cheese-paring Government. At the same time the Government are great mathematicians; they have studied the differential calculus; I have not studied it myself, but there is such a thing as differential calculus, and they have investigated and arrived at the minimum which would do the least harm.

With regard to the cotton duties, when there was a muntly, when Government were short of funds, or in 1894, when the value of the rupee went down, and they found it difficult to impose taxation, or when war came and they were faced with deficits, it was only on those occasions that, in order to meet their own needs, they put on cotton duties, and even then they have not gone beyond 11 per cent., and in some years it has happened that a tax on salt has been imposed, even doubled, and cotton duties were not increased. On two or three occasions the Finance Member was obliged to give explanations to the Legislative Council as to why an increase in cotton duties did not find place in the Schedule, which would have brought to Government as much as 10 crores of additional revenue to meet their deficits. I say all this because the Finance Member said in his speech that he is acquainted with the long and troubled history of these cotton duties. If he has read that history impartially, let him say how the Government of India have a soft corner for Lancashire, which has been the chief enemy of the cotton industry in India. This industry is only just coming up. From 1894 to 1926 there was that excise duty. Whenever there was a small rise in the cotton import duty, it was countervailed by an excise duty. So you practically killed the Indian cotton industry; that has been the history of this cotton tariff. I am therefore puzzled to know what can possibly have suggested it, unless there has been a revelation from heaven, that they should give this discriminating protective duty against Japan and in favour of Lancashire. The millowners say they did not suggest it; the Secretary of State did not suggest it; certainly the Assembly did not suggest it. I do not know then who suggested it. I am prepared to accept their explanation and not challenge their veracity, but full explanation is due to us so long as the correspondence has not been placed on the table. Therefore there is some room for suspicion. I do not wish to say anything more. If I have got to say anything more, I will say that perhaps on the third reading. Here I will content myself with only touching the main aspects of the case as they appear to me, and I have tried to give my answers to some of the issues which I have myself raised.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I rise to congratulate my friend Mr. Kelkar on the very able speech that he has made before this House. He has told us that he would put up a clean fight and he has done so very ably. He has not talked of the Bombay mill industry, of the protection to the Bombay mill industry, like my friend Mr. Ghuznavi who, in his enthusiasm, condemned the Bombay mill industry without even reading the Bill which is before the House. Sir, my friend Mr. Ghuznavi traced the history of the textile industry in India and his grievance dated from 1905, and because something wrong was done in 1905, without considering either the merits or the present condition through which the textile industry is passing, my friend has advised this House to oppose even the consideration of this Bill.

Sir, from the debate that has followed in this House, I find that there is a good deal of confusion. The motion before the House is merely a motion whether the House would agree to give protection to the textile industry of India. That is the principle which this House is asked to endorse. This is the First Reading of the Bill. (*An Honourable Member*: "Not the First.") I mean this is the Second Reading of the Bill. What are we voting for? We are voting for the principle of protection to the textile industry in British India. In this connection, Sir, I should like to congratulate my friend, Mr. Birla, for his very able speech and magnanimity of mind. He at least has recognised that protection is necessary, but his grievance is against the preferential duty. May I tell him, Sir, that as far as the consideration of the Bill is concerned, he at least, if not his party, should support this Bill. Let us understand the issue before the House. The issue before the House is, I take it, to grant protection to the textile industry. Later when the amendments come up, it is open to this House, if it is convinced, to accept the amendment of my friend the Leader of the Opposition or to accept the proposal of Government, as embodied in the Bill, or with the amendment of my friend Mr. Chetty. Therefore, as far as this House is concerned, I take it that, with the exception of one or two Members, there is complete unanimity of opinion that the textile industry requires protection. These proposals, Sir, I take it, are the outcome of the negotiations which took place between the leaders of the textile industry in India and the Member in charge just before the Assembly Sessions began.

Mr. A. H. Ghuznavi: When was this?

Mr. Fazal Ibrahim Rahimtulla: I said just before the Sessions began. I hope my friend Mr. Ghuznavi reads newspapers. Therefore, the point is, whether the proposals that are now before the Government are acceptable to the millowners in India. I won't say, and I hope my friend Mr. Ghuznavi will admit that this measure is not confined to Bombay.

Mr. A. H. Ghuznavi: It is mostly confined to Bombay.

Mr. Fazal Ibrahim Rahimtulla: It may be mostly to Bombay, but the depression is felt all over India.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Was it at the suggestion of the millowners that the preferential duty was proposed?

Mr. Fazal Ibrahim Rahimtulla: I say the proposals emanated out of the conference between the millowners of India and the Government of India. This Bill is the outcome, I have not come to the preferential duties.

Mr. M. S. Aney: The proposals embodied in this Bill?

Mr. Fazal Ibrahim Rahimtulla: The millowners of India required protection, and the Government of India have brought forward a Bill whose principle is protection. (*An Honourable Member*: "Was it part of the negotiations?") That is for the millowners to answer. I must say at once that I am neither a millowner nor a mill agent, nor am I a Labour Leader. I am one of those who want to study this Bill on its own merits. The Leader of my party has said that this party considers every measure before the House on its own merits, irrespective of any other consideration, even if 50 per. cent. is to be handed over to the labour of the Bombay

[Mr. Fazal Ibrahim Rahimtulla.]

textile industry. Sir, in paragraph 53 of the speech of the Honourable the Finance Member, the question has been raised, and this is what he says:

"We felt, in fact, that this method of approach from the British Government had a special significance. It affords striking evidence that the fiscal autonomy convention has become an integral part of the constitution, and that even when British interests are most profoundly affected by tariff changes in India, the intervention of the British Government is restricted to representation and appeal. Complete freedom was accorded to the Government of India to take the final decision in whatever manner they thought right for India."

Sir, the Finance Member has told this House that, as far as the Secretary of State is concerned, he has not interfered with this. The reason why the Government of India have introduced preferential duties is contained in paragraph 58 of that very speech of the Honourable the Finance Member. This is what is stated in that speech:

"In the second place, I must, on behalf of the Government of India, make it clear that we could not feel justified in imposing for revenue purposes a higher duty than 15 per cent. and that, so far as the protective measures are concerned, it is only if their scope is limited, in the way that we propose, that we could agree to carry them so far. As I pointed out at the outset, we cannot disregard the interests of the consumer, and it is contrary to all sound principles to impose a protective duty, putting a heavy burden on the consumer, if the benefit to the producer must be small or negligible."

I say, Sir, whether right or wrong, this is the consideration which has led the Government to bring in the question of preferential duties. It is for this House either to support or to rebut the argument that the Government of India are wrong in assuming that the amendment of Pandit Malaviya is not in the interests of the consumer. I would therefore like to hear the Leader of the Opposition before this House makes up its mind in regard to the question of preferential duties. I hope, Sir, my friends will not fight shy of the preferential duties. My friends, in their haste to denounce the Imperial Preference, have said that the Tata Steel Industry Bill was protection from the back door. The present protection is from the front door, and if I repeat what Mr. Jayakar suggested that in future he did not know the kind of protection there will be, I may say it may be from the chimney. I hope, Sir, that the people will understand that the question of protection is to be debated on its own merits. The question of protection should come first, and my friend Mr. Birla has pointed out that the protection, as put forward by Government, is not adequate, but I do not know whether, on that score, he will oppose the Bill. He is opposing the Bill on the question of Imperial Preference. I may say at once, Sir, that I am not in favour of Imperial Preference. I do not think, Sir, any Bombay man, either in this House or outside, is prepared to admit that he is in favour of Imperial Preference. Therefore, Sir, I hope my friends will not misjudge the Bombay millowners or the Bombay representatives here who ask you nothing more and nothing less than protection to the textile industry.

Mr. K. C. Neogy: I dare say the Honourable Member has read the Note which has been circulated over the signature of the Honourable Sir George Rainy, and I will quote from it only two lines from the bottom of page 1 and two lines from the top of page 2. This is what he says:

"It seems impossible to argue that any protection in excess of the 15 per cent. revenue duty is needed so far as imports from the United Kingdom are concerned, for if it were needed the millowners would certainly have asked for it."

May I take it that the millowners did not ask for the 15 per cent. revenue duty as against Lancashire?

Mr. H. P. Mody: I have already stated to the House, on more than one occasion, that when we appeared before the Government of India we asked for 20 per cent. and 3½ annas duty all round. I hope my friend will take it as final.

Mr. K. C. Neogy: Will my Honourable friend explain this statement in Sir George Rainy's note?

The Honourable Sir George Rainy: It was never present to my mind that that sentence could bear the meaning that the proposal mentioned by my Honourable friend Mr. Mody had not been made. It was indeed notorious to all the world that it had been made. What was in my mind, was that the competition from the United Kingdom had never been given as a reason for the grant of higher protection.

Mr. Fazal Ibrahim Rahimtulla: Two of the Members of this House have given an adequate and effective reply to my friend Mr. Neogy, and therefore I need not go into that question. My point is this, that as far as this House is concerned, it should not mix up the issues. Let us at once vote for the consideration, if we are satisfied that protection is necessary. I think the Leader of the Opposition has also said that he is for protection. Then the next stage will come when the Leader of the Opposition will move his amendment as to what kind of preferential duties we should give, or whether there should be no question of preferential duties. At that stage, it would be our pleasure to hear the Leader of the Opposition making out a case why preferential duties are not in the interests of this country. My friend, Mr. Chetty, I think, has done very well in his speech on the Budget to lay down the three conditions on which, even if preferential duties are granted, they can possibly be justified. He said:

"If it is possible to devise a scheme of tariff by which Indian industries will be able to get all the protection they want, by which the Indian consumer will not be affected and by which you will give some sort of preference to Empire goods, then, I certainly for one will not object to it."

I think, Sir, Members of this House are carried away by too much talk of Lancashire. I wish they should concentrate their attention more on the Indian industry and the conditions of the industry in India. They should talk less of Lancashire and more of Indian industries. If they were to concentrate their attention on that, the solution of this difficult problem will be very easy. Several Members of this House have given an adequate reply to my friend Diwan Chaman Lal, except the third generation incompetency. My friend Sir Purshotamdas Thakurdas did give him some reply, but I may tell him that the greatest difficulty and the greatest hitch is the banking system in India. The banks in India, and I think the Honourable the Finance Member will bear in mind this question, do not advance money unless the Managing Agents give their personal signature and their personal liability for it and if the Banking Inquiry Committee can see its way to remedy this evil, I hope the question about managing systems may then be a question debatable on a future occasion and not today.

Mr. Vidya Sagar Pandya: Is the Honourable Member quite sure that the Imperial Bank does not lend money without the signature of the Managing Agents?

Mr. Fazal Ibrahim Rahimtulla: That is my information.

Mr. Vidya Sagar Pandya: I am afraid you are not quite correct.

Mr. R. K. Shanmukham Chetty: I may tell my friend that the statement of Mr. Rahimtulla is perfectly correct.

Mr. Vidya Sagar Pandya: I have also information that there are cases in which the advance has been made.

Mr. President: Never mind. Both are right.

Mr. Fazal Ibrahim Rahimtulla: There may be an exception in the case of Mr. Vidya Sagar Pandya, and I am glad that the Imperial Bank is treating him so very favourably. One important point which my friend Mr. Ghuznavi advanced without perhaps understanding is the quotation of Mr. Khaitan. He drew the attention particularly of Sir Purshotamdas to it, because he is his colleague and co-worker both in the Banking Inquiry Committee and in the Federation of the Chambers of Commerce. My friend does not understand what finer counts are and what suitable machinery is necessary, what amount of cotton is necessary to be imported and whether the present condition will allow them to think of finer counts before they get adequate protection. I hope my friend Mr. Ghuznavi will realise seriously the present depression in the textile industry. The Government of India say that a moment's delay will be disastrous and therefore they have said that they are giving them protection for three years as an emergency measure, and are not asking you to commit yourself on the question of Imperial Preference. The whole question will be placed before the Tariff Board, and the Government will then come forward with the proposals that may emanate from that body. My friend Diwan Chaman Lall was expressing great solicitude for the consumers. My friend does not know that, whilst India is not in any way showing hostility towards Japan, their whole protest lies in the question of unfair competition, and my friend, who has read the Fiscal Commission's Report, will bear me out that dumping was resorted to in order to kill the steel industry. And then woe be to the consumers. I hope that my friend, Diwan Chaman Lall, will realise that Japan is not selling cheap in order to benefit Indians, but ultimately to benefit Japan, and therefore the question has arisen regarding protection to the textile industry.

Diwan Chaman Lall: May I ask the Honourable Member if he is making this charge, that Japan is dumping goods into India?

Mr. Fazal Ibrahim Rahimtulla: I mentioned the steel industry.

Diwan Chaman Lall: Is the Honourable Member aware that the Tariff Board has definitely denied it?

Mr. Fazal Ibrahim Rahimtulla: It is in the Fiscal Commission's Report. I will ask my friend to refer to it. In paragraph 133 on page 63 of the Fiscal Commission's Report it is stated:

"We have discussed the possibility of protection being neutralised owing to the existence of unfair railway or shipping rates."

This is a kind of method I hope the Government of India will adopt towards Indian Industry. I want to say this. That the cotton mill industry in India has got to fight two opponents. The one is the unsympathetic attitude of the labour, and the second is the Government

of India. I hope, therefore, the Government of India will not take it as an offence if I say that they do not do the right thing at the right moment. The Tariff Board's Report asked for protection in 1927, and it is now that they have come forward with this proposal. Naturally, therefore, the suspicion has risen in this House whether it is really for the cotton textile industry in India or whether it is for the benefit of Lancashire that this proposal has been made. I hope the Honourable the Commerce Member will make this point very clear when he gets up to speak and reply categorically to this House, that it is in the interests of India and that it is entirely due to the present depression prevailing in the country. Had it not been for that, they would not have come forward here to penalise the consumer. I hope, Sir, that the real debate, if it is to take place, will take place on the motion of my friend Pandit Madan Mohan Malaviya, and at that stage we will be able to understand whether it is not in the interests of the consumer that we ought to have a preferential duty.

Sir Darcy Lindsay and Several Honourable Members: The question may be now put.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I have no connection with the cotton industry and I do not claim to have any special knowledge about it. Although I am neither an industrial magnate nor an economic expert, I refuse to surrender my judgment either to my Honourable friends Sir Purshotamdas Thakurdas and Mr. Mody on the one hand or to my Honourable friend Mr. Birla on the other hand. As a practical legislator, I consider it my duty to approach the question before the House without racial prejudice and without any economic bias.

Sir, the starting point of the controversy over the principle of Imperial Preference was the Honourable the Finance Member's budget speech. As I have associated myself with a certain amendment under unfair conditions forced on this House by the Government of India, I wish to make my position quite clear on the question of Imperial Preference. I propose, Sir, with your permission, to deal with certain salient passages from the speeches of the Honourable the Finance Member and the Honourable the Commerce Member and to examine the attitude of the Government of India towards the question of Imperial Preference on the one hand and the question of Fiscal Autonomy on the other hand. The Honourable the Finance Member, in paragraph 48 of his budget speech, made the following statement:

"Let me make it clear at the outset that the fiscal autonomy convention is a reality and that decisions on matters of this kind are left to the Government of India and it is on this basis that our deliberations have proceeded throughout."

Now, Sir, I would ordinarily accept a statement when it is made in all earnestness by a Member of the Government on the floor of this House. The position of the Government is that Fiscal Autonomy is a reality and that fiscal decisions are really left to the Government of India. We have obtained certain information from the Government Benches which shows that, before His Majesty's Government addressed the Government of India, the proposals of the Government of India were to raise the revenue duty from 11 per cent. to 15 per cent., and to impose a protective duty of 3½ annas per pound on plain grey goods. The Government of India have admitted that it was only after the communication was received from His Majesty's Government that they changed their ground. Now,

[Mr. Jehangir K. Munshi.]

Sir, is Fiscal Autonomy a reality so far as this House is concerned? Neither Sir George Schuster, nor Sir George Rainy has gone to the length of suggesting that any kind of Fiscal Autonomy vests in this House; the only claim made is that it rests with the Government of India. Then, Sir, the Finance Member goes on to say in paragraph 50 of his budget speech:

"We explained to His Majesty's Government that in placing this proposal before the Assembly we should point out that so far as we are aware this is the first occasion on which the considered opinion of the Cabinet has been conveyed in this form to the Government of India and that we were impressed by the significance of the precedent so established."

In paragraph 51 he goes on to say:

"Finally, we made it clear that in a matter of this kind, after frankly stating our conclusions, we should desire to put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

Now, Sir, I do not know if my Honourable friend Sir George Schuster meant these words when he uttered them in this House in the course of his budget speech. I take it that he did. I go further and take it that Sir George Schuster means these words now and adheres to them. I will repeat them:

"To put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

But, Sir, the Honourable the Commerce Member takes up an entirely different attitude, and this divergence of attitude has created doubts and apprehensions in the minds of the Opposition.

Mr. President: If the Honourable Member is not prepared to conclude his remarks within 10 minutes, I propose to adjourn the House.

Mr. Jehangir K. Munshi: No, Sir, I cannot conclude in 10 minutes.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 27th March, 1930.

LEGISLATIVE ASSEMBLY.

Thursday, 27th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Sir C. P. Ramaswami Ayyar, M.L.A. (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural).

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further consideration of the motion moved by the Honourable Sir George Rainy on the 13th March, 1930, that the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, yesterday when the House adjourned, I was referring to the inconsistency in the position taken up by the Honourable the Finance Member in his Budget speech and the position adopted by the Honourable the Commerce Member in the speech which he delivered in this House on the 13th of March when moving the consideration of this Bill. I shall again draw the attention of the House to the statement made by the Honourable the Finance Member in paragraph 51 of his Budget speech:

"Finally we made it clear that, in a matter of this kind, after frankly stating our conclusions, we should desire to put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

My Honourable friend Sir George Rainy took up an entirely different attitude. On the 13th of March he said:

"I should be misleading the House if I conveyed the impression that Government have an open mind, or that they are prepared to discuss these various amendments on the footing that all of them are equally open for consideration. I have no desire whatever to mislead the House on that point, and indeed it would be entirely wrong if I did so. Drastic changes in the scheme embodied in the Bill, it would, I fear, be impossible for the Government to accept."

While Sir George Schuster said that the final decision must rest with the Assembly, Sir George Rainy said quite the reverse. I do not know, Sir, which of these two contradictory positions is now the position of the Government of India; and I take it that, either the Honourable the Finance Member, or the Honourable the Commerce Member, will remove the confusion in this House and definitely state which position the Government of India abandon, and which position they adhere to now.

[Mr. Jehangir K. Munshi.]

Sir, the Honourable the Finance Member claims that fiscal autonomy is a reality. That proposition would hold good if the Government of India were prepared to accept the position that in all fiscal matters and on all tariff questions they would abide by the verdict of this House, and that when the verdict of the House is taken, the block of 26 nominated official votes would remain neutral. Even if their position were that, allowing the official block of 26 votes to affect the verdict one way or the other, they would abide by the verdict of this House, we might to a certain extent understand their claim that fiscal autonomy is a reality in this country. But what is the position which Sir George Rainy has taken up? That the Government of India and the Government of India alone are the sole judges of tariff measures to be introduced and tariff policy to be followed, and that they will not, under any circumstances, accept the verdict of this House or respect the sentiments of this House. The words used by Sir George Rainy are emphatic and unequivocal—"impossible to accept any changes" in the proposals put forward by the Government of India. Now, Sir, if the Government of India and the Government of India alone are, even in antagonism to this House, to be the sole judges of what should be the fiscal policy or the tariff proposals for this country, then it is impossible for this House to lose sight of the fact that His Majesty's Government can influence the Government of India, and in certain circumstances is bound to influence the Government of India, when for instance the interests of Lancashire or any other predominant British interests clash with the interests of India. His Majesty's Government, although actuated by the best of motives towards India, may, by force of circumstances of domestic politics, find themselves in a position when they must bow to forces in their own country. It is impossible for Sir George Rainy to stand up here and tell us that the Government of India are at present free to impose their will on His Majesty's Government regardless of the difficulties of the domestic problems of unemployment facing His Majesty's Government or the embarrassment which would necessarily be caused to His Majesty's Government as a result of the Government of India adopting certain fiscal proposals. It is no use, Sir, trying either to deceive this country or to cloud the real issue before this House. India does not enjoy fiscal autonomy in any shape or form. (Hear, hear.)

Sir, the Government of India have, in my opinion, been actuated by a degree of undue chivalry in the course of this debate. Both Sir George Rainy and Sir George Schuster have got up more than once and have asserted, with an unusual degree of heat, that the proposals which they have put before this House have not been induced by any representations from Lancashire, and have not been imposed by His Majesty's Government. They have gone further; they have taken upon themselves whatever blame and odium may attach to their present scheme. It is not for me, Sir, to help the Government of India to relieve themselves of a particular odium if they insist on having it; but knowing Sir George Rainy as we do, and judging him from his past record, I find it difficult, Sir, to accept the whole of this self-condemnatory statement *in toto*, that the Government of India and the Government of India alone have decided to place this scheme before the House as their own considered judgment in the best interests of India.

Sir, before I proceed to criticise Sir George Rainy's attitude with regard to this particular measure, I wish to pay him the tribute that he deserves.

The attitude which Sir George Rainy took up with regard to taxation on kerosene has produced a deep impression on my mind. Here, Sir, we have a British Member of the Government of India—a Scotchman—who deliberately put forward proposals of taxation which are bound to affect the profits of the Burmah Oil Company. He did so to obtain revenue for the Government of India. He did so, knowing that about half a crore of rupees which he would get in this way from the Burmah Oil Company would in other directions relieve the taxpayer. Such conduct deserves great admiration and I say this in spite of the fact that, mainly on grounds of sentiment, I voted against his proposal to tax the Burmah Oil Company. But at the same time it makes it very difficult for me to believe that the very same man could, if he were an entirely free agent, come forward and force on this House a scheme of Imperial Preference in the form that he has put before this House, which, he has more or less admitted, has been conceived to help Lancashire at the cost of the consumer in this country.

Sir George Rainy has made it clear, in the course of his speech, that if this Bill is passed in the form in which the Government of India have placed it before the House, or subject to the amendment moved by Mr. Chetty, the House will be endorsing the principle of Imperial Preference. Sir George Rainy says:

"I should like to make it clear that we do not ask the House at this stage to pass a final decision on the question whether in the scheme of protection there should be preference for British goods."

In other words, at a subsequent stage of the Bill when the House adopts the final motion, it will, in Sir George Rainy's own words, "pass a final decision on the question whether in the scheme of protection there should be preference for British goods". We shall be called upon, when voting on this Bill, definitely to pronounce our decision whether this House does or does not accept preference for British goods—Sir George Rainy carefully avoids the words "Imperial Preference".

Sir, Imperial Preference may be defined in a number of ways. Imperial Preference may be argued to mean many things. But the atmosphere for Imperial Preference cannot be manufactured either by the Government of India or by any Tariff Board. (Hear, hear.) Have we in this country the atmosphere necessary to induce this House to agree readily to any scheme of Imperial Preference? The basic point of Imperial Preference in any part of the Empire is, to my mind, not wholly economic; it is primarily a matter of sentiment. There must be sentiment, there must be regard, there must be friendship, before any part of the Empire approaches the economic question of affording any degree of protection, or preference or relief to any other part of the Empire. The Government of India are sadly mistaken if they imagine that the present moment is an opportune moment for such a sentiment to express itself in this country

Mr. President: The Honourable Member himself has an amendment involving Imperial Preference.

Mr. Jehangir K. Munshi: I am coming to that, Sir, and that is where the strongest protest of this House has to be recorded.

Now, Sir, the Government of India have got a very serious responsibility in this matter. They may, by force of circumstances, carry this particular scheme through this House now. But in the future, when this

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House enjoys a greater measure of fiscal power, when this House really enjoys fiscal autonomy, will the bitterness that is caused by Government's present attitude help England? Will it help Lancashire? Will it help any other part of the Empire? If the Government of India want to create a proper atmosphere and to induce a proper sentiment for Imperial Preference, the present policy of political repression should be abandoned; and I feel that my Honourable friend, Sir James Crerar, can do more in this direction than either Sir George Rainy or Sir George Schuster. In this connection a very serious responsibility also rests on the European Group in this House. I ask them, have they contributed their share towards creating the necessary atmosphere in this country? Have they done anything to foster a proper sentiment in this House for Imperial Preference? I shall give one recent instance to illustrate my point. The other day I was questioning the Home Member with regard to certain incidents which took place in Rangoon. The European Group were not directly concerned with it. If the European Group imagine that they are more efficient than Sir James Crerar they are mistaken. Sir James Crerar was fully able to deal with the questions raised in this House. But what did the European Group do? An old experienced member of this Group, Sir Hugh Cocke, ranged himself against me and rushed to the help of Government. Sir Hugh Cocke forgot at the moment that I was the solitary representative of Burma in this House, that I was labouring under a serious handicap by reason of difficulties in the matter of communication with Burma, and that, in spite of these difficulties and handicaps, I was trying to do my duty to my Province. He got up and tried to bring my action into discredit. Now, Sir, this may be a small thing, but it reflects the mentality of the European Benches. Have they extended to us friendship, have they extended to us sympathy, in matters political either in this House or outside, that they should expect this House to extend its economic sympathy either to the European community in this country or to Lancashire? In these things there must be first of all a reciprocity of sentiment. (Hear, hear.)

Mr. Arthur Moore (Bengal: European): Sir, the European Group has never asked for any economic concessions in this country on any sentimental grounds. We have only asked to be treated on a level with the other communities in India.

Mr. Jehangir K. Munshi: My Honourable friend, Mr. Arthur Moore, has a painfully short memory; and in this connection I wish to refer to the part I played the other day on grounds of sentiment; and I therefore felt more hurt that Sir Hugh Cocke should have, only two days after that, got up and adopted such an unnecessarily unsympathetic attitude towards me and my Province. The other day Sir George Rainy asked this House to subject the Burmah Oil Company to a taxation which would contribute about half a crore of rupees. Mainly on grounds of sentiment, I walked into the same lobby with my European friends,—on grounds of sentiment for the Burmah Oil Company, which I consider as a good employer of labour in Burma, on grounds of sentiment for my European friends in this House, on grounds of sentiment for the European community in this country. I do not want them to feel that Indians are bound to act against European interests in such matters. And what did my Honourable friend, Mr. Arthur Moore, plead at that moment? He said that, because

these particular European oil interests had enjoyed this immunity from taxation for 25 years, they should be allowed to continue to enjoy that immunity for another 25 years.

Mr. Arthur Moore: Sir, on a point of personal explanation, I said nothing of the kind.

Mr. Jehangir K. Munshi: I am not trying to reproduce Mr. Moore's exact words. I am trying to reproduce Mr. Moore's argument.

Mr. Arthur Moore: That was not my argument.

Mr. Jehangir K. Munshi: It was Mr. Moore's argument and Sir George Rainy replied to it.

Mr. Arthur Moore: May I say, Sir, that it was not my argument? My argument was that, for 25 years, the consumer in this country had a concession, and I thought that the risk should not be taken of withdrawing that concession from the consumer in this country. I said nothing about European interests and my speech had nothing to do with that.

Mr. Jehangir K. Munshi: Does Mr. Moore seriously suggest that the consumer's interest for 25 years was not the Burmah Oil Company's interest for 25 years? (Hear, hear.)

Mr. Arthur Moore: I was not discussing the interest of the Burmah Oil Company or of any particular oil company.

Mr. Jehangir K. Munshi: But the Honourable Member was holding a brief for them.

Mr. Arthur Moore: I was holding no brief. I was speaking in the interest of the consumer.

Mr. Jehangir K. Munshi: My Honourable friend Mr. Moore is now seriously suggesting that the Opposition Benches are filled with a pack of lunatics, who neglect the interests of the Indian consumer and that it falls to the lot of Mr. Arthur Moore to stand up in this House and protest in the name of the Indian consumer that all these traitors are opposed to the interests of the Indian consumer.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Does not my Honourable friend know that Mr. Arthur Moore is connected with a paper which at one time used to call itself the "Friend of India"? (Laughter.)

Mr. Jehangir K. Munshi: Sir, I regret the unnecessary heat introduced into this debate by my Honourable friend Mr. Moore at the very moment when I am appealing to him and his colleagues to create a friendly atmosphere in this House. I am actually pleading that it is up to the European Benches to create a friendly atmosphere in this House and to foster the proper friendly sentiment for Imperial preference, and when I am making these efforts, Mr. Moore says he will not have it.

Mr. Arthur Moore: Sir, may I inform my Honourable friend that I said nothing of the kind whatever? But I do think that it is a little out of proportion to suggest that, because Sir Hugh Cocke took a small part in the discussion of a motion for adjournment the other day (Mr. Jehangir K. Munshi: "And an uncalled for part.") the European Group is acting

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in some manner unfriendly to the interests of India. I think it would be much more to the point if my Honourable friend were to point out in what way the European Group, either by its votes or its speeches in the past, has shown itself other than identified with the best interests of the country? (*Honourable Members*: "Question.")

Mr. Jehangir K. Munshi: This question I can answer very briefly and effectively. I will refer my Honourable friend Mr. Moore to the division lists to find out how often his party voted with the Opposition against the Government. The task will not be a difficult one; and he will hardly find half a dozen such lists during the last ten years. That, Sir, is Mr. Arthur Moore's performance "in the best interests of this country."

Now, Sir, I regret that, when I am trying to appeal to the European Benches to create an atmosphere of friendliness, Mr. Arthur Moore should allow himself to introduce unnecessary heat into the debate.

Mr. Arthur Moore: Not at all.

Mr. Jehangir K. Munshi: I was trying to illustrate, Sir, by an example, that I am actuated by pro-British sentiments, and that I want to help the European non-official commercial community in this country. I want to show proper sentiment towards them, but I can only continue to do so, if there is some sort of reciprocity on their part. Things of this kind cannot be continuously one-sided.

Mr. Arthur Moore: Does it not occur to the Honourable Member that he and I went into the same lobby because we were both interested in the welfare of the industry of his province?

Mr. Jehangir K. Munshi: If my Honourable friend Mr. Arthur Moore imagines that the interests of the province of Burma have been affected by the proposals of Sir George Rainy, he is sadly mistaken, and it appears that he has not applied his mind to the problem at all. Now, I shall leave Mr. Arthur Moore alone.

Sir, the unconvincing argument has been put forward by the Honourable the Commerce Member and the Honourable the Finance Member that, in the best interests of India, preference should be given to British goods in the form laid down by the Government of India with a view to create a friendly atmosphere in England for the Round Table Conference. I wish I could quote the exact words of Sir George Schuster; but I cannot find the passage I have in mind. However, the gist of his argument is this, that the Government of India have been actuated to frame these proposals in their present form by the desire to placate public opinion in England and to promote India's political interests. Now, Sir, Sir George Rainy has spent about 30 years in this country, and although Sir George Schuster has been here for a short time, still he is not entirely unacquainted with the Indian political situation. Did either of these two Honourable Members imagine for a moment that a measure of this type, introduced at the present moment, would not meet with vehement and bitter opposition? Have they in any way helped India's position by introducing this measure at this stage? The bitter opposition which has been roused and which they must have anticipated, has, I think, estranged the relations between England and India. The argument that the object was to win England's friendship cannot be advanced by Sir

George Rainy, who must have realised that this measure was bound to raise bitter controversy on the floor of this House. But even if this House were to agree readily and voluntarily to these proposals, will a better atmosphere be immediately created in England? Better atmosphere amongst whom? Is it going to change Lord Birkenhead? Is it going to convert Mr. Winston Churchill? What possible change in the political situation in England do the Government of India seriously expect as a result of this House passing the proposals in their present form? I do submit, Sir, that the Government of India have not been frank in dealing with this House in respect of this measure. One cannot help feeling that the present measure has been forced on them by representations from England. Whether the representations were official representations from His Majesty's Government which have been revealed, or whether they were confidential representations from the Secretary of State for India which have not been disclosed or whether they were representations from or on behalf of the Lancashire interests, it is for the Government of India to answer. But it is impossible for this House to agree that the Government of India themselves have deliberately gone out of their way, without any initiative from England, to place these proposals before this House in their present form.

I come now, Sir, to my amendment which you have referred to. I have given notice of that amendment, the same as Mr. Chetty's amendment, because the Government of India have left me no free choice. The Government of India have given me a damnable choice. The Government of India tell us: "Accept the measure in this particular form and we shall proceed with the Bill; if you make any alterations we shall drop the Bill". The Government of India force me either to kill the Indian mill industry and ultimately to harm the consumer, or to accept their proposals in favour of Imperial Preference in this particular form without my consent and against my will. This, Sir, is a very difficult position.

Mr. President: The Honourable Member is not going to give a free vote in this House?

Mr. Jehangir K. Munshi: The Government of India have not allowed me a free vote. That is my complaint, Sir. They have placed me in this damnable position: They say: "Either vote for killing the mill industry of India and for harming the consumer in the long run or vote for the proposals which we have put forward regardless of your preference or your wishes." If I vote for killing the mill industry of India, I feel that I would be doing a wrong not only to a great national industry but to the consumer in the long run. I cannot do that. If, on the other hand, I vote for the Government proposals, I am forced to do violence to my conscience, because I am forced to vote for Imperial Preference without being allowed any "preference" at all. I have no objection to the principle of Imperial Preference if the Government of India set about it in the right way, at the right moment and after free consultation with the Opposition. No Government have the right to come forward in this House and say "Here are our proposals for Imperial preference; we have not consulted you, we do not care whether you like them or not; we are going to force them down your throats". If that is the way in which they are going to introduce Imperial Preference, I am entirely against it. Imperial Preference by itself is not pernicious, as some of my Honourable friends in this House imagine; it is a matter of friendly sentiment and economic adjustment. Why should we not sit round a table and discuss, in a friendly spirit, to what extent we can

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help Lancashire in its present difficulties? But the Government of India have not give me a choice. They simply say, "You either kill the industry or accept this principle in the way in which we dictate it to you". Now, Sir, under the circumstances, I have decided that I cannot afford to kill the mill industry. If I do that, I will not only destroy a national industry, but I shall also allow Japan to capture the Indian market and to put up prices and thereby to harm the consumer. I have no objection to Japan getting an advantage; after all Japan is a friendly nation and I have great admiration for the Japanese. But what happens, Sir, to the consumer if the prices are put up eighteen months hence or two years hence? So, Sir, here I am faced with a grim reality: As against that I have my outraged political sentiment and I have decided that I cannot possibly ignore the economic life of the country. I am in agreement with my Honourable friend, Mr. Jinnah, that we cannot possibly ignore the interests of the consumer, simply because the Government of India are forcing on us this principle of Imperial Preference.

Now, Sir, before I leave this point, I wish to deprecate the statement made by an Honourable Member of this House, that he regarded Englishmen in this country as much foreigners as the Japanese. I think, Sir, he was led to make this remark in the heat introduced by unnecessary interruptions. My own views and sentiments do not permit me to regard the Englishman in this country as a foreigner in the same manner as I regard the Japanese. But apart from that, it would be inconsistent with our political creed to regard the Englishman as a foreigner in this country. I mean the Britisher. It will be foreign to our political creed to regard the Britisher as a foreigner in this country. Either we accept the creed of Mahatma Gandhi and say that we want independence, and that we want to break away from the British Empire; or if we stand for Dominion Status, it only means one thing, that we choose to remain within the Empire, and if we choose to remain within the Empire, how can we treat Englishmen or any of the Empire races as foreigners?

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Do they not treat Indians as foreigners?

Mr. Jehangir K. Munshi: My friend Diwan Chaman Lall is asking me whether they are not treating us as foreigners. So far as England is concerned, I do not think we can go to the extent of saying that England treats us as foreigners, as aliens, in the United Kingdom. With regard to the Colonies, the position is different: But I cannot possibly go into that controversy in this debate. But even if we assume that England treats us unfairly, if we decide to remain within the Empire, we can strive for better treatment, but we cannot say that the Englishman is a foreigner in this country.

Now, Sir, I turn to the Honourable Members of the Nationalist Party, and I do hope that the criticism which I propose to make now will be taken in the same spirit in which it is made. My Honourable friend, Mr. Birla, advised the millowners to insist on unalloyed protection and to reject this alloyed protection. My Honourable friend, Mr. Neogy, told the millowners that even if they are dying of thirst, it would not help them to drink out of a glass of water which contains harmful germs. Sir, I wish to place before the House the parallel between the economic position taken up by the millowners and the political position not only of my

Nationalist friends, but of the entire Opposition in this House. Now, what is the position of the millowners in this country at the present moment? They say that they are faced with extinction; that they must accept whatever the Government give them, in however unpalatable a form Government may offer it. They say that their very existence is at stake, and that they cannot afford to indulge in sentiments, political or otherwise. Their position is that, although they are not satisfied with what they are getting, or the form in which they are getting it, they cannot afford to reject what is offered, even in the form in which it is offered, and if they do not get protection in an unalloyed form, they must now take what they get and continue to fight for the rest. Now, let us take the political position of the Nationalist Party; that is my position also. (Hear, hear.) My Honourable friends of the Nationalist Party, of the ex-Congress Party were told at the end of last year, and at the beginning of this year, that their demand for full and immediate Dominion Status could not be granted. His Excellency Lord Irwin said this before the Congress met. His Excellency the Viceroy repeated it when he addressed this House after the Congress met. Pandit Motilal Nehru followed the policy which Mr. Birla and Mr. Neogy are offering to the millowners. He said, "No, we shall not have alloyed Dominion Status; we shall have unalloyed complete Dominion Status immediately, or we shall not have anything to do with it". But my friends of the Nationalist Party have not taken up that attitude. They, in my opinion, have taken up the right attitude. They say, "This Dominion Status, which you are now offering to us in some form or other, is not unalloyed; we would not like to accept it in this form, but we are helpless; we have got to take what you give and fight for more." I submit, Sir, if that is the position of the Nationalist Party in the political arena, the millowners of India adopt the same position in the economic field. (Hear, hear.) And here I wish to make one thing clear. If political ground is lost by unwise judgment or an unwise action, it can be recovered in course of time; but if a serious economic blunder is made and an industry is allowed to be killed, it would take years and years before it can be revived. I therefore, Sir, do appeal to my Honourable friends of the Nationalist Party to consider very carefully whether, in this damnable position which the Government of India have placed this House, they would be justified in doing anything whereby the Indian mill industry would be killed. I think, Sir, I have made my position clear. I have given notice of my amendment—the only amendment acceptable to the Government of India—purely with a view to save a national industry and to save the consumer in the long run, after recording my strongest protest against the policy and action of the Government of India.

Now, Sir, I do not wish to deal with the merits of the case at any length, because I think practically the whole House has recognised the fact that the Indian mill industry requires protection and immediate protection. As a matter of fact, several Honourable Members have gone to the length of saying that the protection offered is not adequate and that it should have been greater. As regards my Honourable friend Diwan Chaman Lall, I think my Honourable friends from Bombay have taken him too seriously. My Honourable friend Diwan Chaman Lall is a labour leader: and in the present condition of Indian labour the millowners of India cannot expect any spontaneous support from a labour leader.

Mr. President: The Honourable Member is not bound to continue?

Mr. Jehangir K. Munshi: Sir, the considerations which have influenced my decision apply to my province as well. If I allow the Indian mill industry to be killed, the present imports of cheap Indian mill cloth coming to Burma would disappear, and Japan would establish a monopoly in Burma, and piece-goods would no longer be available to the consumer in Burma at low rates. If the Indian mill industry is killed, Japan would be left without any competitions and the price of piece-goods would be raised and the consumer in Burma will be very seriously harmed.

In conclusion, Sir, I wish to make one final appeal to the Government of India. In our present helpless condition, they may force a victory for themselves; but by doing so, they are not going to make their future task easier; they are not going to help the non-official European in this country; they are certainly not going to help Lancashire in the future. The bitterness which will prevail in the minds of the Opposition in this House, the bitterness which will remain in the minds of the people outside, that bitterness it will take a long time to remove from the minds of the people; and I do appeal to my Honourable friend, Sir George Rainy, even now, to make one more effort to approach the Opposition and to arrive at some form of preference to which this House can give its unfettered and willing assent. As I say, Sir, Imperial Preference as such is not pernicious by itself, if we are allowed to act as free agents. The whole objection is that Sir George Rainy comes before this House and says, "We have made up our minds to force this preference down your throats; we are not going to listen to you". Even now it is not too late. Let him not think that, if the Bill is modified, the interests of Lancashire will be jeopardised. Let him take a long and wise view of the matter. Lancashire will gain more in the long run if she takes less now from a willing India rather than forces more from an unwilling and outraged India. (Applause.)

Pandit Krishna Kant Malaviya (Cities of the United Provinces: Non-Muhammadan Rural): Sir, I have remained in this House for a long time without addressing it once, and I had no mind to inflict a speech on the House even today. To speak the truth, Sir, I set little value to speeches. I on the other hand feel that speeches in this House contribute to mere waste of public money and time, especially when we know that they have practically no effect on the Government Benches in matters of real vital importance.

There is also another difficulty in my way, and that is, I feel the Members, especially the officials, do not come to the House with an open mind. Members belong to certain groups which look at a question from the point of view of their interests and policy, which they have decided long before. Speeches, naturally, delivered in this House, then cannot and do not have any real effect on the others. But knowing all this, I have decided to break my record of silence in this House, because I feel that I must say something at this very critical juncture in the life of the Assembly when it is not impossible that we might be at the parting of the ways.

We are, Sir, face to face with a very serious situation. On the one hand the Bombay mill industry is on its last legs; it is tottering, on account

of the faults of its own masters or otherwise; but this is not of much concern; what really matters is that it is in need of protection from the people of the country and also from the Government, and the Government are saying to us, Sir, that they are willing to lend the Indian industry a helping hand provided we lend our helping hand to the cotton industries of Lancashire. On the other hand, Sir, the country is in the throes of a revolution. Mahatmaji is leading his battalion and is determined to give a battle, the objective of which is complete independence. Our own policy, as you know, Sir, since 1905-06, has been one of boycott of all foreign cloth. I mean no threat. As a matter of fact, Sir, I do not believe in threats or blusters and bluffs, but I do earnestly want the Honourable Members on the Treasury Benches to think coolly and take count of the realities.

It is true that there is no tom-tomming, no unbridled, uncontrolled enthusiasm, which we saw in the days of non-co-operation, but this does not mean that the fight will not be a very very grim one. The cool and calculated manner in which things are going on only proves that there is a deep determination behind, and that we will have to face something really grave. The whole country is pulsating with a new life, and the awakening in the villages through which Mahatmaji has passed, without any organization, Sir, is phenomenal. The whole country from the Himalayas to Cape Comorin and from Karachi to Bengal is only awaiting the signal of Mahatmaji. As soon as it is received, some of us also, if not most of us, will be in the field. He did not seek this battle. It has been forced upon him. He is not an ordinary man; he is a saint, with a message of peace and goodwill, and is always willing to accept compromises when they do not kill the truth itself, and he even lowered his flag in terms of his eleven points. He begged His Excellency the Viceroy on bended knees to pay heed to his demands, but what did he get? In his own words, Sir, he wanted bread and got stones instead. He has, therefore, decided finally to do away with the system which is grinding us, which stunts our growth, but which we are only trying to trim here and there and even that without success.

Mahatmaji has felt and truly, Sir, that:

"Jalāne ke siwa kis kam awaga batao to

Na saya de, na phal lawe, na phule jō shajar ho ker."

"Of what earthly use, but for using as fuel, is the tree which neither blossoms, nor fruits, nor gives shade to the weary and the toiling?"

The whole edifice, Sir, on which we all are standing is on the brink of a volcano which is about to burst and give a rude shaking to all of us. I am, therefore, anxious, Sir, that we should very coolly consider what we are going to do.

I am neither an industrialist, nor a financier, nor even a labour leader. My views, therefore, can only be of a layman or a consumer. What is the question before us? To put it into a nutshell, it will not be improper to narrate its little history in a few words. The Indian mill industry has been in trouble for the past many years. The mill owners had been running to the Government to come to their rescue. The Government, as was natural, did not come forward. Matters were going from bad to worse, but the Government was adamant. The Government,

[Pandit Krishna Kant Malaviya.]

all of a sudden, has this year been faced with a deficit Budget. Fortunately for the mill industry of Bombay, the mill industry of Lancashire also is badly in need of relief. The Government therefore decided to come out with this Bill, ostensibly to help the millowners of Bombay, but really to support the Lancashire industries. They have raised the duty for the Indian cotton goods from 11 per cent. to 15 per cent., which means a bounty of 4 per cent. to the Indian mills, whereas they are providing a protection of 5 per cent. duty to the British goods. This not only means, Sir, giving with the right hand and snatching away with the left, but this also means that, so far as higher counts are concerned Great Britain will have the practical monopoly in India for her goods. She will not have to face competition from either Japan, Germany, America or Italy. This means, Sir, that she will have the fullest liberty to fix her own prices on her goods and the burden will thus fall heavily on the consumers. But these are not the only evil results of this Bill. The result which will be far more ruinous will be that the Indian mill industry will be handicapped, and it will find, in the course of a few years, that it will never be able to go in for higher counts, these mills will never be able to produce finer counts at competitive prices; their growth will be stunted and India will thus be for ever dependent on Lancashire and also pay heavily for the supply of her fineries.

My Honourable friend, Mr. Birla, said the other day that the protection provided for our industries is inadequate and may prove harmful. Another esteemed friend of mine, Mr. Neogy, proved, if any proof were necessary, that, by the receipt of this five per cent., the British manufacturers will not only profit, but make good their past losses. This is not all. We must also, at the same time, keep in mind that, in the case of the Indian mill industry, protection of four per cent. will only give them a breathing time to put their house in order, whereas in the case of Lancashire, the Imperial Preference will mean a big windfall.

There are some Honourable Members, Sir, in the House who are afraid of calling a spade a spade, and they prefer to call Imperial Preference by the name of British preference or preference for British goods. I have no quarrel with either of these sets of Honourable gentlemen. To me, a layman, Sir, a rose will smell as sweet by whatever name we may choose to call it, although, in the present case, it is not a rose but a prickly briar which emits a bad odour all around.

The simple truth that we must realise, Sir, is that, if we refuse the demand of the Government so far as the British goods are concerned, the Bill goes to the wall and all the tall talk of helping the Bombay millowners will be forgotten. This is a simple fact, and nobody need be afraid of this. There is nothing surprising in it too. We know that no nation, howsoever great it may be, can afford to act generously towards another, unless it at the same time serves its own selfish ends. In the words of Bismarck, in dealing with foreign nations, no one acts unselfishly unless it is his interest to do so. I, for one, therefore, do not see why the Honourable Members on the Treasury Benches and their supporters should be afraid of speaking the truth. I cannot and will not blame them for being patriotic. They, as the constitution stands, are responsible to the British public; they are not responsible to us, they should naturally

therefore look to the interests of the people to whom they are responsible and to whom they belong.

It is no doubt proper that one who pays the piper must call the tune, but how many improper things are not done today in the name of propriety? Besides, situated as we are, Sir, we do not pay them. The money is no doubt ours, but they hold the strings of the purse and are the virtual masters. I therefore have no complaint against them. They are amiable, honourable gentlemen, as good as we are and in certain respects, even superior to many of us. They are doing their duty by their country and I have no complaint against them. This country has not lost or has lost very little on account of them. This motherland of ours has lost on account of her own sons, who, from the time of the advent of the British, have sold the interests of the country, sacrificed her mercilessly, for a mess of pottage or their own sordid gains. It is they who are the sinners. It is they who trample the country and it is they who are today the chains which bind us to our slavery. I wish they were as patriotic as their masters. I pity them, but I bear them no ill-will, no hatred. I only say, Lord forgive them, for they understand and still do not realise what they are doing. As for the Honourable Members on the Government side, they have been charged with the duty of carrying on the machinery of administration. It does not concern them what it grinds, whom it grinds, when it is set in motion. They carry it on simply for the Reasons of State. Their only concern is that the engine and the machinery do not fail, are well oiled, safe and in tip top condition, that it should yield to them the utmost and should not suffer in any way.

They at times try to see that the machine does not unnecessarily hurt others, when they can avoid it, when it suits their purpose and when they can achieve it without hurting themselves or their machinery. I therefore bear them no ill-will or grudge. I know human nature, and can understand them, but I do beg of them, Sir, in all humility, not to try to convince us that two and two do not make four, that darkness is sunshine and that they can see our interests better than we can ourselves do.

This is belittling our intelligence and is most galling and painful. I also beseech them, Sir, in the name of all that is good in this world, not to add to the discontent of the people who are already discontented enough.

My third request to my Honourable friends on the Treasury Benches, through you, Sir, is that, instead of trying to convince us, they should try to convince their own conscience that they ought only to come forward with their demands when they have satisfied their conscience, that they are not, by their narrow vision, circumscribed by selfish ends, hurting others whom they have no right to injure and whom they are morally bound to serve. All of us, Sir, are creatures of circumstances. We are sitting on this side of the House today, and 12 Noon. who knows tomorrow or in the fulness of time we shall not be in their places and they in ours. India had a past; she has a future too and it will not be paying to train her in ways which might recoil on the teachers tomorrow.

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Do unto others as you would wish to be done by, is a maxim which will always pay everyone who acts up to it, in gold. I would also say to the Honourable Members, "Whatever you do, do it with all your heart and as from the Lord." And if I have not already asked too much of my Honourable friends, I will ask them to remember that nations generally pay heavier prices for their sins of commission than for their sins of omission. But this is a digression and I must come to the point.

Leaving aside, Sir, all these material considerations, the Bill does something more. India, today, is growing; it is throbbing with ambitions. She is anxious to build a future for her as bright as her past. She naturally, at this stage, wishes to move very carefully. She does not wish and is not in a position to forego the sympathies of any nation. She therefore does not want to antagonise either Japan or Germany, either America or Italy. Great Britain might well say, "I am here to protect and guide you. I will see that no other nation shall injure you." Great Britain may say all this and perhaps more. She has her own axes to grind at our expense, but I want to tell my Honourable friends, and through them Great Britain, Sir, that we are at the parting of the ways. We want to guide our destinies ourselves; we want to regulate our national life according to our own requirements and needs, and we do not want to discriminate between foreign nations, for we know not whose aid we might need. We do not want to be with those who do not treat us on terms of equality. We do not want to be in an Empire in which we cannot remain on an equal footing with others. We do not wish to be in the British Commonwealth of Nations if we can be there only as men of an inferior status and not as equal and free partners. Who can tell that it may not yet be India's glory to embark on a mission of peace and higher humanity to teach Europe and America that materialism is not the food on which humanity can permanently thrive. We hope we shall be able to give birth to and organise an Asiatic Federation in which Japan, China, Afghanistan, Persia, Egypt and Turkey may be our partners. We may be idealists, hopeless dreamers, but we are realistic enough to realise that it is not proper to antagonise any nation at this stage of our history. We therefore ask the Honourable Members to stay their hands. No offence is meant; this is a plain statement of facts and there need be no heart burning on this account. To my Honourable friends on this side of the House, who are real patriots, who really want to serve their motherland, who are anxious to see their motherland free and are willing to sacrifice all that is best in them in the service of their country, whose aims in life and responsibility do not begin and end with getting a few petty posts for their kith and kin. I would only repeat a few lines of a great saint, who lived and died in this very city of Delhi, and who defied and staggered even such a mighty potentate as Aurangzeb. He was no other than Sarmad and he said:

Sarmad gilah bah ikhtisar mi báyad kard,

Yak kár azin do kár mi báyad kard.

Yá tan barazáe dost mi báyad dáde,

Yá qataa nazar ze yár mi báyad kard.

"Give up complaining, begging and wailing for trifles. Out of the two ways you choose the one you like. Either surrender yourself quietly to the mercy of your friend" (as the Central Muslim Party seems to be striving for) "or cut off all connections with your friend, non-co-operate, and chalk out your own independent existence."

I am sorry, Sir, that by mistake I have referred to the Central Muslim Party.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Please do not be sorry. We are the target of everybody's attack, because we are in the centre.

Pandit Krishna Kant Malaviya: If this fact gives consolation to my friend, and the cap fits him, I do not withdraw my words.

Dr. A. Suhrawardy: Please do not.

Pandit Krishna Kant Malaviya: What this path is, Sir, should be clear to every one of us. The Government are forcing this measure upon us, in spite of us. Let us accept this challenge of the Government as men and resolve that whatsoever may happen we will defeat the Government; we will nullify this act of the Government; that we will go out from this place straight to our people, tell them our plight and organise a boycott of foreign goods, especially British, and exhort the people to see that nothing of British origin or manufacture comes into our homes. I think, Sir, this is the only course we can adopt to defeat this measure, and I hope my countrymen will rise to the occasion and act upon my simple but effective suggestion.

I have finished, Sir, but before I resume my seat, I want to make it plain to my Honourable friends on the Treasury Benches, and through them to their masters, the British public, that ours is a fight of righteousness, our weapon is suffering and non-violence. We are not afraid of their cannons, guns and regulation lathies. We know that the Government will fight for their own existence. They will use all available means to crush us, but we will not retaliate. We will not raise our hands against them, but still we have no doubt that we will achieve the victory, for our faith in our cause is supreme. Truth and justice are on our side, Sir, and we know this much, that no Government, howsoever powerful, can rule a people long without their consent. You can carry on your administration by the help of the sword, but let me tell you the real truth that, so long as the people remain discontented, do not co-operate with you and are averse to the powers that be, the people and not the Government will win.

I, therefore, ask our Masters, through you, Sir, to pause, consider and then decide to act rightly, not as tyrants but as servants of the people of India, for the sovereignty of India lies with them and not with the people of England.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): Sir, the House has listened to many elaborate and long speeches from very experienced Members and very high class philosophers, politicians, economists and even leaders of labour on this subject and I think it is time they should hear the views of some laymen like myself. I thought the last speaker also claimed the position of a layman and had put his case very pathetically before the House. But I am afraid I cannot agree with him in the conclusions he has arrived at. Sir, the debate has reached such a high pitch of eloquence and oratory, that I find it very difficult to follow it in the same strain. I am afraid I shall have to bring it back to the understanding of an ordinary man like myself, because, after all, the House is not entirely composed of highly qualified lawyers and economists, but there are some like myself and my

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Honourable friend, Captain Hira Singh (Laughter), who can only claim ordinary common sense, and it will be from that common sense point of view that I shall try to lay the case before the House. But, Sir, before I do so I should like to remind the House, if reminding is necessary, that I am a nominated Member, that much maligned and condemned nominated Member, of whom you hear so much in this House.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): So the Honourable Member is helpless in the matter owing to want of a constituency.

Nawab Sir Sahibzada Abdul Qaiyum: But I do claim, Sir, that I have a certain amount of self-respect and responsibility (Hear, hear) and a little credit in my own part of the country and it will be with that sense of responsibility that I shall try to lay my views before the House. Is it not a fact, Sir, that, both elected and nominated Members come to this House with certain preconceived ideas, ideas which they have been entertaining at their homes long before their elections or nominations take place? I do not think, that there is much difference between the status of the two, as far as my personal opinion goes. While the one owes allegiance or election to a constituency or a class of people who are out to condemn the present form of Government, the other who comes from his constituency, whether it is the so-called Viceregal Lodge or the people of his own way of thinking. He is not out to condemn the Government in all and every matter. Both are treating the Government like an accused person, but while the nominated Members think that, unless by the evidence laid before the House they find the accused guilty, they will not condemn the Government and pass a verdict of guilty against them, the majority of the elected Members take it for granted that the Government are already guilty and convicted and they will not give the Government the benefit of any doubt that may arise in the House as the result of the debates or discussions! That is the only difference that I can see. I will not say more on this subject. But I must confess that I am a nominated Member, whatever reasons there may be for my coming to this House as a nominated Member

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): What can the Honourable Member do? His friends in the House have not given reforms for his province to enable him to come in by election?

Nawab Sir Sahibzada Abdul Qaiyum: I assure the House that I shall try to be honest in this matter. You may not occasionally find me very honest in some matters. When they touch my religion or my community, possibly I may be a bit partial there, but in a matter like this, I am quite free and open to conviction. Now, Sir, coming to the main issue before the House, I find that the debate we have been holding for the last few days is on a measure which is laid before the House and which claims to give protection to certain industries in this country, especially to the textile industry or mill industry as it is generally called. The people who have introduced the measure also claim that it is a measure for the protection of the industries of the country. On going through the Bill and the Statement of Objects and Reasons of the same, I see that the word "Preference", Imperial or otherwise, is not there and seems to have been intentionally omitted from the language of this Bill. At least I have not come across the word in the Bill itself or in the Statement of Objects and Reasons of it and if this is so, I think we have got nothing except our own fears and

suspicions to go upon. These may or may not be justified—I do not dispute that, but the shape in which the Bill is drafted and put before the House, clearly shows that all reference to Imperial Preference has been omitted. Personally I do not see what difference the omission of the word "Preference" will make if there is that word in the Bill called "protection", which means the same thing, self-protection, self-preservation or self-interest! As long as self-interest exists in this world and words of that sort are there in the dictionary, I think the word "preference" should be used as an adjective only and the two words "protection" and "preference" should be considered as synonyms. If you study nature, there is the principle of self-preservation, and preference in everything before you; in animal life, in vegetable life, and in everything else there is this principle of preference or protection. Well, Sir, if one were to try to make difference between protection and preference, then, according to my light, preference would be applied in a case when you have something surplus to give to somebody and you want to judge to whom you should give it, or when you have something to give in charity and you want to decide to whom it should go. So if there is anything surplus with us and we are asked whether we would like to give it to one nation or the other, then the question of the preferential treatment of the one or the other would arise, but not otherwise. Of course preference could be shown in another way too, that is, if I am to be killed by some one and must die, then I have the choice whether I should prefer to be killed by A or by B! If you want to apply your preference in that way, you are welcome to do it, but I do not believe that the word "preference" should be used in a case like the one under discussion. The simple question before us is this, and it is not disputed by any Member of the House, that the mill industry in the country is starving and is in difficulties and that it requires protection. There is no dispute about that; the question is how to protect it. This protection could be given them either by bounties or by raising the import duties. These are the two ways of helping the industry. If you give bounties, you submit the consumer to a direct taxation. You have to raise the money at once and help the industry by taking the money from the pockets of the consumer in a direct manner. If you impose additional import duties, then the result perhaps is also, to some extent, the same, but there is a possibility of the mills developing themselves in such a way as to bring in some good to the consumer by cheapening their goods as against the foreigner who will have to raise his prices to cover the extra duties. Well, Sir, if we are to consider the position of the mill industry in the country, we have also to consider the position of the producer of the raw material and of the consumer. As regards the producer of the raw material, I believe that, as long as our population stands at its present figure of 30 or 32 crores, and clothing must be found for them from somewhere, the producer's raw material must be purchased either by the local mill industry or by the foreigner. The foreigner will not care to buy much of it if he can find it cheaper in other places, but the local industry will not go out of its way to import raw material from outside when it can find the material in its own country at a fairly cheap rate. If they are wise, the local industries, I am sure, will buy the locally produced material and will employ it to a very large extent. In that case the producer's losses will not, to my mind, be very considerable. I think they will be smaller than even the losses of the consumer. The material will surely be used by the local mills and no surplus material will remain to be exported and the prices of the raw

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material will not go down very much. That is my idea of the thing. Even if the produce is not fully consumed by the local industries or if the local mills do put up higher prices after finishing their goods, the possible result will be that people will restart their cottage industries and will find labour at home which is the object of Mahatma Gandhi's movement. Supposing the people find themselves unable to buy these goods on account of their higher prices, then, is there not the possibility of the revival of cottage industries, and the object of Mahatma Gandhi's movement will be more readily achieved.

Sir, as regards the differential import duty that is suggested to be levied, my idea of it is a little different from others. I will take it in this way, our house is liable to flood from various directions, from the Lancashire side, from the American side and from the Japanese side, etc. I have to fortify my house against these possible floods, in the light of the experience of the past. If I am a wise man and want to be on the safe side, I shall build a stronger wall against the corner from which I have suffered greatly in the past and from which I fear the floods in a more tremendous way in the future and I will put up an ordinary wall against the corner from which I do not expect much damage, or very strong torrents. If the past history of this trade shows that the market of India has been captured to a great extent, if not wholly monopolised, by goods from Japan, as compared with goods from Lancashire and if I see that conditions of labour in Japan are favourable for the expansion of that industry in that country as against the expansion of Lancashire industries, then I should be careful to build the wall against Japan a bit stronger than against Lancashire. Sir, Lancashire every now and then gets into the same labour troubles as Bombay gets into occasionally and there can be no question of comparison between the two. Wages are very high and labour troubles are more constant in England than in Japan and I do not think that Lancashire has much chance of occupying the place which may be vacated by Japan in the Indian markets. There is not much fear of the market left open by the Japanese goods being captured by Lancashire, if the mill industry of this country were to avail itself of this opportunity and develop its resources. No doubt our mill industries will have to exert themselves when they have got this opportunity, and I am sure that in their own interest they will do so. They have seen some bad days, and if the accusation against them is true that, in their good days they did not develop themselves or strengthen their position, I am sure they will benefit by their past experience and not commit the same folly again. They will have to develop their mills, and having done so, there is not the least possibility of their not being able to prevent any influx of goods from the Lancashire side. The local industries have already achieved much in the past in that direction and there is no reason why with this additional import duty they should not improve still more. Well, Sir, that is my reading of the situation. I do not consider that it is a question of preference to one nation or the other. It is the question of protection against possible intruders. I have used the word "floods" and the direction from which we have the greater fear of floods will have to be guarded with a stronger wall than from the other direction.

Personally I am not very much enamoured with this high principle of "free trade" and no partiality, no favouritism and no "preference". I am a very selfish man. I am not like some of those gentlemen, especially my friend, Mr. Acharya, who claim to be more spiritual than myself. I have

only materialistic ideas in a matter like this and can see the gain and loss side of it only. If I gain something by this protection, I will not really worry myself much as to whether full justice is done outside my country to two other nations or not or whether one nation has got preference over the other. I shall be delighted to see that justice is done to everybody all over the world on the face of this earth and that everybody should have equal rights, but that is beyond practical politics and possibilities. People, in order to protect themselves, have to impose differential protective duties, and even if we do not impose them, there are and will be other nations in this world who have already done so. Our sentiments at this juncture appear to be more in favour of Japan at least among some of the elected Members here! I can realise those sentiments as an Asiatic and I can even admire them to a certain extent. But I think that the British nation has not done us badly in the past if we were to compare ourselves with others placed in similar conditions under other nations in the rest of the world. We have not got much experience of other Colonies under other European and American Nations. But if we were to find out about the positions of other countries placed in similar conditions before the war, though they have changed hands now, and I, as a humble traveller in most of the continents of the world, have had the opportunity of seeing those conditions, I can assure the House that they were not very much better as compared with ours and that we were and are much better off in many, if not in every, respect. But the difficulty is, as the Persian proverb says, that vessels do crack when they are near one another, but when far off there is not much chance of their cracking. There is also another Persian proverb which says that the noise of the drum sounds better from a distance! Similarly we hear a good deal of the better treatment of others, but if we were to compare it with our treatment in this country, it will be the same if ours will not be much better.

I am not going, on this occasion, to plead the justice or the injustice of the British rule in India. As I said at the beginning, I will look at this matter only from the economic and material point of view. Sentiments and personal views do not count with me and should not count with others in a purely business matter. By nature we are always very sentimental. Orientals as a rule and Indians in particular are more sentimental than practical. There was a time when we were weeping for certain things that were happening in the far North-West Africa or in the Near-East or in other parts of the world. We were shedding tears for them and spending our little precious money for them. But when things settled down there, those people who were more practical than ourselves would not care to go by our sentiments and would run their affairs as it suited them. Similarly, I have not seen any signs, so far as the Far Eastern nation mentioned in this connection is concerned, of their shedding very many tears on the condition of India, though as members of the Great Nations Conferences that are going on in the world, they can do a lot for us. They can settle matters about the so called Imperial Preference with the British Government. We are not yet free to be blamed for anything. I wonder if the Japanese would ever go out of their way to help us materially if—God forbid—an opportunity were to arise. Our sentiments should go to them—Orientals against Occidentals, Asiatics against Europeans, Indians against Persians or something of that sort. This is quite good so far as sentiment is concerned, but I am not one of those who will allow those sentiments to interfere with the practical question of the protection of my home industry, or to

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lead the giving up of that protection or possibility of protection, for the sake of that sentiment. I shall be a very pious man if I say that, if a wrong is being done to a certain person in another part of the world, I should give up my chance of getting some gains, a little protection or a little help simply for that sake. If we decide to be so spiritual we shall be always at a loss in the present state of the world's affairs. I am afraid people have become very very materialistic, and they do not go by these sentiments.

Another thing which strikes me is this, Sir, that while in the same breath many Honourable Members accuse the Government of irresponsibility, i.e., of not being responsible in this thing and in that thing, always bringing in that as a grievance, they think as if it is in their power to change the whole constitution all at once by refusing a measure like this. They can express their opinion and have done so, but it is not becoming of them to condemn and abuse the Government in season and out of season on every measure and point. I should like that a week in every Session be allowed for the condemnation of the Government, or if necessary, a week in a month or an hour after the question time and perhaps Members would be quite justified in demanding this; and as the Treasury Benches have got accustomed to it, and have been showing so much patience that I never see much pain on their faces when they are cursed by Members in terms such as "go to the dogs" etc., etc. I believe they will be quite prepared to bear that condemnation for an hour, a day or a week, a month or even a month in the Session. But it is a thing which really destroys the smooth working of the Assembly, when, in season and out of season, condemnation and political issues and constitutional affairs are brought in in such matters as a Tariff Bill. I believe a certificate should be given by the Government of India to such Members at the end of every Session that they knew that they were in disagreement of the Government's present policy, and that they need not waste much time over such condemnations!

Coming back to the old point, Sir—I occasionally get astray I am afraid,—this is a measure which has been brought about for, and is necessary for, giving protection to the mill industry of this country. The industry really is in need of it, and whatever other side issues and sentiments may be raised, it is going to give protection to the industry. It is not only that the millowners will benefit by it, but there will be additional revenues to the exchequer which may be used for some nation-building works. The loss to the consumer, if any, or to the producer, if any, will be the gain of somebody else in the country whether it is the millowner or whether it is the carpenter who will be building some new Government office somewhere in this country; but I believe that the money will to a great extent remain in this country, and that the foreign trade will diminish too to a certain extent by the imposition of this extra duty. We should therefore allow the Bill to pass. Why put the Labour Government which means to do some thing for India into trouble with the Lancashire and other labour organisations at home and weaken their position?

Sheikh Mushir Hosain Kidwai (Cities of the United Provinces: Muhammadan Urban): Sir, to my mind the question of the merits or demerits of the Tariff Bill has been completely overshadowed by the constitutional

crisis of a very great magnitude that has arisen, and until that is solved by some means, by a motion for adjournment or by some other means, I do not think that it would be possible at all to do justice to the merits of this Bill. What is the position, Sir? Either the Government here refuse as was done by Lord Lloyd in Egypt to carry out the policy chalked out by my friend Mr. Ramsay MacDonald's Labour Government in England or it was nothing but a deliberate deception on the part of the Secretary of State for India himself to have said that Dominion Status was in action in certain respects—at least in fiscal matters. Mr. Wedgewood Benn said, on the subject of the constitutional position of India, that India had the same status as a Dominion possessed on the question of fiscal autonomy. But what do we find here? We find that the Government have adopted the attitude that, whatever the opinion of this House may be, they are committed to this Bill, and that they are not prepared to listen at all to the opinion of the opposite Benches on this question. I beg to say that this is not Dominion Status in action. This despotic attitude of the Treasury Benches is not in consonance with the policy which the Secretary of State for India enunciated in the House of Commons so recently. It is obvious that the attitude adopted by the Treasury Benches has made it absolutely impossible to have any fair discussion on this Bill. Every Member of this House (even those Members who were in favour of the Bombay mills not excepted) made it clear that he would not vote with the Government if the Government's threat of withdrawal of the Bill were not there. All the Members believed that improvement was possible in the Bill, but they were afraid of making any improvement because of the attitude adopted by Sir George Rainy that he was not prepared even to look at any amendment, however well supported it might be by arguments. I may go even to the extent of saying that the attitude adopted by Sir George Rainy amounts to an insult to the Leader of the Opposition. I do not belong to his party, in fact I belong to no party, but I do very strongly resent the attitude adopted by Sir George Rainy, and I hope that he will even now give up his obstinacy and give an opportunity to the Leader of the Opposition to make out his case for the amendment he has put forward.

Sir, in my opinion some way must be found to solve the constitutional crisis which has arisen before we deal with this Tariff Bill, and until that is found it is no use our talking and discussing and wasting time over it. It may be said on behalf of the Treasury Benches that Mr. Wedgewood Benn said that Dominion Status was in action when the Government and this House were in agreement; then the Secretary of State would not interfere in fiscal matters. But my point is this. The Secretary of State simply enunciated the policy of the British Government as regards the constitutional position of India, and he used particularly the words, "Dominion Status in action" which could not mean anything else, but what you, Sir, pointed out, that is, if Dominion Status really was in action, then the Treasury Benches would have to act as if they were Ministers in the Dominions as far as the question of fiscal autonomy was concerned—they must agree to the majority vote of this House on fiscal matters.

There is another point, Sir. How could we come to an agreement—the Treasury Benches and the House—unless Sir George Rainy kept an open mind, and he did not adopt that attitude which I should describe as Czarism in action, that is to say he was not prepared to listen

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to any argument; he was not prepared to allow himself to be convinced. If he stuck to this dictatorial attitude how could we expect this House and the Treasury Benches to come to an agreement on this question? Therefore I submit that the matter being one of first class importance, we should first of all decide and come to a clear understanding as to the constitutional position which India occupies in this respect.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, this Bill has been under discussion for a long time and various arguments have been addressed to the House in connection with this Bill. It has been urged that there is no Imperial Preference involved if this Bill is accepted by the House. It has been urged, as this Bill does not accord protection to a sufficient extent, therefore the principle of Imperial Preference does not come in at all. Preference has been sought to be defined and various words have been suggested for the word "preference".

Now, Sir, the first question that arises is, whether this Bill does involve Imperial Preference or not. I will read what the Indian Fiscal Commission have to say on this point. According to them, in paragraph 224:

" 'Preference' means that goods from one or more favoured countries pay duty at a rate lower than the general rate. Whether the preferential rate is a real reduction in duty or whether the general rate has been arrived at by making an addition to what is considered the minimum duty, which thus becomes the preferential rate, is considering the economic effect, immaterial."

Now, Sir, I fail to appreciate the arguments of those who believe that no question of Imperial Preference is involved in this Bill. I cannot understand why the Finance Member should have taken pains to devote five or six paragraphs in his speech to this question, and why an appeal to the wider interests of India should have been made on the supposition that no Imperial Preference was involved in this Bill. I take it, therefore, Sir, that this Bill is nothing but a Bill for giving Imperial Preference, and if Imperial Preference is involved in this Bill, I would certainly expect that those conditions which the Indian Fiscal Commission laid down in reference to the adoption of the policy of Imperial Preference should first be satisfied before this measure can be considered. Now, Sir, the first condition that they laid down was that the policy of Imperial Preference should be determined in accordance with Indian opinion. I am reading from para. 262 where they say:

"We recognise that the question of Imperial Preference is one which can only be determined in accordance with Indian opinion, and that the Indian view can be best ascertained by reference to the Council of State and the Legislative Assembly without whose free consent no such policy can be adopted."

Now, Sir, the first point that I wish to submit is that it was the duty of the Government to determine what the Indian opinion was in this matter. It is true that, while the two Houses are sitting, public opinion can best be found out by ascertaining the opinions of the two Houses, but all the same, these two Houses do not cover the entire field of public opinion in this country. Then, again, Sir, in para. 263 this is what the Indian Fiscal Commission say:

"It is evident that the Legislature can hardly be asked to pronounce an opinion on the policy until it has some idea of the extent to which its application is feasible. We would therefore recommend that, as a preliminary to any consideration of the desirability of India adopting the policy of Imperial Preference, an examination should be

made by the Tariff Board to determine whether there are any commodities on which preference might be given in accordance with the principles which we have laid down, to the benefit of the Empire and without detriment to Indian interests."

Now, Sir, we know that, in the year 1926, there was a reference made to the Tariff Board and a perusal of their Report would establish that that Tariff Board did not countenance the acceptance of a policy of Imperial Preference. At page 177 they said this:

"The majority of us do not consider it necessary to discuss the advisability of such a duty for three reasons. In the first place, it would, in effect, amount to Imperial Preference and thus raise broader questions of commercial policy than can be dealt with by such a Board as ours, with limited terms of reference. A second and even more important consideration is that the proposals we subsequently put forward will involve a very much larger expenditure than would be provided by the imposition of a duty which would only affect a comparatively small proportion of the imports into India."

Now, Sir, the Tariff Board did not consider the question of Imperial Preference. According to para. 263, I understand that the convention is that the Tariff Board is an integral part of the constitution as laid down in para. 96 of the Report of the Indian Fiscal Commission. This is what they say:

"It will be obvious that the successful working of any such scheme of protection as we contemplate postulates the existence of a thoroughly competent and impartial organization of the Tariff Board which will make inquiries into the conditions of the industries and recommend whether protection should not be extended to them and if extended what the rate should be."

Further on they proceed to say this:

"The Tariff Board is an integral part of the constitution."

Now, Sir, may I inquire as to why no reference was made to the Tariff Board to inquire into the matter and report upon an important matter like this. The reply is given in the speech of the Honourable the Finance Member, but that reply is hardly convincing. In 1926 the question was whether protection was to be given to the mill industry in Bombay and the mill industry in India. At the time the report came out, the Government shelved that Report. They only produced a yarn Bill, which was also not in accordance with the recommendations of the Tariff Board. I put a question on the 26th March, 1928, in this House and I asked:

"Do the Government propose to take any action in pursuance of the recommendations of the Tariff Board Report on the textile industry?"

The Honourable Sir George Rainy replied:

"As the Honourable Member is no doubt aware, the Government of India have already given effect to the recommendations which they have been able to accept. They have also brought to the notice of the Government of Bombay the recommendations with which the Local Government are concerned. There remains therefore no further action for the Government of India to take."

Now, Sir, it clearly follows that the Government of India did not accept the Report of the Tariff Board and did not think it worth their while to protect the mill industry of Bombay. Now, may I ask what has transpired between March, 1928, and 1930 that has actuated the Government of India to take up the question of protection. Sir, the truth is that, whenever and wherever the interests of India and England clashed, the Government of India have not served the best interests of India

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and they will never move in the matter if the interests of England are likely to suffer. But no sooner do the Government of India find that the interests of Lancashire or England require protection, than they take up the matter, give a colour to their own acts and proceed on the supposition that people can be deluded to believe that they are acting in the interests of the mill industry of Bombay, whereas, in their heart of hearts, they think that protection to Lancashire is necessary. That is the sole truth. This is not the only industry that we have seen treated in this manner. Look at any industry in this country and we find the history repeated. What happened in regard to the salt industry and the Sugar industry. Is not the history the same? I do not know of any industry in which the Government have looked to the best interests of this country, when they clashed with the interests of England.

If it is true that this policy of Imperial Preference cannot be given effect to without the approval of Indian opinion and without the approval of the Legislature, in accordance with the recommendations of the Indian Fiscal Commission, may I humbly know what steps the Government have taken to find out Indian public opinion? Whenever a Bill is brought forward in this House and a motion is made that the Bill may be referred to the Select Committee, the Government turn round and say "Where is the hurry? Why not send it for opinions". Now, may I ask, what was the hurry in adopting this course without even considering the report of the Tariff Board. It will be said, it has been said, by the Honourable the Finance Member that the matter is too urgent. Now, Sir, if you will look at the dates of the Tariff Board Report, you will find that the Tariff Board on textiles began its work on the 1st July, 1926, and finished its labours on the 1st January, 1927. It took almost six months to produce this Report. With the help of the materials collected on this Report, Mr. Hardy's Report and the Report of the Fawcett Committee, it would not have taken more than a month for any Tariff Board to report on a matter like this. I understand that the Bombay mill industry applied to the Government of India for protection again in November or December. In those three months any Tariff Board would have undertaken this task and reported on the issue in question. But the truth is that Government did not want to protect this industry. They wanted to evolve an arrangement by virtue of which they might be able to protect the Lancashire industry and give it the colour of protecting the mill industry of Bombay. Sir, I remember a passage which I read in my college days from the speeches of Edmund Burke when he impeached Warren Hastings, in which Edmund Burke described an invention of Ganga Govind Singh and Devi Singh for the purpose of exacting and extorting illegal dues from the poor ryots. He said then that a machine was invented by these two men, and the arrangement was so made that two persons were at one time put on a *tik tiki*, a sort of pivot for caning. Now, the father and the son were both put on the *tik tiki* and it was so arranged that if the father wanted to shirk the injury, it must strike the son and if the son wanted to shirk the injury, it must strike the father. I will give credit to the gentlemen who are responsible for this Bill for finding out a similar arrangement. If, Sir, we want to defeat the Bill, we are confronted with the grim fact that the Bombay mill industry is not protected. If we want to protect the Bombay mill industry, the father is struck. The political issue is the

father and the commercial issue is the son. I think the Government have even beaten Ganga Govind Singh and Devi Singh. The reason which the Honourable the Finance Member has given for introducing this measure is one which will never appeal to this section of the House. The entire mentality behind this measure proceeds upon one assumption, and it is this, that in times to come, as in the past, India is to remain for ever the producer of raw materials for England and England is to be the manufacturer of those raw materials. On page 59 of the speech of the Finance Member we find, he said: "In the second place it is desirable to encourage industrial development provided that this can be done in conjunction with, and as a supplement to, the agricultural life of this country". No Englishman likes India to evolve industries which are not connected with the agricultural life of the country. They want that, so far as manufactures are concerned, India may always look to England for her manufactures. The entire endeavour seems to be that, in times to come, the Bombay mill industry should never succeed in building up an industry dealing with finer counts of yarn and clothes. When I came to this House, the Report of the Tariff Board was one of the first Reports that were supplied to us. I thought that, after all, the Government of India are now taking a new turn in their life, but I was deceived, and when I received the reply that Government are not doing anything in the matter, I recognised that these commissions and committees are only meant for a particular purpose. They are only meant to shelve inconvenient questions for the time being. When we come across any report of any commission which goes to the root of the matter, for instance, the Skeen Committee

Mr. President: What about the Age of Consent Committee of which the Honourable Member was a member.

Pandit Thakur Das Bhargava: In regard to that, I will only submit that the Government have shelved all the recommendations of that Committee, and when they passed the Sarda Bill, they gave us a measure which will be fruitful of much greater evils than of good things. I say it deliberately, because I moved an amendment in that connection so that the Government might be able to take automatic action in suitable cases. Government declined to accept that amendment, while admitting that the amendment was good.

Mr. President: And yet the Honourable Member voted for the passing of the Bill?

Pandit Thakur Das Bhargava: So far as that aspect of the case is concerned, we are not so unreasonable as this Government. If the measure is one which will benefit my people, I will certainly accept it, even if it does not come up to my expectations, but where a principle is involved, where that principle goes to the root of the thing, I will never accept a measure which is full of poison, and will kill me the next day. That is my reply. Sir, I was submitting that whenever an inconvenient report comes in, the Government are in the habit of shelving the report of that Committee. Now, Sir, when this Report came, it was very difficult for the Government to accept the recommendations, because they were, if you will allow me to say so, honest recommendations. Sir, the main recommendation of this Report was that the Bombay industry would be well advised in insisting that the industry builds

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itself up in a way that will be armed with the power of manufacturing cloth of finer counts. That was one of the recommendations. I will now refer you, Sir, to page 153 of the Report where it is said:

"We consider that it is essential that Bombay should utilise to the full the natural advantages it possesses in the matter of climate and of its situation in respect of imports of American or African cotton for the production of goods of higher quality than it has done in the past, that it should devote much less attention than it has done to the production of grey goods, more especially of grey longcloth and shirtings, and that it should embark on a much larger production of bleached and coloured, printed and dyed goods."

And then, Sir, there were proposals in the Majority Report for giving a bounty to higher counts. The main recommendations did consist in giving every facility for the protection of cloth of higher counts. This was exactly the thing which this Government do not want, and this Bill is designed to postpone for ever any such endeavour in this direction.

Now, Sir, what is the stunt that we are treated to now? In this Bill we find that the position of the Government is that the quality of the finer count does not enter into competition with the cloth manufactured in India. Sir, I do not accept this proposition. But assuming it is true, may I humbly inquire what will happen to any person who now wants to go in for a mill which is intended to produce cloth of finer counts? What protection is there for a mill like that? Then, Sir, it is said that this Bill will only last for three years. What will happen after three years? During this period, the manufacturers of Lancashire will capture the Indian market and will regain the territories that they have lost to Japan. They will be the sole monopolists in this field, and they will be able to extort any price they want. After three years, when they have been practically in sole monopoly of the entire market, and if then any new industry wants to rise up in this land, how will it be able to compete with the specialised industry of Lancashire. Therefore, it may happen that, when the Bombay mill industry is relieved of its present troubles and wants to rise up again, it may be faced with a very grave situation, and it may find itself in such a position that it may not be able to compete at all, in so far as finer counts are concerned, with the Lancashire industry. Therefore, I think, that, judged from this standard, this bait may prove too much even for the Bombay industry.

Sir, much has been said about the interests of the consumers in this House, and with your permission I wish to scrutinise that aspect of the case. I am really amused when I hear Members of the Government of India talking about the consumers. Sir, when I spoke last time on the Budget I submitted for your consideration the real condition of the masses. Any person conversant with those conditions will be laughing in his sleeves when he hears in this House the interests of the masses being talked of by the Members of the Government. Sir, today thousands of people are dying of starvation. Why do you talk of cloth? They are not getting even food. When has this Government thought of these people? They want that they may get labour for one anna a day, but this Government will not provide them with that labour even. Sir, such is the state of things. If a person of those classes were to come into this House and hear the speeches of the Honourable Members, I think he would be very much pained. He will hear that, in his name, such injustice is being

perpetrated and such arguments are being advanced as would actuate him to exclaim, "save me from my benefactors". Sir, it is unsophisticated blasphemy for Members of the Government to talk of the interests of the consumer in this connection. What is, after all, the interest of the consumer in this matter? Generally speaking, he produces cotton which he or his village weaver can manufacture into yarn and cloth. Taking the estimate which appears in Appendix IV of the Report of the Tariff Board, it is about 14 yards of cloth that he consumes per year. This 14 yards, in times of yore, was manufactured in his own village and he did not have to go out to buy it. If this Government could have left him in that blissful solitude, I understand he would have blessed the Government. But, Sir, that industry, which flourished in this land, has been destroyed by this Government, and when an industry has been built up by the industrialists of Bombay and other places, this Government will not protect that industry. Now, in regard to these finer counts, may I presume that the middle class people and persons of affluence will be affected and not the poor class of people? It may be that those who use cloth of finer counts are not poor people. Let me assume that for a moment. On this assumption who will be affected? Not the poorer classes, not the consumers for whom this Government is so solicitous.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): I rise on a point of order, Sir. I find the following Notification in the Government of India (Extraordinary) Gazette dated the 26th March, 1930:

"In pursuance of sub-section (2) of section 1 of the Indian Tariff (Amendment) Act, 1930 (XI of 1930), the Governor General in Council is pleased to appoint the 29th March, 1930, as the date on which the said Act shall come into force."

I should like to know how that date could be fixed in advance?

Pandit Thakur Das Bhargava: Sir, I was submitting that, on the assumption that middle classes and rich persons use cloth made of finer counts, will it not be they who will be affected by this Bill? If it is so, then I would submit that the opinions of the elected Members of this House are the only opinions, which can be said to be authoritative opinions. On account of the rules and regulations for franchise made by this Government, and the right of representation given so far, if any person or class is represented in this House, it is those middle class people and rich people and thus the opinion of these elected representatives should be regarded as final in the matter. Sir, I find each and every Member, to whatever group he may belong, rising in his seat and saying that he is dead opposed to Imperial Preference. There is absolutely no difference between persons belonging to any of the popular groups in this matter. If the Members of the Independent Party accept this Bill, they say that, "Ours is not a free consent". If the other Members accept the Bill, they always say that they are not free to vote, as it is at the point of pistol that they have to vote with the Government. Therefore my submission is that, if this condition as regards free consent is to be satisfied, it is abundantly clear that this House is dead opposed to the policy of Imperial Preference. Now, Sir, the words used are, "free consent". May I humbly inquire from the Government as to what they understand by the words "free consent". I can understand "consent", but what is "free consent"? Is it consent which is tainted with undue influence, misrepresentation, fraud or force?

Mr. President: Order, order. The Honourable Member knows that the Government of India Act guarantee freedom of speech and freedom of vote in this House.

Pandit Thakur Das Bhargava: Sir, I do not submit that those gentlemen who will vote with the Government will be carried bodily or personally to the lobby by the Government Members, but I want to know by what name will this Government call that action in which the Government have got a remedy in their pocket, and a person is dying, and the relatives are all gathered round him, and the Government say to them, "Well, here is the medicine by which this person can be saved from the jaws of death, but as a price for that medicine, you shall have to part with all your possessions, with all your conscience and with all your political opinions that you have got, and with all that you hold near and dear. Is this fair play?"

Mr. Fazal Ibrahim Rahimtulla: But they give you the choice.

Pandit Thakur Das Bhargava: I do not doubt that my Honourable friend Mr. Fazal Ibrahim Rahimtulla will not be carried personally into the lobby. But he will be going against what is written in this book: (Report of the Indian Fiscal Commission), the product of one of the ablest men in this land, Sir Ibrahim Rahimtulla, his own father, to whom he and I owe great respect.

Mr. Fazal Ibrahim Rahimtulla: May I point out, Sir, that the question of Imperial Preference is not at this juncture before this House?

Pandit Thakur Das Bhargava: In the first instance I only pointed out what Imperial Preference was according to the Indian Fiscal Commission and I regard that as an authoritative pronouncement.

Mr. Fazal Ibrahim Rahimtulla: That comes at a later stage.

Pandit Thakur Das Bhargava: At this stage I would like to deal with two arguments, leaving aside the thread of the argument that I was placing before the House just now. One argument that I heard from Mr. Fazal Ibrahim Rahimtulla was that at this stage, that is, at the consideration stage of the Bill, Members should not make long speeches, because the question has already been discussed, and further, at this stage, it is not germane to go into details of the matter, and when the amendment comes forward, then it will be time for Members to give their opinions, and secondly the Honourable Mr. Munshi today appealed to the Nationalist Benches to give up their attitude of hostility to this measure and adopt another attitude. Now, Sir, I will meet both these arguments. In the first place the position was quite different before the Honourable the Commerce Member said on the floor of the House that he was not prepared to look at any amendment except that of Mr. Chetty, which is nothing but Imperial Preference, and also except that of Mr. Fazal Ibrahim Rahimtulla, which is also based on nothing but Imperial Preference.

Mr. Fazal Ibrahim Rahimtulla: May I point out, Sir, that, as far as the Government attitude is concerned, as I understand it, it is that the Government are not prepared to support any of the amendments which they do not like. It is for this House to decide what amendments they would accept.

Pandit Thakur Das Bhargava: Then, I understand, there is a fundamental difference between him and myself. The Government have made it absolutely clear that they are not going to accept even the vote of this House.

Mr. Fazal Ibrahim Rahimtulla: They never said so.

Mr. M. S. Aney (Berar Representative): They have.

Pandit Thakur Das Bhargava: I understand that if Mr. Fazal Ibrahim Rahimtulla is convinced that Government mean this, he will change his opinion like an honest man. I read only today in the papers and it gave me great pain to read it—if I am wrong I should like to be corrected by the Honourable Sir George Rainy—I read that the Government would not abide by the vote of the House. If I understand that to be the position, then I am perfectly right that this constitutional crisis, to which my Honourable friend, Mr. Kidwai, just now referred, is a grim reality and it is a greater reality than this ghost of fiscal autonomy. Sir, the difficulty seems to be one of exceptional complexity. Under the circumstances I think it is a question more of temperament rather than any other question, which makes a difference between Members of the Independent Party on the one side and Members of the Nationalist Party on the other. The situation resolves itself into this, that the Government admit that the Bombay mill industry is in a desperate position. The Government have said so times out of number, that this industry will die, and they would not refer the matter to the Tariff Board now because the matter is urgent, but at the same time the Government have adopted the attitude that if this particular measure, addition of item 156-A to the Tariff Act, is not passed in the form in which the Government have placed it before the House, or in the form in which Mr. Chetty, the old Secretary of the old Swaraj Party, wants it to be amended, if either of these two things is not acceptable to the House, it is clear, Sir, that the Government will let this industry die out. But, Sir, I, for one, am gifted with a better sense of imagination and I think that no Government are worthy of the salt of India, who take up this attitude, and no Government can take up this attitude for a long time. I am one with my Honourable friend, Mr. Birla, that if the mill industry of Bombay will take courage in both its hands and brave the situation, I have not the slightest hesitation in saying that this Government cannot, for a long time, withhold protection which is due to the industry. After all this is a question of imagination.

Sardar Kartar Singh (East Punjab: Sikh): It is a mere threat. They cannot withdraw the Bill, because they want revenue.

Pandit Thakur Das Bhargava: I do not agree with Sardar Kartar Singh when he says Government want revenue and consequently they have brought in this Bill. The Government would have got two crores of rupees more if they put a duty on Lancashire goods and all that revenue the Government are depriving themselves of and making a present of the same to Lancashire. The question of revenue does not come in. My Honourable friend, Mr. Munshi, made an appeal to us that, so far as the Nationalist Party is concerned, their conduct in this House will be more consistent with the position that Mr. Munshi had taken up rather than with the position that we have taken up in this House. Sir, let me clear the ground by saying that no Member of the Nationalist Party or, for the matter of that, no nationalist would ever agree to Imperial

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Preference in respect of cloth, one of the first and primary necessities of life for which natural advantages exist in this land. Secondly the reply is furnished by the Honourable the Finance Member when he says:

"It affords striking evidence that the fiscal autonomy convention has become an integral part of the constitution and that even when British interests are most profoundly affected by tariff changes in India the intervention of the British Government is restricted to representation and appeal."

Now, Sir, I beg to ask if Mr. Munshi agrees that this fiscal autonomy convention is a mere sham, let him agree to it, let him proceed on the principle on which the Honourable Mr. Jinnah proceeded, and I can understand his position, but as long as Government say, as long as the Secretary of State says in England that fiscal autonomy is a reality, we must take them at their word. Really those gentlemen like the Honourable Mr. Jinnah and Mr. Munshi who speak so smoothly and who speak so sweetly, are really blaming this Government for inconsistency, which is another word for untruth when they say that this convention is not a reality. Sir, one of the two things is right, this fiscal autonomy is a thing which the Government accept, or it is a thing which they do not accept. I can understand the situation, if the Government say that if the Legislature does insist upon the particular amendment, the Government are not prepared to accept it. I can understand that position. The Government can say, and an irresponsible Government can certainly say, that whatever the Legislature insist on, they are not ready to accept, but then is the Legislature not entitled to know what will be the Government's attitude if the Legislature does not accept what the Government say? The Government say they want Imperial Preference, but the Legislature says, "No, we do not want it". But both of them want protection. How can you get this protection to this dying national industry of India if they do not proceed in the way in which this Assembly wants them to proceed? That is the whole question. I do not know, Sir, as to who is responsible for the constitutional crisis. When I read the papers today, I found that the Secretary of State, Mr. Wedgwood Benn, clearly stated in the House of Commons that this policy of Imperial Preference was not initiated by them, and they were not particularly enamoured of this policy of Imperial Preference. It seems that, according to the Honourable Members of the Executive Government, there is no pressure so far as the Government at home is concerned.

Mr. Fazal Ibrahim Rahimtulla: They have admitted that.

Pandit Thakur Das Bhargava: I know. There is no pressure from them. I am perfectly clear in my mind that the millowners of Bombay do not want it. This House clearly does not want it. Then who are those gentlemen who are responsible for this?

An Honourable Member: Six gentlemen.

Pandit Thakur Das Bhargava: My Honourable friend says, six gentlemen who are sitting on the Treasury Benches are responsible. But I can assure the House that the Indian part of the Executive Council could not have been responsible for it. Then the position is that only three Members can be responsible for it. Out of these I know that Sir George Rainy could bring in a Bill of this nature in 1927 when he brought the Yarn Bill, but he did not venture to do anything of the sort on that occasion.

I do not know how to eliminate him out of this. I would like to eliminate all the three, but my difficulty is that somebody is responsible, and whoever is responsible, I am here to give him my meed of praise. After all, the gentleman who is responsible for this measure, does not know the real Indian mind. I do not concur with the Honourable the Deputy Leader of my party when he said that he wants some political return for Imperial Preference. I surely do not concur with Mr. Chetty when he said that he wants an economic return for it. Sir, I very much concur with the Report of the Indian Fiscal Commission, when they say that, whenever Imperial Preference in respect of a commodity is to be adopted as a policy by the Indians, it must be in the nature of a voluntary gift. I quite agree with that. Now, Sir, we cannot but deplore that the Finance Member should have perpetrated a piece of political unwisdom in referring to this matter in the spirit in which he has done it. After all, what does he say? He says that the English people, the Parliament and the Cabinet will be better inclined to consider our claims to Dominion Status in a better mood if we accept this Imperial Preference. Boiled down, it comes to this, that Parliament which, according to the present Government of India Act, is the sole judge of our capacity, will judge us by the things we can offer to them. I do not think that as judges of the capacity of Indians for further reforms, Parliament will take into consideration our inclination or our willingness to pay a certain kind of bribe to them. I call it a bribe and it is nothing but a bribe.

Mr. President: I think the Honourable Member must now conclude.

Pandit Thakur Das Bhargava: Sir, my friend Mr. Agnihotri yesterday submitted before you that, in relation to this Bill, some offences were being committed. He called one of them abetment of illegal gratification. Now, Sir, if you find a proper word in the Indian Penal Code for an action like this, I have no hesitation as a lawyer in calling this Imperial extortion. It is nothing but extortion. You want to extort Imperial Preference from us. All the elements of extortion are there, and if a part of this House goes with you into the lobby, Government must clearly understand that they are not free agents in the sense in which this word is used in the Report of the Indian Fiscal Commission.

Sir, I was submitting before you the point of view of the consumer when I was drawn aside from the thread of the argument. With your permission I will just conclude that aspect of the case. I was submitting that, so far as the middle classes and the average class people are concerned, they will be the persons who will be hit, if you consider that those persons usually use cloth manufactured out of finer counts. In regard to them, I do not know since when Government have developed a soft corner in their hearts for them. If it is the poor people who use cloth manufactured out of the finer counts, may I humbly inquire if the absence of competition will not put them in a worse position? In this connection, I should like to quote again from the Report of the Indian Fiscal Commission. They have said, on page 106, while quoting from the Reciprocity and Commercial Treaties prepared by the United States Tariff Commission in 1918:

"Where a reduction of duty affects only a fraction of the imports of a particular article, and the major portion of the imports of that article is still left subject to the main or non-concessional duty, the result is not only a loss of revenue to the Treasury, because of the lower rates of duty but absence of any gain to consumers. The reduction of duty redounds only to the advantage of the foreign producer."

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Then, again, on page 107 they say:

"The effect of this bonus is to stimulate the trade of the manufacturers of the country receiving the preference, and in a short time they may secure for themselves the whole market, driving out altogether the non-preferred manufacturers."

Then, again, on page 109 they say:

"It is clear that if a single rate of duty is imposed, the States will secure as revenue the whole amount paid by the consumer. But if two rates are imposed and the consumer pays a price based on the higher of these two rates, the State does not secure as revenue the full amount taken from the pocket of the consumer. The tax therefore to this extent is not sound economically, and this unsound economic effect may be represented by saying that the Government loses revenue—not possibly actual revenue, but relative to the amount which it should receive in virtue of the burden which it is placing on the consumer."

In the end, I will submit that this talk about the consumer is as great a sham as fiscal autonomy and the position, shorn of its accoutrements, amounts to this, as has been just said by Pandit Krishna Kant Malaviya, that the Government of the day do not care for public opinion. They usually eat the very words and the principles which they profess to take their stand upon. And, Sir, if this Bill is passed by Government with their own votes, the entire responsibility for this will be Government's. I do not deny that the Finance Member may have been inspired by the best of motives in proposing this measure and saying to the House that, in the wider interests of India, the House should accept it. It may be justifiable, according to his own standards of morality, to say so, but I will submit, on behalf of the non-officials in India, that we do not regard it as a question of bargain. If we want Home Rule or Dominion Status, we want it as our own birthright. In the end if any untoward circumstances ensue, if instead of making the atmosphere better and more amiable, the result of this Bill is a worse atmosphere, the blame shall be Government's and they will not be able to say that the non-officials in this House did not sound a note of warning. This is not in the nature of a threat, but this is a fact of which Government should take account; and I would, in these circumstances, without submitting anything further, submit to Government that it is high time that Government should make a move in bringing about a sort of freedom to the votes of this House, by taking out this question of Imperial Preference from this Bill and regarding the Bill only as a protective measure.

Mr. W. A. Cosgrave (Assam: Nominated Official): Sir, I move that the question be now put.

Mr. President: I suppose no other Honourable Member wants to speak? Therefore I shall call upon the Honourable the Commerce Member to reply. Perhaps it will be more convenient if the Honourable the Commerce Member begins after recess?

The Honourable Sir George Rainy (Member for Commerce and Railways): With your permission, Sir, I should like to begin after lunch.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

The Honourable Sir George Rainy: Mr. President, the discussion of this Bill has been in progress now for some four and a half days, and every aspect of it has been exhaustively explored by a number of speakers from every quarter of the House. It is obvious, that, if I were to attempt to reply to the debate on anything like the same scale, I might very easily exhaust your patience and my own strength. I do not think, however, that it will be necessary that I should do so, because, as regards a large number of points, the speakers have answered each other, and when that is the case, it is hardly necessary for me, at this stage, to speak on these points at length. Let me, however, at the outset, attempt to reply briefly to the arguments of those who contend that no case for protection has been made out, and that, for that reason, the House ought to reject the Bill. The principal advocate of that view was my Honourable friend, Diwan Chaman Lall, and as has been said by previous speakers, in this matter, his course has been perfectly consistent, for he has always refused to support measures of protection for the industries of India, and expressed his intention not to support such measures, until they become in his sense national industries, because they have been nationalised. Into that region I will not enter; but one of the reasons which he gave against protection for the cotton mill industry was that the Bombay millowners were an undeserving set of people, and that he was not prepared to impose a burden on the consumer for their benefit. I think Government have already made it plain, Mr. President, that when they said the need for action was urgent, and that if immediate steps were not taken, the consequences might be very grave. They have had in view something bigger, more important, than the benefit of the industry in the narrow sense of the protection of the capital invested in it by the shareholders. That capital investment is of course an important question. But there is a very great deal more in it than that. Diwan Chaman Lal speaks always as the advocate of labour, but he will have to consider what the position of labour would be if a large number of mills in Bombay Island were compelled to shut down. We must also remember to what a large extent, as things are at present, the economic welfare of Bombay City and of a large part of the Presidency is dependent upon the cotton mill industry. Anything like a collapse in the industry must be attended by serious distress for a very large number of people, the bulk of whom are not directly, though they are indirectly, dependent on the industry. I think the House must look at it from that point of view.

Now what are the sins which my Honourable friend, Diwan Chaman Lall, attributed to the millowners of Bombay? One of them was that, during the boom period, there was a great deal of profiteering and that the prices to the consumer soared to unprecedented heights. When you have an industry, under the control of a large corporation, it is in a position to come to its own decisions and can to a large extent regulate prices, but when you have an industry consisting of a very large number of small units each acting independently and there comes a time when there is a shortage of supplies, then what is usually called profiteering is almost inevitable, because every man feels that, if he does not raise his price, someone else will, and therefore, a condition of affairs arises which is very detrimental to the consumer but for which we are not entitled to say that any one in particular is to blame or is an undeserving person. Again it is said that Bombay millowners have not taken sufficient steps to bring themselves up-to-date and—I will not use a certain phrase, Mr. President, not only

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from the fear of giving pain in a certain quarter but because within the walls of this Chamber it is your prerogative to put the House in order and even my friend, Mr. Mody, cannot infringe that—but Government have never concealed their conviction that the future prosperity, nay even the future existence of the industry in Bombay Island is dependent on the carrying out of re-organisation on a drastic scale by the Bombay mills. It is in the belief, and it is in the hope that the industry will find it possible to effect such a reorganisation, that Government have put forward their Bill. I think my Honourable friend, Mr. Mody, in the past, from time to time, has felt that, if any admission were made that there were defects to be remedied and things to be put right, it might be construed as an admission that the case for protection was not very strong. Government do not look at it in that way, Mr. President. In their view, the need for reorganisation does exist; but it is because they believe that reorganisation is not only necessary but possible, that they are asking the House to take measures to provide a temporary shelter behind which that reorganisation may take place.

Now, another argument which has been used in the course of the debate against protection is that the cost of production in Bombay is too high and that ultimately Bombay will be unable to hold its own in competition with mills in other parts of India where wages are lower, which are nearer the supply of raw cotton and which are also nearer their markets. Clearly

the future—and only the future—can tell us what the right view about that is. But I think we have to remember that for certain kinds of production, Bombay has advantages, and that, owing to the large scale on which the industry is established there, the opportunity for rationalisation exists to an extent to which it can hardly exist in the smaller centres. What I mean is this, that it may be possible in Bombay, to a far larger extent than elsewhere, for particular mil's to specialise in the production of particular kinds of cloth and thereby effect a reduction in costs which might more than offset the advantages enjoyed by mills at other centres. That at any rate is the belief of Government, and, as I have already said, it is their hope that measures to bring about results of that kind will be taken.

A third argument advanced by my Honourable friend Diwan Chaman Lal was this, that the burden on the consumer would be altogether too heavy, and that he ought not to be called upon to bear it. Now, Mr. President, I hope the time will never come when that argument will not be freely advanced in this Assembly. (Hear hear.) Honourable Members opposite have expressed the view that, when we on the Government Benches urge the interests of the consumer, we are not to be believed. For that reason it is all the more important that, on the unofficial Benches, there should be those who are not open to any suspicion. Rightly or wrongly, to this extent Government go with them. Quite clearly we cannot go the whole extent, because the policy of discriminating protection clearly implies that there must be some burden on the consumer and that, in spite of that burden, the results achieved are likely to be to the national advantage. But we go with them to this extent, that we feel that, in every proposal for protection which is put forward, a real effort should be made to ensure that the benefit which the manufacturer receives should be commensurate with the burden imposed. In an imperfect

world, it may not be possible to secure that result completely, but at any rate the attempt ought to be made, and for that reason it is important, as I have said, that there should always be those in this House who take that point of view and who represent the interests of the consumer.

That completes, Mr. President, what I need say in reply to those who advocate the rejection of the Bill on the ground that no protection is needed, or at any rate, whether needed or not, is not justified. Other speakers have dealt in more detail than I can attempt to do with the minor aspects of that part of the case, and I should like to turn now, Mr. President, to what was said by my Honourable friend, Mr. Birla, in his criticism of the scheme embodied in the Bill, namely, that the protection proposed to be given was not adequate. He pointed out how the capacity for production of the Indian mills had increased in recent years, and he expressed the view that, if Indian mills were to be able to sell freely, without undue competition with each other, it would be necessary to reduce the imports by something like 900 million yards. I have examined the figures, and I am unable to go the whole extent with my Honourable friend. I think, on the one hand, he has to some extent over-rated the productive capacity of the Indian mills when he puts their potential output at 2,700 million yards, while, on the other hand, I think he altogether underrates the reduction in imports which is likely to result from the adoption of the Bill. The record output of the Indian mills in the year 1927-28 was, I think, between 2,300 million and 2,400 million yards and it is possible that, by this time, we ought to put their capacity as high as 2,500 million yards. But, however that may be, I should like to draw attention to one particular point, and it is this. If Bombay sets to work to re-organise, it is inevitable that for certain months, particular mills will be shut down to enable re-equipment to take place, the old machinery to be removed and new machinery to be installed. Therefore during the period of re-organisation, the output of the Bombay mills will be somewhat below the full output of which they might be capable. I think that is a point worth remembering. As to the reduction in the imports likely to result from the Government Bill, I have no doubt myself that that reduction will be substantial. Any one who has watched closely the trend of the figures of imports of cotton goods during the last five or six years must have been struck by the fact that, while quantities have varied, values have remained almost the same, with the result that the 11 per cent. duty brought in almost the same amount every year. That must mean that the public capacity to absorb piece-goods is very sensitive to price, and if the price rises, then we may expect to see, as a result of the higher duty, a substantial reduction in the imports from abroad.

Mr. M. S. Aney: May I ask the Honourable Member one question? Did the Honourable the Finance Member take into consideration the possible reduction in the imports in assessing the amount of duty which he anticipates to recover during the next year?

The Honourable Sir George Rainy: I am suggesting, Sir, that the increase in the duty from 11 to 15 per cent., plus the additional measures proposed in this Bill, must in the ordinary course of events result in a very substantial reduction in imports. Personally, I have no doubt of that myself at all. I am unable therefore to agree with my Honourable friend, Mr. Birla, that the scheme embodied in the Bill ought to be regarded as

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inadequate in the sense that it will not give the mill industry the protection that it needs, and all that I have been able to read of the reception of the Government proposals in Bombay, not as regards their form, but as regards their probable results, leads me to think that, on the whole, the mill industry, while it does not agree that it has received all that it asks for or all that it ought to get, does not regard these proposals as inadequate in the sense that they will be ineffective, and I think my Honourable friend, Mr. Jinnah, was perhaps a little unfair when he referred to a metaphor used by Sir Victor Sassoon in a debate in 1927 about giving a broken crutch to a man who wanted a motor ambulance. Sir Victor Sassoon was speaking of a Government measure which imposed a specific duty upon yarn, but made no change as regards cotton piece-goods, and I quite understand that in those circumstances he should say he was being offered something different and something very much inferior to what he had asked for. But surely it cannot be seriously urged today that, as regards this measure, we are not giving assistance of the kind which the industry has asked for.

One of the charges which has been brought against Government is this, that throughout we have been actuated, above all things, by a desire to benefit Lancashire. I am not too careful to defend myself against that charge. I do not believe even those who have expressed great doubt as to my motives think in their heart of hearts that I am such a Machiavellian person as they sometimes represent me to be; at least I should have very great difficulty in living up to the fanciful picture they have formed in their minds about me if they really entertain this view. But when they make that accusation, I think they completely under-rate the extent to which the increase all round to 15 per cent. must effect a reduction in the imports from abroad, and quite as much from the United Kingdom as from elsewhere. Clearly what may happen in the future must be a matter of opinion, and no one is bound to accept mine, but I have not the least doubt myself that what Lancashire will lose owing to the increase of duty to 15 per cent. is a great deal more than anything it can gain by the increase in the duty to 20 per cent. on goods from other countries. If what the Government of India had in their mind was to benefit Lancashire, surely they have taken the most unusual, remarkable and eccentric way of doing it. Attribute to us, if you like, the most subtle and Machiavellian motives, but it is a little hard if that accusation puts us in a position in which while we may be very Machiavellian, we must also be singularly stupid.

Let me turn for a moment to an aspect of the case which has been very frequently referred to by previous speakers, I mean the question whether this is Imperial Preference or not. Now, there again I did not find amongst other speakers complete unanimity as to what Imperial Preference meant and what it ought to mean, but I think I must say something on that subject in order to explain what the view of the Government of India is. When they say that they are not asking the House to accept Imperial Preference as a principle, they are undoubtedly asking the House to approve in this particular case the imposition of duties which will give preference to British goods. That is written quite plainly on the face of the Bill itself. But at the same time we say that we do not ask the House

to accept Imperial Preference as a principle. Now, what do we mean by that? What we mean is this. If India were to accept Imperial Preference as a principle, then I suppose it would involve the establishment of at least a two decker tariff, with lower rates for Empire goods and higher rates for goods from elsewhere, and that would be done as evidence of India's consciousness of the benefit she derives from membership of the Empire. We are not asking India to do that. We are proceeding on different lines in this matter altogether. My Honourable friend, Sir George Schuster, speaking on the first day of the debate, made it clear, I think, to those who heard him, what the genesis was of the Government of India proposals and what he said I desire to endorse. My feeling was that, unless the 15 per cent. duty could be reinforced by something more from the minimum $3\frac{1}{2}$ annas duty on plain grey goods, the proposals would be incomplete and would not fully meet the necessities of the case. Also I felt strongly, as the Government did, that an increase all round in the duty to 20 per cent. meant a burden on the consumer altogether incommensurate with the advantage to the manufacturer, and that, if that objection was given the weight which it deserved, then on those lines we could not proceed. And finally it came to this, there was one way and one way only in our view by which we could do justice alike to the needs of the producer and the needs of the consumer. If in this case we could discriminate between imports from the United Kingdom and imports from other countries, the thing could be done, and we did not and do not see any other way in which it can be done adequately. Nobody doubts of course—it is indeed obvious—that at the same time the proposal will be advantageous to the manufacturer in the United Kingdom in the sense that his position is not so bad as it would be if the duties were left at 15 per cent. But I do most strongly contend that his position will be decidedly worse than if the duties were left at 11 per cent. as they were up to the 1st of March, and therefore it is for that reason I cannot accept the charge as just, that what we are doing is giving protection for Lancashire and not for India. The benefit to Lancashire is incidental, while the benefit to India is fundamental in this Bill.

Much has been said, Mr. President, during the course of the debate on the subject of the fiscal autonomy convention, and it is right that I should attempt to explain clearly what exactly the convention is and how it operates . . .

Mr. President: Who is to interpret the convention?

The Honourable Sir George Rainy: Mr. President, all I can do in this House is to explain the view which the Government of India take of it and leave it at that. Now, the *locus classicus* report on the subject will be found in the Report of the Joint Select Committee of both Houses which says, and I make no apology for quoting what is said there:

"This examination of the general proposition leads inevitably to the consideration of one special case, of non-intervention. Nothing is more likely to endanger the good relations between India and Great Britain than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt, but that there ought to be no room for it in the future is equally clear. India's position in the Imperial Conference opens the door to negotiation between India and the rest of the Empire, but negotiation without power to legislate is likely to remain ineffective. A satisfactory solution of the question can only be guaranteed by the grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral

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portion of the British Empire. It cannot be guaranteed by statute without limiting the ultimate power of Parliament to control the administration of India and without limiting the power of veto which rests in the Crown. Neither of these limitations finds a place in any of the statutes in the British Empire. It can only therefore be shared by an acknowledgment of a convention. Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee therefore the Secretary of State should as far as possible avoid interference on this subject when the Government of India and its Legislature are in agreement and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party."

There are two passages to which I would invite the special attention of the House. The first is this:

"The grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral portion of the British Empire."

Now, those who composed the Joint Select Committee had very clear ideas of what they were discussing. Every one of them must have been familiar with that feature of Parliamentary practice and procedure by which no new taxation, and no increase of taxation, can be proposed to Parliament except by a Minister of the Crown. The initiative in such matters in the United Kingdom lies with the Crown, and I think it follows that in India the initiative must rest with the Government of India. It is the special function of Government to "devise arrangements" and to place them before the Legislature.

The second passage is:

"The Secretary of State should as far as possible avoid interference in this subject when the Government of India and the Legislature are in agreement."

Here the point I desire to bring out is that the Joint Select Committee does not attempt to define the functions of the Government of India and the Legislature; it assumes them. The Committee are concerned with one point and with one point only, namely, the circumstances in which the Secretary of State should refuse to exercise his ordinary power of superintendence, direction and control. These circumstances exist when the Government of India and the Legislature are in agreement and beyond that the Committee does not pursue its investigations. The Government of India and the Legislature will discharge their respective functions in accordance with the constitutional practice adopted in all constitutions framed on the British model. The function of the Government is to submit proposals to the Legislature and it is the function of the Legislature to pronounce upon them. Difficulties of various kinds have, however, been raised and with these I must try to deal.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): May I interrupt the Honourable the Commerce Member. He has omitted the crucial sentence in the whole of the paragraph that he has read. That passage is:

"Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa."

The Honourable Sir George Rainy: I read that passage, Mr. President. Perhaps the Honourable Member did not hear me.

Sir Hari Singh Gour: I did, but I point out that this is the crucial sentence which calls for an explanation.

Mr. President: The Honourable Member does not give way.

The Honourable Sir George Rainy: The Honourable Member, I think, wishes to make my speech for me.

Difficulties of various kinds have however been raised and with these I must deal. One may be stated as follows. The fiscal autonomy convention, thus interpreted, confers upon the Government of India a degree of independence, irresponsibility, autocracy, if you will, that can never have been intended. They have ceased, it may be said, to be responsible to the Secretary of State and they are not responsible in the ordinary sense to the Indian Legislature. To whom then are they responsible? That is a straight question, Mr. President, and I shall try to give a straight answer. The fiscal autonomy convention means this, that, while there is always previous consultation with the Secretary of State; the final decision as to the proposals to be placed before the Legislature rests with the Government of India and with no one else. In this respect, apart from the previous consultation with the Secretary of State, the position of the Government of India is that of a Dominion Government which decides for itself what proposals it will place before the Legislature. To that extent the Government of India are independent, but for how long does this position of independence continue? For exactly the same period as it continues in a Dominion, namely, until the Legislature pronounces upon the proposals placed before it. As soon as the Legislature arrives at a decision, one of two things happens. Either the Government of India and the Legislature are in agreement, and in that case everything proceeds as in a Dominion and no outside interference can affect the decision. But when the Government of India and the Legislature fail to agree, there is a difference. In a Dominion if the question is of real importance, the difference results in a change of Government which restores harmony. In India, under the present constitution, no such result can follow. The actual effect is that the convention ceases to operate and the Government of India come once more under the control of the Secretary of State, for as soon as the Government of India and the Legislature are not in agreement, the convention is at an end. And if the question be asked, in what sense does the Government of India come again under the control of the Secretary of State, I would say this, that clearly the Members of the Government of India are responsible to the Secretary of State for establishing harmonious relations with the Legislature in this region, so far as it is in their power to bring about that result. That is one of the duties of our position.

Now, on this point, Mr. President, I should like to refer to what was said by the Right Honourable the Secretary of State in the House of Commons. The three sentences I shall quote are as follows:

"Nor would any Secretary of State attempt to lay a finger upon this principle of tariff autonomy which has been established in practice for ten years in Indian affairs. There is Dominion Status in action; there is a Dominion attribute. It has now become part and parcel of the rights of India."

Now, it will be clear from the actual words I have quoted, that the Secretary of State is not referring to any new convention or any new

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interpretation, for he spoke of something which had been in existence and in practice for ten years. What has been the uniform practice throughout these years in respect of the tariff? The Government of India have framed their proposals and have placed them before the Legislature and the Legislature has passed judgment. Where there has been agreement, the Secretary of State has consistently refrained from interference, either at the preliminary stage when the Government of India decided what their proposals were to be, or at the final stage after the approval of the Legislature had been secured. But if the Government of India and the Legislature are not in agreement, what then? Is there no means of resolving the dead lock? None, I fear, under the present constitution, save the influence of time and persuasion which may induce one side or the other to modify its attitude. For, while in the sphere of tariffs, India already possesses Dominion Status; she does not as yet possess a Dominion constitution. But if the differences between the Government and the Legislature remain unadjusted, ought not Government, many will ask, to give way and accept the opinion of the Assembly as decisive? I realise how naturally that view must appeal to those who sit opposite, but it is one which Government cannot accept. Duties and responsibilities are placed upon us by law, and we cannot divest ourselves of these even if we would. A suggestion of this kind would mean that, whatever changes in the tariff commended themselves to a majority of this House, or, perhaps some of my friends opposite would say, to a majority of the non-official Members of this House, or to a majority of the elected Members, should be brought into force whatever view Government might take. That would mean nothing else than the abnegation of their functions by Government in a very large part of the financial sphere. The message of the Cabinet has made it clear that the convention applies not only to duties imposed for protective purposes, but also to those imposed for revenue purposes, and from the constitutional point of view, that would be an intolerable position. In a sound constitution, each organ must discharge its appropriate functions, and the function of one cannot, without grave disorganisation, be transferred to another.

What we are all looking forward to in the near future, Mr. President, is a step forward in the path of India's constitutional advancement. If the Conference in London should result, as it might, in placing the control of the tariff in the hands of those who, in one form or another, were responsible to the Legislature, then it would rest with the Member or the Minister to put forward his proposals, and for the Legislature to accept them, to modify them or to reject them. The Minister might or might not accept the changes made by the Legislature. But, if he did, he would become fully responsible for them and could not subsequently plead that the vote of the Legislature relieved him from his responsibility. If he did not, his resignation would follow in the ordinary course, and a Minister would take office who would carry out the Legislature's decision. The point I wish to emphasise is this, that in no constitution framed on the British model, so far as I know, can the full control of tariffs and taxation pass to the Legislature, unless and until the power of removing the Government or part of it is transferred to it. But when that happens, the Executive Government have still their appropriate functions to discharge, for when important changes are in question, it is only the Government who have the requisite information and can discharge fully the responsibility for safeguarding all the interests concerned.

I have tried, Mr. President, to put clearly the view of the Government of India as to the interpretation to be placed upon the fiscal autonomy convention. Let me pass on to what has been said on the lines that the fiscal autonomy convention is a sham. Now, is that seriously urged? How could the policy of protection have been adopted at all in India without that convention? Where would the steel industry in India have been today but for the fiscal convention? And, as regards cotton, are memories indeed so short? Some speakers have referred to what took place in 1894 or 1895, when the cotton duties in India very nearly led to the downfall of the Liberal Government in England, but have Members also forgotten that, as late as 1917, when the customs duty on cotton piece-goods was raised from $3\frac{1}{2}$ to $7\frac{1}{2}$ per cent., it seemed not unlikely for two or three days that that change would bring down the Coalition Government in England, then in the very plenitude of its power. And, apart from the fiscal convention, how could the duty have been raised to 11 per cent. in 1921, or the excise duty removed in 1926, or, indeed, the duty raised to 15 per cent., as has been done in the current year? The answer is, because the Government of India and the Legislature were in agreement and the convention once having been fully and frankly accepted by His Majesty's Government in England, we have no reason now to apprehend interference from that quarter. (Applause from Official Benches.) But the indispensable element which must be present in order that the convention may operate, is that the Government of India and the Legislature should be in real agreement: and if it were proposed that the Government of India's agreement must be assumed whenever a majority of the Assembly took a particular view, that would be an interpretation of the convention entirely novel and something quite different from anything that has existed since 1921.

Mr. President, I am afraid I have delayed the House a great deal longer than I intended when I began to speak, and it is time that I should bring my speech to an end. All I would wish to say in conclusion are two things. Firstly, that there have been a good many suggestions from the other side of the House by some speakers that the motives which have influenced the Government have not always been the best of motives, that they can hardly believe that matters really are as we declare them to be, and that, altogether the circumstances are too suspicious. Now, I make no personal complaint about that and indeed why should I? No one has ever been treated better by every Member of this House than myself and I do not regard it as a personal matter at all. What I do feel is this that, if this attitude of suspicion is too freely indulged in, Honourable Members will find that they are clouding their own judgment and making it impossible for themselves to arrive at a correct appreciation of the position.

The second thing I have to say is this. Much has been said of the past history of the cotton industry in India, and of the injury which it has suffered at the hands of Great Britain. I am not going to enter into these controversies, but I would remind the House that the situation with which they have to deal is not the situation of 1780, of 1813, of 1840, of 1882, of 1885, or even of 1917—not any of these situations—but they have to deal with the situation that exists in 1930. What is that situation? The very existence of the industry in the Bombay island is endangered by competition from abroad, by competition from one particular country. Now in 1927, when this question came up before, the whole subject got clouded and became more difficult by allegations of unfair competition due to the hours of work by night of women in the Japanese mills. But I have already explained in an earlier speech that that has been cleared out of the way.

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What we are up against is an intensity of competition which may be asserted in certain ways, but which is due in the main to sheer efficiency, and it is for that reason that reorganisation of the Indian industry becomes all-important, just as reorganisation will have to take place in Lancashire if Lancashire is to hold its own, because a definite advance forward has been made in Japan, that great country which is at present showing an example to all the world. What we desire to see is that the Indian industry should take advantage of the opportunity given to it and should eventually be able to hold its own, even with the Japanese competition, without the need for any adventitious assistance. (Applause.)

Mr. President: The question is:

"That the Bill further to amend the Indian Tariff Act . . ."

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I rise to a point of order. The question involved in this Bill is fiscal autonomy for India. I have heard the Honourable Member for Commerce explaining the convention of that fiscal autonomy to us in which the issue comes out clearly to the effect that the Government of India will either agree or not agree with the decision of the Legislature. I don't think the interpretation of the Honourable the Commerce Member to be correct. But assuming that it is correct, it follows that on questions involving fiscal policy like the one in this Bill, the Government of India and this Legislative Assembly are two distinct entities. The issue is whether the Government agree with the vote of the House or not. What should be considered to be the vote of the House in this question? Now the Government command forty votes in this House . . .

Mr. President: This is not the stage.

The question is:

"That the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration."

(Mr. President having put the motion declared that the "Ayes" had it.)

Several Honourable Members: The "Noes" have it.

Mr. President: I would ask Honourable Members not to press for a division now. There are other stages when Honourable Members will have ample opportunities for dividing the House. The "Ayes" have it.

The motion was adopted.

Mr. President: The question is:

"That clause 2 stand part of the Bill."

Rai Bahadur S. C. Dutta (Surma Valley cum Shillong: Non-Muhammadan): Sir, I beg to move:

"That clause 2 be omitted."

Sir, we have just come to a close of a very interesting debate and I put it to the House, that though a case has been made out for further inquiry as to the necessity of protection in the cotton industry beyond what has been granted by the Finance Bill recently passed, no case has been

made out for immediately granting protection by raising the duty to 20 per cent. in respect of cotton piece-goods not of British manufacture. Sir, what is the position? We have heard much about the distressing condition of the cotton industry in Bombay. But what are the facts? First of all the industry in Bombay is in a very bad condition, the worst condition possible. The second point made out is that Bombay is not Ahmedabad. The third point made out is that the dividends of industries in Ahmedabad and other places have come down, though they are not losers. Then there are the other mills in the Central Provinces; they have also suffered some loss. Then there are seven mills in Bengal, and as between them, they have also suffered some loss. But what the loss is due to has not been made out. In what respect and in what proportion have these seven mills suffered loss and what are the causes thereof? But, of course, the less we say of Bengal, the better. What is the position then? We also learn that there is severe competition between Bombay and Ahmedabad. Of course no one would propose that we should protect Bombay against Ahmedabad. Well, then the position comes to this, although the position of the industry in other places might be depressing to some extent, it is not so depressing as in Bombay, and if those industries in other places wanted any degree of protection, the Finance Bill, by raising the duty to 15 per cent., would give sufficient protection to those industries. So that, with the duty raised to 15 per cent. by the Finance Bill, the Bombay industry would be perhaps struggling to maintain its position, and the other concerns in other places of India would prosper. They would not only be able to maintain their position, but they would be in a position to extend their business. Then what would be the effect of the further protection proposed?

Mr. President: What is the Honourable Member doing? He is moving for the deletion of clause 2, which would have the effect, I understand, of doing away with the whole Bill. Is that so?

The Honourable Sir George Rainy: No, Sir. The provision about cotton yarn in clause 3 would still remain, but so far as cotton piece-goods are concerned, the whole Bill would go.

Rai Bahadur S. C. Dutta: That is what I mean.

Sir Cowasji Jehangir: Sir, I rise on a point of order. This is a negative amendment and the Honourable Member will have a right to speak at the close and vote. The effect of the amendment is negative.

Rai Bahadur S. C. Dutta: If the further protection given be really protective, then the position of Bombay cannot be much better according to the accounts given, because, in that case also, competition with Ahmedabad and other mills in India will remain. So that, while Bombay will simply struggle or just maintain its position, these other industries, which are in a better position as regards labour and other conditions, will expand at the expense of Bombay. So that no positive case is made out for giving further protection than is given by the Finance Bill which has become law. Besides we are not sure what the result will be and the future can only say that. If that is so, Government want to take a leap in the dark. Then we are not sure and we

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have had no arguments to show that the prices of British goods will not increase, and that there will be no competition on account of the removal of Japanese competition between Indian goods and the British goods. So that, whatever protective merit there is in the proposals of Government, that is already secured by the Finance Bill which raises the duty to 15 per cent; and it is not expected that there will be any further appreciable benefit to the cotton industry by this other proposal of differential treatment. Sir, I yield to none in my desire to make this country self-sufficient in the matter of production of cotton piece-goods, and I am not one of those who would confine this preference to *khaddar* or handloom products only, but would equally extend our protection to mill produce, if a case is made out for protection. What I contend is that a case has not been made out that Bombay will be in a position to profit by the passing of this Bill, because there has been no inquiry, and the various considerations that have been urged in this House have not been considered by any competent committee or board, after recording of evidence. So what I submit is that there should be a further inquiry before such a debatable measure is adopted. I should make it clear here that I am not entering into those irrelevant matters as to the competence or otherwise of the management of the Bombay industries. What I insist upon is that the position should be made clear by evidence in what manner the Bombay industry is going to be improved.

There was a discussion raised by Diwan Chaman Lall who said that the Bombay industry was not national. I do not base my objection on that ground, but the discussion raised by him has made this point clear, that where it is necessary to give national protection, there should be national control. It is not necessary that there should be any distinction made as to whence the capital comes, who are the persons to whom the capital belongs, and what class of labour is employed. Let us take it that it is an industry of national importance, because it is an industry that is carried on in this country by people who are resident in this country. So that, whether we take it that large Indian capital is employed, or Indian labour is employed, or the management is in Indian hands, that may be looked at from one point of view, that it is an industry in national hands. And it is also an industry of national importance because it is concerned with the production of necessities of life, which are used by all classes of people. So long as Government followed the policy of let alone, neither helping nor discouraging the people who are running this industry, the capitalists and labourers were entitled to manage it in their own way, without any interference on the part of Government. But once it is admitted that it is a national industry, and an industry of national importance that affects the vital concerns of the people as a whole, and that State protection is necessary for its existence, it behoves Government to see how it is conducted. I hope.

4 P.M. Sir, if the policy of protection is to be permanently established in this country, this House also will take into consideration this fact, that there should not be any national protection without national control and that this House will advise an efficient method of control. It will not do simply to raise the duty in the hope that the industry, left to

itself, will somehow manage to profit by it. It may or it may not. Why should not the Government propose, in that instance, whether the capitalists want protection or not, if it is thought that the industry is of national importance, to take it into its hands and regularise it? I am not going to suggest that it should be nationalised now. The country may not be ripe now for it. That may not be the best policy now. But why should there not be some control, some regulation, as to the amount of reserve capital, maximum dividends, the amount of bonus and other things, in the same way as the Government controls the co-operative organisations? That is also for the benefit of the country, because it is a matter of national importance.

Then, Sir, it may be asked, what is the alternative to my proposal? I am asking the House to omit this clause altogether relating to the imposition of protective duty. Now, there are two proposals. There is first of all the proposal of Pandit Madan Mohan Malaviya. The only difference is that he wants 15 per cent. or $3\frac{1}{2}$ annas per pound, whichever is higher. I think that would be best if it might be acceptable to all, acceptable to the Bombay millowners and also to the Government. I do not know whether the Government will accept it or not. But I take it, from the attitude of the representatives of the Bombay millowners here, that it will not be acceptable to them because they want a duty of 20 per cent. In that case, if the proposal of the Honourable Pandit be accepted, they will be left to further inquiry after two years, and the further protection that they want might be delayed. What I propose is that this question of protection be dropped altogether now and there should be an immediate inquiry by the Tariff Board, so that the proposal may come up next year.

Mr. President: The Honourable Member is really flogging the dead horse. He knows the principle of protection is accepted by this House. I allowed him some indulgence; but he must conclude his remarks.

Rai Bahadur S. C. Dutta: In that view I will not say anything more. I move my amendment.

Sir Hari Singh Gour: I have one or two observations to make with reference to what has fallen from the Honourable the Commerce Member.

Mr. President: Order, order. Let this be disposed of.

Sir Hari Singh Gour: It is in connection with clause 2 of the Bill.

Mr. President: The principle of protection has been accepted by the House and I think we had better proceed further, and when the two main amendments come, I will give the Honourable Member the fullest latitude.

The question is:

"That clause 2 be omitted."

The motion was negatived.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore cum North Arcot: Non-Muhammadan Rural): Sir, with your permission, I would like to move my amendment in the form in which it appears on the typed paper. Sir, I move:

"In sub-clause (1) of clause 2, for the proposed Item No. 156-A, the following be substituted:

'156-A. Cotton piece-goods (other than fents of not more than nine yards in length)—

(a) plain grey, that is, not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings;

(i) of British manufacture . . . *Ad valorem* 15 per cent. or 3½ annas per pound, whichever is higher.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent. or 3½ annas per pound, whichever is higher.

(b) Others—

(i) of British manufacture . . . *Ad valorem* 15 per cent.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent. "

In moving this amendment, I do not intend to make any lengthy speech. I propose merely to point out the main significance of my amendment. I have not in my amendment taken away the differential system of duty which has been proposed in the Bill as introduced. What I have tried to do in my amendment is to abolish that differentiation in one particular class of goods and that is, plain grey goods. My reason for taking away that differentiation in the case of plain grey goods is this. If it can be proved that any imported cloth, from whatever country it might come, competes with Indian mill products of a similar class, then there is no justification to give a preferential treatment to that class of goods coming from any country. In the case of plain grey goods, it has been admitted by Government in the note circulated to Honourable Members by the Honourable the Commerce Member, that a part of the plain grey goods, to the extent of about 45 million yards, does come into competition with Indian mill-made plain grey goods. I do not therefore see why this class of goods, coming from the United Kingdom, should be exempted from the operation of the specific duty of 3½ annas per pound. It might be asked, why I have not also included the dhotis, which it is admitted also come into competition with Indian mill-made goods. But it has been pointed out in Mr. Hardy's Report that the administrative difficulties in the way of the application of a specific duty for dhotis are almost insurmountable. I have not therefore attempted to bring the dhotis under this class. As has been pointed out in the note mentioned by me, the Indian mills produce a very great quantity of plain grey goods. About 50 per cent. of the total production of the Bombay mills and about 44 per cent. of the total production of all the mills in India come under this category. It is therefore essential, Sir, considering the magnitude of the Indian production in this class of goods, that every attempt should be made that the duty proposed should be, not merely adequate, but completely effective. My amendment, by bringing in all plain grey goods under the operation of the specific duty of 3½ annas per pound, will give that effective and adequate

protection which the Indian mill industry needs, and that, Sir, is the justification for my moving this amendment. So far as the definition is concerned, a slight alteration has been made in my amendment. The object of that is simply this. Of late a class of dhotis from Japan, with printed headings, have invaded the Indian market, and these compete very severely with Indian mill-made dhotis with woven headings. Now, the Japanese are able to produce these printed heading dhotis on their automatic looms, and therefore it is essential that, if effective protection is to be given to the Indian dhotis, the Japanese dhotis with printed headings must also be brought under the operation of this specific duty of 3½ annas per pound. These are my reasons for moving this amendment. With these words, Sir, I move.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I beg to move that:

"In sub-clause (1) of clause 2 . . . "

Mr. President: I should like to explain to the House that the procedure which I propose to follow with regard to these amendments is this. I propose to take Mr. Shanmukham Chetty's and Pandit Madan Mohan Malaviya's amendments together and to allow a general discussion, and at the end of such discussion, to put the two amendments one by one to vote.

Pandit Madan Mohan Malaviya: Sir, I beg to move that:

"In sub-clause (1) of clause 2, for the proposed Item No. 156A, the following be substituted:

'156A Cotton piece-goods . . . *Ad valorem* 15 per cent. or 3½ annas per pound, whichever is higher.'

Sir, the object of my amendment is clear from the language used in it. I recognise the necessity for giving protection, adequate protection, to the cotton industry in India, including of course that of Bombay. I recognise that the industry has been hard hit by the financial policy pursued by the Government of India in the past, and that it stands urgently in need of much assistance. Therefore there is no question in the discussion of my amendment of the principle of protection; that principle is involved in it, and I strongly and heartily endorse it. I feel that all questions relating to weak points in the management of any national industry are questions which have to be considered at other times, on other occasions, and to be pursued very intensely until our management of our national industries stands quite on a par in the matter of efficiency with any industry in the world. But at a time when the industry has been hard hit by the evil policy pursued by the Government for years past, it is not right that we should be raising questions as to the weakness or want of efficiency of the management of the industry.

But, Sir, that is only one aspect of the question. My amendment raises the question of the amount of protection which is to be given to the Bombay industry and the cotton industry generally in India. We are at one with the Government of India in desiring to give protection to the cotton industry of Bombay; in fact, if I may be allowed by the Honourable Members opposite, I would claim that we on this side of the House have naturally more real sympathy with both the capital and labour of Bombay and India than the Members on the opposite Benches. I hope they will not think that I am in any way disrespectful to them, but I do

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claim that they all allow that we, Indians, feel at least not less strongly than the Honourable Members opposite the need of offering assistance to the Bombay industry. The only question is what should be the measure of that assistance, and what is the form in which that assistance should be given. I had hoped that, at the end of a very interesting debate, in which many most excellent speeches were delivered—speeches which would compare well with speeches delivered on a similar occasion in any assembly in the world—the Honourable the Commerce Member would attempt to answer the many important points which were raised in it. I listened to his speech with great attention—as I always do because he is among the Civil Service men by far the best speaker we have in our midst today. But, Sir, my Honourable friend very carefully avoided answering the many important points which were taken up by my friend Mr. Ghanshyam Das Birla in his excellent speech. He also failed to give us any reason as to why the Government of India should be so stubborn in their adherence to the proposals which they have laid before the House. He did not explain, Sir, why it was that the conviction dawned upon the Government of India not in the first instance, but after the receipt of the message from His Majesty's Government, that they should raise the duty on non-British manufactured goods to 20 per cent. The Government of India, roused at long last to the consciousness that the Bombay cotton industry and the Indian cotton industry needed and deserved help, framed their proposals with great care, and those proposals were to raise the general import duty from 11 to 15 per cent. and to put a protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods. Those were the proposals which the Government of India after months of consideration, after taking all the expert advice which they have at their disposal, after comparing the industry in India and in England, came to. These proposals were communicated to His Majesty's Secretary of State. His Majesty's Government considered these proposals and they courteously asked the Government of India to take into account both the reactions of their proposals in India and their serious effects in England. There was no dictation; they drew attention to what they apprehended would be the result of the imposition of the two proposed duties, on the one side on the consumer in India, and on the other on Lancashire; and they asked the Government of India to give full weight to the considerations they had urged. They feared that the proposal of the Government of India for raising the general revenue duty from 11 to 15 per cent. and a protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods would hit the Lancashire industry hard, and they urged that, at this juncture, the Government of India should think of the grave results which might follow in Lancashire by this proposal being accepted. They objected to the two proposals and they gave their reasons for their objection. The Government of India considered the views of His Majesty's Government very fully; they urged that as regards bleached goods and finer qualities of grey and coloured goods, which Lancashire mainly supplies, an increase from 11 to 15 per cent. could not be represented as a crushing burden on Lancashire; and the protective duty would not affect Lancashire. I cannot understand why the Honourable the Commerce Member has not offered one word of explanation as to why, at that stage, the conviction dawned on the Government that they should propose a 5 per cent. additional protective duty upon non-United Kingdom goods. I still pause for

an answer. Up to the moment of the receipt of that cablegram the Government of India adhered to their original view. Even in their reply to His Majesty's Government they adhered to the view that the proposals which they had put forward were sound. They urged that they must adhere to those proposals. What was it then that gave them the idea that there should be an additional protective duty of 5 per cent. with a minimum of $3\frac{1}{2}$ annas per pound on all plain grey goods, against all cotton goods of non-British manufacture? It has been made clear that His Majesty's Government gave no indication of their desire to have this additional protection. Even in yesterday's telegram it was made clear, though it was not necessary to do so, by the Secretary of State that he did not send any instructions to the Government of India regarding this additional protection, that to quote the words of the cable, "he had never at any time suggested preferential treatment for goods from Britain. The suggestion originated in India". Nothing could be clearer than that. We still wonder therefore why the Government of India should have taken upon themselves, without any suggestion from Lancashire, or London to propose a higher duty than they had deliberately, after months of deliberation, proposed should be adopted.

Our whole quarrel with this proposed additional duty is for two reasons, first that it is a higher duty than, we have been given to understand, the Government of India believed at the time was necessary, secondly because it introduces a question of preference to the goods of the United Kingdom. I have tried to imagine some reason for justifying this course on the part of the Government. I have failed to do so. The Government of India have not helped us with any. Then it comes to this that, while the Government of India in the discharge of their responsibility, such as they believed it to be, thought it fit to propose the duty of 15 per cent. and a minimum of $3\frac{1}{2}$ annas per pound on all plain grey goods, they thought it consistent with their duty to the people of this country in whose interest the Members of the Government profess to be acting, to add apparently wantonly to the duties that they had first proposed to His Majesty's Government, a 5 per cent. protective duty, with a minimum of $3\frac{1}{2}$ annas per lb. on plain grey goods, against all cotton piece-goods from outside the United Kingdom. I say apparently wantonly because no explanation has so far been forthcoming. And we find that the Government of India now adhere to their new proposal with a tenacity worthy of a better cause. Why has it, Sir, become necessary to raise the duties higher? We have got two very able Members on the Government Benches, the Finance Member and the Commerce Member. Both of them have failed to offer any explanation as to why they felt it necessary to add to their original proposals this extra protective duty. They have not explained . . .

The Honourable Sir George Schuster (Finance Member): I am sorry to interrupt the Honourable Pandit. I did give this House a very full explanation of the course through which our proposals went, and I think if the Honourable Pandit would read my speech which I delivered in answer to his own in the debate on the 13th March, he would find that I gave a very full explanation of how we arrived at our final plan and what had passed through our minds before arriving at that plan.

Pandit Madan Mohan Malaviya: The Honourable Member described to us, Sir, the process of mind which he had passed through, but I regret to say that neither in his speech nor in the statement made today is there any justification offered for raising the duty from 15 per cent. with a

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minimum of 3½ annas per pound on plain grey goods to 20 per cent. with a minimum of 3½ annas per pound on plain grey goods, against all cotton piece-goods from outside the United Kingdom. My Honourable friend has not explained what facts had occurred within the period of submitting his first proposals to His Majesty's Government and the time when he framed his additional proposals, what events had taken place which affected the cotton industry of India and which justified the step which they had taken. That is my grievance, that is my complaint.

The Honourable Sir George Schuster: I submit, Sir, that it was not necessary for us to advance any special reasons or call attention to anything which had happened to cotton industry of India during the last few weeks. The question of putting up the duty to something higher than 15 per cent. had always been under consideration ever since the deputation of the millowners interviewed my Honourable colleague and the Acting Finance Member on the 8th of December. The claim on behalf of the millowners had always been for a protective duty of 20 per cent. The Government of India's difficulty was to find justification for imposing an all round duty of 20 per cent., and it had always been in the minds of the Government of India that the case would be easier if they could find some principle of discrimination which would avoid the very heavy burden on consumers, of putting a duty on to a large quantity of goods which could not, within the period under contemplation, be manufactured by Indian mills. It was the difficulty of finding such a principle of discrimination which had prevented Government from being able to satisfy themselves that they were justified in imposing a duty of 20 per cent. I explained in my speech that after we had been approached by the Cabinet we felt that in all the circumstances we should be justified in proposing to this Assembly the principle of discrimination which is now embodied in the Bill which amounts to discrimination according to the country of origin. I think, Sir, I am justified in saying that, at least, we have done our best to make history of our proposals clear, and I pointed out to the Pandit that it was extremely difficult to delve back into the past and put before this House a full explanation of a complicated series of discussions when all sorts of ideas came up, and at various stages certain particular forms of proposals held the field, were considered and rejected, then considered again and so on until our final plan was arrived at.

Pandit Madan Mohan Malaviya: I am sorry my Honourable friend should have spent so much of his time and not given us any further enlightenment on the subject. What I beg to ask him is this. The Government of India had, after considering the proposals which the millowners of Bombay had made for a 20 per cent. protective duty, rejected those proposals. They had arrived at the conclusion that they would impose a 15 per cent. duty all round and 3½ annas per pound minimum on all plain grey goods. At the stage when the Government of India arrived at those conclusions they had considered all that the millowners of Bombay had urged and had rejected their proposals. They had decided that the amount of protection which the millowners of Bombay had asked for could not be given. They had also decided that there was no justification for a 20 per cent. all round duty on all cotton piece-goods imported into this country. Then I ask, when a message was received from His Majesty's Government, how did the receipt of that message alter the situation so far as the consumer is concerned or the industry in India is concerned?

How did it so alter the situation that the Government of India suddenly accepted the larger portion or at least a large portion of the proposal of the Bombay millowners and put forward their new proposals of 20 per cent. duty on all cotton piece-goods of non-British manufacture. I regret, Sir, the Honourable Member has failed to offer any explanation, and I hope the House will agree with me in saying so.

The Honourable Sir George Schuster: I would point out to the Honourable Pandit that the result of the Cabinet message was to influence the decision of the Government to put forward a particular principle of discrimination which they think enables them to achieve a double object, namely, the object on the one hand of giving the maximum protection to the Indian industry where protection is needed, and, on the other hand, of avoiding an unnecessary burden on the consumer. The decision which was taken by the Government after the Cabinet message was that, in the light of that message, reinforcing the other considerations which had been previously present to their minds, they should come before this House and frankly propose this particular principle of discrimination.

Pandit Madan Mohan Malaviya: It comes to this, that the Government of India, merely by reason of the receipt of that message, rejected the decision that they had deliberately arrived at, and they became conscious of the necessity and justice of giving further protection to the Bombay mill industry, that while they had definitely and deliberately decided that the Bombay mill industry needed only 15 per cent. and 3½ annas per pound minimum, the effect of the receipt of the Cabinet message was that it set them thinking again about the mistake of their ways and the evil effects of their decision, and roused their conscience to the feeling that the Bombay industry needed more help and should be given more help.

The Honourable Sir George Schuster: I have already pointed out very clearly in my speech in answer to the Honourable Pandit the other day, that at that stage no final decision has been arrived at.

Pandit Madan Mohan Malaviya: I have heard the word "final" used by the Honourable the Finance Member and the Honourable the Commerce Member many times. What does it mean? The final decision arrived at by the Government of India, when they put forward proposals before this House? Does the Honourable Member mean to suggest that the decision, which they conveyed to His Majesty's Government in their despatch, was not the final decision? What was there in it which made it lack the element of finality? It was absolutely final till the Government of India received a message from His Majesty's Government. I think my friends will agree that the decision was final so far as these two proposals were concerned. I wait for an answer. I should like to have an answer.

The Honourable Sir George Schuster: The facts which I stated are perfectly correct, that no final decision had been arrived at. The whole of the budget proposals were still under discussion with the Secretary of State and on this particular matter no final decision had been arrived at.

Pandit Madan Mohan Malaviya: Do I understand my Honourable friend to say

Mr. President: I cannot allow this discussion across Benches to go on indefinitely. The best course for the Honourable Member, when there is a dispute as to what actually are the contents of a document, is to produce the document about which so much has been said.

Pandit Madan Mohan Malaviya: That will be the finest and the fairest thing. We asked for the production of the letter which the Government of India sent to His Majesty's Secretary of State but the Government of India have not produced that letter. Therefore the presumption, as every lawyer would say, is that the evidence which is not produced would be damaging to the party which does not produce it. That in my opinion is clear. I shall ask one question with your permission. Does the Honourable the Finance Member mean to convey to this House that, so far as the proposals to impose cotton import duties were concerned, the Government of India had, at the time of submitting their proposals in the first instance to His Majesty's Government, any idea of revising these two proposals, namely, the raising of the general duty from 11 to 15 per cent., and the protective duty of 3½ annas per pound on plain grey goods? Did the Government of India contemplate changing either of these proposals before putting them before this House, until they received the message from His Majesty's Government?

The Honourable Sir George Schuster: I understand, Sir, that it was your desire that this discussion should not continue.

Mr. President: When there is a dispute as to the actual contents of a document, the proper course is to produce that document and not to carry on a discussion across the Benches in this way.

Pandit Madan Mohan Malaviya: I shall be very thankful if the Honourable the Finance Member or the Honourable the Commerce Member will give us an assurance that they will produce the document. I shall be very grateful indeed.

The Honourable Sir George Rainy: I have already said that I cannot add to the correspondence which I have already placed before this House.

Pandit Madan Mohan Malaviya: I am very sorry to take up the time of the Assembly with these questions. In that case, I take it that the Honourable the Finance Member's last reply meant that so far as these two proposals were concerned, namely, the raising of the general duty from 11 to 15 per cent., and 3½ annas per pound on plain grey goods, they were final so far as the Government of India were concerned, when they sent them up to His Majesty's Government. I hope I am right in assuming it.

The Honourable Sir George Rainy: I think, Mr. President, I must be allowed to reserve what I have to say until my turn to speak comes.

Pandit Madan Mohan Malaviya: The elected Members have to bear a great deal of pain in this House. But the pain that the servants of India should refuse to produce before this Assembly a document which is essential for a correct understanding of the question under discussion and which affects the happiness of millions of people in this country is unbearable. I submit this is scandalous. All that we ask is that the document or cablegram which the Government of India submitted to His Majesty's Secretary of State on the subject under discussion should be laid on the table of this House. They have not the courage to lay it before this House. I must therefore ask the House to assume.

Mr. President: Is the Honourable Member going to be long?

Pandit Madan Mohan Malaviya: Yes, Sir.

The Assembly then adjourned till Eleven of the Clock on Friday, the 28th March, 1930.

LEGISLATIVE ASSEMBLY.

Friday, 28th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Srijut Tarun Ram Phookun, M.L.A. (Assam Valley: Non-Muham-madan).

QUESTIONS AND ANSWERS.

APPOINTMENT OF MR. HARRER TO THE PUBLIC WORKS DEPARTMENT, DELHI.

838. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state the reasons for taking Mr. Harrer on deputation from the Indian Stores Department as Chief Superintendent of the Central Office, Public Works Department, Delhi? Had he any experience of Public Works Department work? When is the Delhi Public Works Department going to revert him to his substantive post in the Indian Stores Department?

The Honourable Sir Bhupendra Nath Mitra: Mr. Harrer was selected for the appointment as he was considered to be suitable for the work to be done in it. He had no experience of Public Works Department work, but had experience in the administrative office of the Indian Stores Department. No decision has yet been taken regarding his reversion to his substantive post.

PAY AND ALLOWANCES OF OVERSEER POSTMEN.

839. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state in how many circles in India and in which offices the system of delivery of insured articles by a special delivery staff of overseer postmen was introduced?

(b) What duty allowance was paid to them for the special duty prior to the last revision in each of the said offices?

(c) To what rank were these overseers raised when the duty allowance was disallowed under the said revision?

(d) Is it a fact that Madras was the second office where the above system of special delivery staff of overseers was introduced, and if so, was it on the lines on which it was introduced in the first instance?

(e) If it is so, will Government be pleased to state whether the overseers of special delivery staff at Rangoon were promoted to the grade of Rs. 70—4—110 or continued to be paid the duty allowance in the revision granted subsequent to the introduction of the system?

(f) Will Government be pleased to state whether the overseer postmen of special delivery staff at the Madras, General Post Office, were similarly raised to the grade of Rs. 40—5—90 in view of the disallowance of the duty allowance in the revision sanctioned in 1928?

(g) Will Government be pleased to state how the delivery of the insured articles of the value of above Rs. 250 and up to Rs. 3,000 was effected before the introduction of the new system?

(h) If it is a fact that such insured articles were delivered before by the selection grade sub-postmasters of the Madras City offices, viz., G. P. O., Sow Carpet Flower Bazaar, High Court Buildings, Broadway, Mannaday are not the Overseers of the special delivery staff now doing the work done by the sub-postmasters?

(i) Do Government propose to treat the 12 overseers of the Madras City in the same way as the overseers of the said special delivery staff at Rangoon?

Mr. H. A. Sams: The information required by the Honourable Member is being collected and will be furnished to him in due course.

PETITION TO THE VICEROY FROM PEASANTS AND MERCHANTS OF PISAGAN, AJMER.

840. ***Maulvi Muhammad Yakub:** (a) Is it a fact that a petition signed by more than 400 peasants and merchants of the Pisagan Istimarari area in the district of Ajmer has been presented to H. E. the Viceroy at Ajmer complaining against the enhancement of land-revenue, taxing of cattle and merchandise and ill-treatment by the Raja Sahib of Pisagan and Mr. P. B. Joshi, Assistant Superintendent of Education in Ajmer-Merwara?

(b) Is it also a fact that the grievances stated in the above petition are of a fairly long standing?

(c) Is it a fact that the peasants and merchants of Pisagan made scores of applications to the district authorities on the subject and that for some reasons or others many of these applications were simply filed without any action being taken on them?

(d) If so, are Government prepared to consider the advisability of appointing some special officer to inquire into the nature and causes of those grievances of the peasants and merchants and redress them amicably and effectively?

(e) Are Government aware that a threat has been held out by the Raja Sahib of Pisagan and Mr. P. B. Joshi, Assistant Superintendent of Education to the effect that, for the impertinence of making the said petition to H. E. the Viceroy, a score of leading men from amongst the signatories of that petition will be exterminated from their hearths and homes, and their lands and their properties will be confiscated? If so, how far does this threat bear any truth in it and have the district authorities of Ajmer any such proposals or idea put forth before them?

(f) Will Government be pleased to place the said petition of the peasants and merchants of Pisagan to H. E. the Viceroy on the table of this Assembly?

Sir Frank Noyce: With your permission, Sir, I shall deal with questions Nos. 840 to 842 together. The information is being obtained and will be supplied to the Honourable Member on receipt.

Maulvi Muhammad Yakub: Are Government aware that the Treasury Benches have made it a practice that, in order to evade giving answers to questions of Honourable Members, they say that the information is being collected and will be supplied to the Honourable Member in due course?

Mr. President: Order, order. The Honourable Member is not entitled to attribute motives.

ENHANCEMENT OF LAND REVENUE IN PISAGAN.

†841. ***Maulvi Muhammad Yakub:** (a) Is it a fact that, under the Ajmer Land Revenue Regulations and the Standing Orders of the Government, the Raja Sahib of Pisagan is not empowered to enhance the revenue beyond the limits specified by the Regulations, viz., Rs. 4 per bigha for *chahi* and annas four per bigha for *barani* without the sanction of the Local Government, and that the Raja Sahib of Pisagan is charging in some cases Rs. 10 per bigha for *chahi* and Re. 1 per bigha for *barani* lands without having obtained the requisite sanction from the Local Government?

(b) Are Government aware that, in a Robkar issued by Colonel Dixon, and published in the Ajmer Regulations, M. to P, the Governor General in Council has sanctioned the abolition of certain cesses in Ajmer-Merwara, and that the Governor General in Council has not withdrawn or cancelled that sanction which is still in force?

(c) Is it a fact that the Raja Sahib of Pisagan is compelling the raiyats (ryots) to pay him the cesses prohibited by the above Robkar and the pattas granted by him include the conditions as to payment of the said prohibited cesses?

(d) Will Government please state what cesses the Raja Sahib of Pisagan is recovering from his ryots?

ENHANCEMENT OF LAND REVENUE IN PISAGAN.

†842. ***Maulvi Muhammad Yakub:** (a) Will Government please state if the Raja Sahib, Pisagan, compels his ryots to pay a land revenue even over and above what is stipulated in the patta granted by him and that Gangaram, son of Hukma, holding patta No. 231 for Samvats 1981 to 1985 and Madho, son of Rama, holding patta No. 428 for Samvats 1982 to 1986 are instances of persons from whom the Raja Sahib has recovered revenue in excess of the terms of their pattas?

(b) Are Government aware that criminal proceedings were also instituted on behalf of the Raja Sahib against the ryots to enforce land-revenue and this attempt of the Raja Sahib was only checked by the order of the Additional District Magistrate, dated the 5th September, 1929, in criminal proceedings under section 144 C. P. C. and the order of the Judicial Commissioner, dated the 23rd January, 1930 in criminal revision No. 42 of 1929?

†For answer to this question, see answer to question No. 840.

INTERVENTION OF MR. P. B. JOSHI, ASSISTANT SUPERINTENDENT OF
EDUCATION, AJMER-MERWARA, IN THE LAND REVENUE DISPUTES
OF THE RAJA SAHIB OF PISAGAN.

843. *Maulvi Muhammad Yakub: (a) Is it a fact that the son of the Raja Sahib of Pisagan has been a ward of Mr. P. B. Joshi, Assistant Superintendent of Education, who acted both as the boy's guardian and private tutor? If so, is this conduct of Mr. P. B. Joshi against the rules of Education Department?

(b) Is it a fact that Mr. P. B. Joshi, A.S.E., in Ajmer-Merwara frequently visits Pisagan and stays with the said Raja Sahib of Pisagan?

(c) Will Government please state for how many visits to Pisagan, or tours including visits to Pisagan in the official capacity, has Mr. Joshi charged travelling allowances from the Government during the last three years, i.e., 1927, 1928 and 1929?

(d) Will Government please state how many inspection notes does the inspection note-book of the Pisagan primary and middle (secondary) schools contain in the hand-writing of Mr. P. B. Joshi during the last three years, i.e., 1927, 1928 and 1929?

(e) Are Government aware of the complaint of the peasants and merchants of Pisagan about Mr. P. B. Joshi's interference on behalf of the Raja Sahib in the land-revenue disputes and harassing and ill-treating them, and do Government propose to take steps in order to prevent this officer of the Education Department from interfering with such matters?

Sir Frank Noyce: The information asked for is being collected and will be supplied to the Honourable Member in due course.

Maulvi Muhammad Yakub: Will the Honourable Member place the information on the table of the House so that it may come on the records of the Assembly Debates?

Sir Frank Noyce: I hardly think, Sir, that the information in regard to such a personal matter is of sufficient importance to lay on the table of the House.

Maulvi Muhammad Yakub: Are Government aware that the object of the Honourable Members of putting questions on the floor of the House is frustrated if the answers do not appear on the records of the Assembly? What action, if any, do Government propose to take in this matter?

The Honourable Sir Bhupendra Nath Mitra: It does not necessarily follow that the Honourable Member's right is in any way interfered with. The Honourable Member has asked for certain information and that information will be supplied to him. According to the practice that has been established, a copy of the answer will also be placed in the Library of the House, so that any other Member who is interested in the matter will have access to the information. To the best of my knowledge this very practice is not unusual in the House of Commons.

Maulvi Muhammad Yakub: Are Government aware that the information that is sought for by the Members on the floor of the House is not for their personal use, but the questions relate to questions of public importance and the public in general is interested in the answers which the Government Members give on the floor of the House?

The Honourable Sir Bhupendra Nath Mitra: That, Sir, is a matter of opinion.

Maulvi Muhammad Yakub: Does it follow, then, that Government do not take any heed of the opinion of the Honourable Members in this House?

The Honourable Sir Bhupendra Nath Mitra: As the Honourable the President said on a previous occasion, if there is any general feeling in the House on the subject, the House has other means of giving expression to that feeling.

Maulvi Muhammad Yakub: Are Government prepared to follow the dictum of the Honourable the President on all occasions and in respect to all questions?

The Honourable Sir Bhupendra Nath Mitra: Sir, I prefer not to answer that question.

RECRUITMENT FROM THE PROVINCES FOR SERVICES UNDER THE CENTRAL
GOVERNMENT.

844. *Mr. Gaya Prasad Singh: (a) With reference to the reply given to starred question No. 556 on the 12th March, 1930, have Government taken into consideration the claims of all Provinces for recruitment for services under the Central Government, under the terms of the Resolution passed by the Assembly on the 10th March, 1923, in which it is stated that "claims of all communities, and Provinces" are to be considered?

(b) If so, will Government kindly state the number of Biharees and Oriyas employed in the different Departments of the Government of India in 1924, and now?

Mr. C. W. Gwynne: (a) and (b). Recruitment to the all-India Services and to the Departments of the Government of India is now made by means of competitive examinations held by the Public Service Commission, which are open to candidates from all provinces. No special measures have been taken to secure provincial representation (except as regards Burma) in the all-India Services, or in the services under the Central Government.

Mr. Gaya Prasad Singh: Is it not a fact that, in answer to question No. 556 on the 12th March, the Honourable the Home Member replied that effect had been given to the Resolution which was quoted in that connection? May I know in what way effect has been given to the Resolution, so far as the representation of provinces on the public services under the Government is concerned?

Mr. C. W. Gwynne: I do not think that the Government of India have even accepted the principle that provinces should receive special and proportionate representation. They have agreed to the principle that the various communities should have due representation.

Mr. Gaya Prasad Singh: May I take it, then, that the Honourable Member repudiates the answer that was formerly given by the Home Member on the 12th March?

Mr. C. W. Gwynne: No, Sir.

Mr. B. Das: May I suggest to the Honourable Member that, in the case of a province like Bihar and Orissa, which is not represented in the Secretariat of the Government of India, the Government of India may ask the Provincial Government to recruit a certain number of men on their behalf, or they may ask the Local Government to hold examinations on their behalf in Patna?

Mr. C. W. Gwynne: The Honourable Member is I think making a suggestion. In any case I must ask for notice of that question.

EXAMINATION FOR THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

845. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the nature of the examination held in November last for the staff of the Government of India Secretariat and its Attached Offices?

(b) What is the total number of successful candidates in the 1st and 2nd Divisions, separately?

(c) What are their academical qualifications or other educational attainments?

(d) How many of the candidates failed and what are their academical qualifications?

(e) How many of the successful candidates are Muslims?

Mr. C. W. Gwynne: (a) The examination was a qualifying one for departmental candidates.

(b) 17 and 29.

(c) and (d). The total number of candidates who appeared is 461. I am not in possession of information as to the educational qualifications of the candidates who sat for the examination.

(e) 14.

APPOINTMENT OF MUSLIMS TO THE OFFICE OF THE IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

846. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the total strength of the superior establishment of the office of the Imperial Council of Agricultural Research?

(b) How many of these are Muslims?

(c) Have Government considered the desirability of taking a larger number of Muslims when the question of further recruitment of the staff for the office of the said Council comes up, in order to increase the representation of Muslims?

Sir Frank Noyce: (a) 13.

(b) 5.

(c) The figures, I have mentioned, show that Muslims are already adequately represented on the staff of the Council.

APPOINTMENT OF MUSLIMS IN THE COMMERCE AND FINANCE DEPARTMENTS.

847. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the total number of (1) Superintendents, (2) Assistants, (3) second division clerks, and (4) third division clerks on the permanent establishment of the Commerce and the Finance Departments of the Government of India Secretariat?

(b) How many of them are Muslims in each of the above grades?

The Honourable Sir George Rainy: (a) and (b). A statement is laid on the table.

Statement showing the number of Muslims in the permanent establishments of the Commerce and the Finance Departments.

	Commerce Department.		Finance Department.	
	Total No.	No. of Muslims.	Total No.	No. of Muslims.
(1) Superintendents	3	..	6	1
(2) Assistants	18	2	33	5
(3) Second Division clerks . .	22	4	35	4
(4) Third Division clerks . .	4	2	8	4

PROPORTION OF MUSLIMS RECRUITED FOR GOVERNMENT OFFICES.

848. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): What steps, if any, have Government taken to secure larger proportion of Muslims since the orders to remove communal inequalities were promulgated in 1926?

Mr. C. W. Gwynne: Annual returns have been prescribed which enable the progress made to be watched and instructions to be issued in cases where they appear to be called for.

APPOINTMENT OF MUSLIMS ON THE MILITARY TEST AUDIT DEPARTMENT.

849. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the number of appointments of Assistant Accounts Officers, Subordinate Accounts Service Accountants and clerks in the Military Test Audit Department and the number of Muslims employed in each grade?

(b) Is it a fact that not a single Muslim is employed in Headquarter office of the Director of Army Audit?

(c) Will Government please state whether any attempt was ever made by the Director of Army Audit to secure the services of qualified S. A. S. passed Muslims from the Military Accounts Department?

(d) Will Government please state whether it is a fact that the Military Test Audit Department was formed after the issue of the Home Department

Memo. of July, 1925, regarding the representation of minorities in the services? Is it a fact that these instructions have been ignored in this Department?

The Honourable Sir George Schuster: (a) (i). Assistant Audit Officers, four, of whom one is a Muslim.

(ii) Accountants in the Subordinate Accounts Service, 30; no Muslim. No Muslim has qualified as yet for promotion to the Subordinate Accounts Service.

(iii) Clerks, 81, of whom 6 are Muslims. Two other posts were offered to two Muslim candidates. The offers were refused.

(iv) Typists, 5, no Muslim. An offer made to a Muslim candidate was refused.

(b) Yes.

(c) The recognised practice is not to recruit accountants and auditors for this Department from the Military Accounts Department, and this practice is one which it is desirable to continue.

In 1926 when qualified clerks were not available in the Department for promotion to fill a vacancy in the Subordinate Accounts Service, the Military Accountant General was requested to recommend a clerk of the Military Accounts Department, who had passed the Subordinate Accounts Service Examination (Military), obtaining 60 per cent. of the total marks in the aggregate, for the post of an Accountant in this Department.

A Sikh was recommended and employed.

(d) The Military Test Audit Department came into existence on the 1st March, 1925, before the issue of the Home Department Memorandum No. F./176/25-Ests., dated the 5th February, 1926, or before any other instructions issued regarding the representation of minorities in Government service. In filling up vacancies, the instructions have in the recent past not been ignored.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us how promotions to the Subordinate Accounts Service are given effect to?

The Honourable Sir George Schuster: I am afraid I am not quite clear about the purport of the question.

Mr. Anwar-ul-Azim: The purport is this. The Honourable Member just now said that promotions to the Subordinate Accounts Service are made on a certain basis. What is that basis?

The Honourable Sir George Schuster: I am afraid I cannot give the Honourable Member any further details now. But if he will tell me exactly what he wants, I would like to take an opportunity to inquire into the question and give him detailed information.

Dr. A. Suhrawardy: The Honourable Member has just now said that several appointments were offered to Muslim candidates but were refused. Will the Honourable Member please state the reasons of such refusal if he is aware of them.

The Honourable Sir George Schuster: I have not had time personally to inquire into this question at the present moment. But I have already stated in this House that I propose to take up this question as soon as the Session is over, and I agree with the Honourable Member, who has just put the supplementary question, that when we are told that a post

was offered and refused, I personally want to know exactly what happened and why it was. I want to go into all these cases and conduct a detailed examination.

APPOINTMENT OF MUSLIMS IN THE MILITARY ACCOUNTS DEPARTMENT.

850. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the number of appointments of S. A. S. (gazetted) Accountants and clerks in the Military Accounts Department? What number of these appointments is held by Hindus, Europeans, Anglo-Indians and Muslims, respectively, in each grade?

(b) Will Government please state whether they have considered or propose to consider the desirability of changing the present system of promotion with a view to secure effective representation of minorities in the higher grades of the services in the Military Accounts Department?

The Honourable Sir George Schuster: (a) A statement is placed on the table.

(b) The promotions to the subordinate Gazetted and Subordinate Accounts Services, to which, I presume, the Honourable Member refers, are regulated by considerations of seniority and merit. With a view both to efficiency in the service and justice to individuals these must continue to be the main considerations.

Statement showing the authorised number of appointments of Deputy Assistant Controllers, Accountants and clerks in the Military Accounts Department and the number held by members of different communities on 31st December, 1929.

Grade.	Number sanctioned.	Number of appointments held by members of the various communities.				Remarks.
		Hindus.	Muslims.	Europeans and Anglo-Indians (a).	Other communities.	
Deputy Assistant Controllers (Gazetted).	90	54	3	20	13	(a) Information in respect of Europeans and Anglo-Indians has not been furnished separately, as it is not available.
Accountants .	467	383	23	32	29	
Clerks .	3,736 (b)	3,019	316	32	353	(b) 16 permanent appointments were vacant on 31st December, 1929.

REQUISITION OF VILLAGERS TO GUARD THE RAILWAY LINE.

851. *Pandit Thakur Das Bhargava: (a) Is it a fact that the Manager of Tyajabhumi sent a telegram to the Secretary to His Excellency the Viceroy representing that peasants from villages were forced to guard the railway line for 12 hours in *begar* while His Excellency's special train passed that way in August last?

(b) Was a letter sent by one Mr. Vajjnath Mahodya, Manager of Tyajabhumi, to the Commissioner, Rajputana and Merwara on the 5th August 1929 complaining of *begar* being taken on the night of the 4th August 1929 from the inhabitants of Hatundi (Ajmer) for guarding the railway line for 12 hours?

(c) Were copies of the statements of the peasants together with a copy of the telegram referred to above also sent along with the letter?

(d) Was any reply given by the Commissioner to that letter, and if so, what?

(e) Were any inquiries made in this connection? If so, with what result?

Mr. E. B. Howell: (a) Government have no information.

(b) and (c). A letter was received from one Narsidar, who described himself as Manager of Tyajabhumi. No copies of any statements were enclosed, but a copy of a telegram was sent.

(d) and (e). No reply was given by the Commissioner. The matter was under the consideration of the Government of India about that time and they issued orders in October last, directing that reasonable payment should be made for all labour employed to guard railways during Viceregal tours. Effect has since been given to these orders.

DELAY OF A PASSENGER TRAIN AT REWARI.

852. *Pandit Thakur Das Bhargava: (a) Is it a fact that on the occasion of the recent tour of His Excellency the Viceroy from Delhi to Ajmer the passenger train starting from Delhi at about 5 p.m. and reaching Rewari at about 8 p.m. was held up for about 3 hours in the yard at Rewari?

(b) Were the windows of the carriages on both sides closed, and the passengers within the compartments not allowed to leave who had to go without food and drink?

Mr. A. A. L. Parsons: Government have received no information to this effect, but a copy of the question is being sent to the Agent of the Bombay, Baroda and Central India Railway, and I will communicate with the Honourable Member later.

PAYMENT TO VILLAGERS FOR GUARDING THE RAILWAY LINE.

853. *Pandit Thakur Das Bhargava: (a) Is it a fact that eight annas per head was paid to men who were made to stand and guard the line from Delhi to Ajmer on the occasion of the recent tour of His Excellency the Viceroy?

(b) What amount of money was spent in connection with this tour and how much out of the same was paid to persons who guarded the line?

(c) Under what head has the amount so paid been charged?

Mr. C. W. Gwynne: (a) Instructions were issued last October that all labour employed in connection with Viceregal tours should be paid at reasonable rates. I am not aware at what rates the men referred to (if employed) were paid but am making inquiries and will communicate the result to the Honourable Member in due course.

(b) and (c). The expenditure on account of persons employed to guard the line would not be met out of the Tour Expenditure of His Excellency but from heads controlled by the Chief Commissioners of Delhi and Ajmer-Merwara and in provinces from provincial budget heads. I am ascertaining the exact heads to which the cost has been debited in Delhi and Ajmer-Merwara.

NON-MUSLIM CLERKS APPOINTED IN THE NORTH WEST FRONTIER PROVINCE.

854 *Mr. Anwar-ul-Azim: 1. With reference to the reply given by Government to questions Nos. 453 and 454 asked by Mr. Muhammad Ismail Khan on the 12th September, 1929, will Government be pleased to state if:

(a) the following statement shows correctly the number of clerical appointments which the non-Muslims and non-residents have monopolized in the North West Frontier Province:

Name of Office or District.	Total strength of establishment.	Number of Muslims.
Chief Commissioner's Office	48	20
Judicial Commissioner's Office	16	7
Revenue Commissioner's Office	37	13
Irrigation Secretary's Office	162	87
Peshawar Municipal Office	12	2
Forest Department	28	6
Hazara District	59	20
Bannu District	70	15

(b) higher paid clerical appointments in the clerical service in that Province numbering 34 have almost all been monopolized by the non-Muslims and non-residents; and

(c) the masses of unemployed educated Muslims of Peshawar submitted a representation to the Honourable the Chief Commissioner, North West Frontier Province, through the Muslim Association, Peshawar, on the 16th August, 1925, requesting the discontinuance of recruitment of non-Muslims and non-residents in clerical establishments in the Province?

2. If answers to the above questions be in the affirmative, will Government be pleased to state what action was taken by the Local Administration in the matter?

Mr. E. B. Howell: 1. (a) and (b). The statements are being verified and the result will be communicated to the Honourable Member in due course.

(c) Certain Muslims presented a petition on the subject through the Muslim Association, Peshawar, on the 18th August, 1925.

2. The object of the Local Administration has been to adjust the proportion of clerical appointments between the communities with due regard to the claims of the majority community, educational qualifications, and efficiency.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us, for the purpose of recruitment, which are the majority and which are the minority communities in the North-West Frontier Province?

Mr. E. B. Howell: I am not quite clear as to what the Honourable Member means.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us what the idea of Government is as regards the majority and minority communities, so far as recruitment to this Department is concerned in the North West Frontier Province?

Mr. E. B. Howell: If the Honourable Member means, which is the majority community on the basis of population, it is a matter of common knowledge that Mussalmans are in a very large majority in the North West Frontier Province.

APPOINTMENT OF NON-MUSLIMS IN THE NORTH WEST FRONTIER PROVINCE.

855. ***Mr. Anwar-ul-Azim:** 1. Are Government aware that communal representation in Government service had been fixed by the following Local Governments:

(a) the Government of Bombay Presidency, *vide* their Standing Order No. P.-34, dated the 19th February, 1925, requiring the recruitment of 50 per cent. Muslims in Sind, etc.;

(b) the Punjab Government, *vide* their Standing Orders requiring recruitment of no less than 30 per cent. Muslims in the ministerial appointments in the Punjab and not more than 70 per cent. by any one class in that Province; and

(c) the Madras Government, *vide* the Revenue Board Standing Order No. 128 (2), G. O. No. 613, dated the 16th September, 1921, G. O. No. 658, dated the 15th August, 1922 and No. 563, dated the 21st July, 1923, fixing distribution of appointments among several castes?

2. If the answers to part 1 be in the affirmative, will Government be pleased to state what special reasons necessitated departure so far adopted by the North West Frontier Province from the policy followed by other Local Governments?

3. Will Government be pleased to state if the recruitment of Muslims is being made at present in all civil offices in that Province on any authorized principle or is it left to the discretion of the heads of Departments?

4. (a) Will Government be pleased to state if it is a fact that the Honourable the Chief Commissioner, North West Frontier Province fixed a few years ago, 33 per cent. recruitment of non-Muslims in the Police Department of the Province?

(b) If so, will Government be pleased to state the special reasons which necessitated the fixation of this percentage and the principle on which it was based?

Mr. E. B. Howell: 1. The Major Local Governments have power to regulate such matters in regard to services under their control and some of them have issued instructions on the subject. No precise information is however readily available as to the nature of those instructions or the local considerations on which they are based.

2. There has hitherto been no jointly concerted policy for the whole of India from which the North-West Frontier Province could be said to have departed.

3. No precise proportion has been fixed, but every consideration is paid to the claims of educated Muhammadans.

4. (a) No, Sir.

(b) Does not arise.

COMPOSITION OF THE MUNICIPAL COMMITTEE OF PESHAWAR CITY.

856. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether the following elected and nominated seats have lately been allotted to the Members of the Municipal Committee of Peshawar City on a population basis:

<i>Elected.</i>						
(i) Muslims	..	..	5	}	<i>Total Composition.</i>	
(ii) Hindus	..	..	2			
(iii) Sikhs	..	..	1			
<i>Nominated.</i>						
(a) Muslims	..	..	3	}	Muslims	.. 8
(b) Hindus	..	..	2		Hindus	.. 4
(c) Sikhs	..	..	2		Sikhs	.. 3
Total				15	Total	.. 15

(b) If answer to part (a) be in the affirmative, will Government be pleased to state on what consideration the above seats have been assigned in both cases?

Sir Frank Noyce: (a) and (b). The present composition of the Municipal Committee of Peshawar is as follows:

Elected.							
(a) Muslims	..	..	5	}			
(b) Hindus	..	..	2				
(c) Sikhs	..	..	1				
Nominated.				}	Total Composition.		
(a) Muslims	..	..	4		Muslims	..	9
(b) Hindus	..	..	3		Hindus	..	5
(c) Sikhs	..	..	1	}	Sikhs	..	2
Total	..	..	16		Total	..	16

In assigning seats to the different communities, account has been taken not only of population but also of voting strength and taxable capacity.

PREPONDERANCE OF ONE COMMUNITY IN CERTAIN SERVICES.

857. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how they reconcile the difference in the policies adopted by:

- the Local Governments in India,
- the Railway Administration in India,
- the Posts and Telegraph Departments in India, and
- the subordinate Military Departments in India,

and definitely state whether any, and if so, what, practical steps have been ordered by Government of India to be taken by the Departments concerned to prevent the existing enormous preponderance of members of one class or community in Government service specially in the provinces in which a community is a majority one, and has not so far been successful to secure its due share in provincial, civil, military, postal, and other services, as is the case at present in the North West Frontier Province?

Mr. G. W. Gwynne: (a) The major Local Governments have power to regulate such matters in regard to services under their control, and some of them have issued instructions on the subject. But I have no precise and recent information as to the nature of such instructions or the considerations on which they are based.

(b), (c) and (d). The Honourable Member no doubt has in mind services under the Government of India and locally recruited. I am not aware that the assumption of fact contained in his question is correct. But I may inform him in regard to these services that the operation of the general orders for the prevention of the preponderance of any one class or community is under examination.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

858. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state:

- the present number of Assistant Directors General (acting and permanent hands to be shown separately) working in the Office of the Director General of Posts and Telegraphs in India; and
- the number of Hindus and Muslims holding the twenty selection grade appointments ranging in pays from Rs. 300 to 750 in the same office?

(b) In case the Muslims are under-represented in the service or are conspicuous by their total absence, will Government be pleased to state what measures they propose to adopt to increase the representation of the Muslim community?

The Honourable Sir Bhupendra Nath Mitra: (a) (i). Of the seven appointments of Assistant Directors General, three are at present held by permanent officers and four by officiating officers.

(ii) The number of selection grade appointments in the office of the Director General, Posts and Telegraphs, with pay ranging between Rs. 300 and Rs. 750 is 18. One of these appointments is vacant at present. 16 of these are held by Hindus and none by Muslims.

(d) The appointments of Assistant Director General are made by selection. The permanent appointments being made on the recommendation of the Public Service Commission. Last year an acting appointment was given to a Mussalman Superintendent of Post Office who had obtained the requisite seniority, but he was found by the Director General to be wholly unsuited for the work. As regards the other appointments, they are filled by promotion of qualified officials in the lower ranks irrespective of the communities to which they may belong. As has been frequently stated, promotion from a lower to a higher grade in the Department or in any other branch of public service is determined by seniority and efficiency. The due representation of minority communities is secured by the reservation of vacancies occurring in such posts as are filled by direct recruitment.

Nawab Sir Sahibzada Abdul Qaiyum: When appointments are made, are the recommendations of the Public Service Commission fully followed or has the officer in charge of making appointments the right to exercise his discretion in selecting men from among those recommended by the Public Service Commission?

The Honourable Sir Bhupendra Nath Mitra: If my Honourable friend is referring to promotions made on the recommendation of the Public Service Commission, then I may tell him that the recommendation of the Commission is strictly followed, and the head of the Department has no option in any way to modify or depart from the recommendation of the Commission. In regard to recruitment for posts which are filled by direct recruitment on the advice of the Public Service Commission, the head of the Department, in the case of Probationary Superintendents of Post Offices, has certain discretion. But, in exercising that discretion, he has to follow the standard orders of the Government of India which lay down that one-third of the vacancies must be reserved for the adjustment of communal inequalities. To be more

precise, if in any year there are (say) six vacancies, then the Director General is bound to take, in two of the vacancies, two members of the minority communities from the list sent up by the Public Service Commission.

Nawab Sir Sahibzada Abdul Qaiyum: In the case of promotions from the lower grades to the higher grades, is a list of suitable candidates prepared by the Department and sent to the Public Service Commission to give their opinion about the fitness of these candidates, or do applications for promotion go direct to the Public Service Commission from these officials seeking promotion? That is to say, do all applications from aspirants to promotion go direct to the Public Service Commission, or does the Department send on all or only a few of the applications to the Public Service Commission from junior men aspiring to the higher grades, for the verification of their fitness for promotion?

The Honourable Sir Bhupendra Nath Mitra: What happens is this, and I think I can explain the practice in regard to the Indian Posts and Telegraphs Department more precisely. The Director General sends up to the Public Service Commission the names of a certain number of officials who have attained the requisite seniority, and with these names he sends up a confidential record of each one of these officers. The Public Service Commission then selects officers for promotion and puts them in a certain order of precedence.

Nawab Sir Sahibzada Abdul Qaiyum: What is the test which is applied by the Public Service Commission for giving preference to one candidate over the other or for putting them all in order of merit? Do the Public Service Commission form their opinion on the record or official reports submitted to them by the Department, with the remarks, good or bad, noted against each name, or have they got some other means or criterion to judge the merits or demerits of these candidates?

The Honourable Sir Bhupendra Nath Mitra: It is not possible for me to explain to my Honourable friend precisely how the Public Service Commission form their conclusions in the matter. But I should think that they pay due consideration to the confidential records of these officials in regard to the manner in which they have discharged their duties in the past.

Nawab Sir Sahibzada Abdul Qaiyum: I shall try to put my question a little more clearly this time. My meaning is this. There are people serving in the Department, whose work is reported upon by their seniors confidentially, and there is the fact that, in this service the number of minority communities is not up to the mark. If a list is sent from the Department to the Public Service Commission for a report, it may not contain very many names of the minority community people serving in that Department; and the second thing is that, if it rests with the Department to send selected names according to their will and wish to the Public Service Commission, there is the possibility that the Department may not send up the names of any suitable candidates belonging to the minority community. Moreover it looks useless to send names to the Public Service Commission, of candidates whose fitness or otherwise is better known to the Department than to the Commission.

The Honourable Sir Bhupendra Nath Mitra: I shall be equally frank with my Honourable friend, Sir Abdul Qaiyum, and my remarks have a special bearing on the Indian Postal and Telegraph Department. In the first place I think he said that among senior officers, i.e., those holding posts

of (or corresponding to) Superintendents of Post Offices, from among whom promotion takes place, there is a lack of adequate representation of minority communities. If by minority communities he means minority communities as a whole, he is under a misapprehension, and I would ask him to study the published list of officers of the Indian Postal and Telegraph Department. He will find there that, as a matter of fact, it is the minority communities, speaking as a whole, which are in preponderance. In the next place, the names of all the senior officers are sent up to the Public Service Commission, and with the name of each officer is sent up his past record. Therefore it is not correct to say that the names of particular officers may not be sent up to the Public Service Commission.

Nawab Sir Sahibzada Abdul Qaiyum: What is the object in sending such names to the Public Service Commission? What other facilities have they got to judge the merits or demerits of these candidates?

The Honourable Sir Bhupendra Nath Mitra: I was coming to that. Then, the Public Service Commission is supplied with the confidential record of each of these officers, and this confidential record represents the views expressed on the officer's work, not by members of any particular community, but mostly by Englishmen, who have, up till recently, held the highest posts in the Department, like Directors General or Post Masters General.

Nawab Sir Sahibzada Abdul Qaiyum: Then why cannot they be trusted with the selection of their candidates when they are in a better position to judge of the merits and demerits of their subordinates.

The Honourable Sir Bhupendra Nath Mitra: I did not catch the point of my Honourable friend's interjection. I was simply explaining to him the practice which is followed. Perhaps it might be possible to hold examinations, in which case the position might be much worse.

OFFENCES COMMITTED IN THE PESHAWAR DISTRICT JAIL.

859. ***Mr. Anwar-ul-Azim:** (a) Will Government please place on the table a statement showing the cases of riots in which razors had been used by the convicts, poisoning of convicts at the instance of their enemies, and other serious offences committed in the Peshawar District Jail during the past three years and state on whom lies the responsibility of lack of supervision which brought about the introduction of razors and poison inside the Jail making the lives of convicts insecure?

(b) Will Government please state briefly the circumstances of each case as elicited in judicial inquiries and the result?

(c) Will Government please state whether, any and if so, what punishment has been awarded to the officers and staff of the Jail for disregard of strict orders contained in the Jail Manual on the subject in the cases mentioned in part (a) above?

Mr. G. W. Gwynne: Information was called for last year in response to a question by an Honourable Member. No riot occurred in the Peshawar Central Jail during the five years prior to January, 1929. Two cases of poisoning occurred during the period in question, in neither of which was the poisoning administered by a convict. In one there was no evidence against the Jail staff: in the other a Warder received three months imprisonment. I am making enquiries from the Chief Commissioner as to whether any such incidents have occurred during the last year, and will inform the Honourable Member in due course.

ALLEGED INJUSTICE TO MR. PROFULLA KUMAR SETT, ASSISTANT IN CHARGE, MEDAL SECTION, ARMY DEPARTMENT.

860. *Maulvi Muhammad Yakub: With reference to my starred question No. 889, dated the 25th September, 1929, is it not a fact that a representation was made by the Secretary, All Bengal Muslim Youngmen's Association, 14 Gardner Lane, Calcutta, to the Army Secretary, in respect of injustice to and maltreatment of Mr. Profulla Kumar Sett, Assistant in charge, Medal Section, which was thoroughly investigated, and afterwards filed by the order of the Secretary on the grounds that no reminder was received or the matter pursued by the said Association? Is it a fact that this representation was dealt with by Mr. G. M. Young? Will Government please make a further search for the papers and place them on the table of this House?

Mr. G. M. Young: The answer to the first part of the question is in the negative. The second and third parts do not arise.

MEMORIAL FROM MR. SHYAMA CHARAN CHATTERJEE, A GOVERNMENT PENSIONER.

861. *Maulvi Muhammad Yakub: With reference to my starred question No. 889 (b), dated the 25th September, 1929, is it a fact that in paragraph 19 of his memorial to His Excellency the Viceroy and the Governor General in India, Mr. Shyama Charan Chatterjee, a Government pensioner stated that the enquiry which was nominally made before the submission of the memorial in question, was conducted in a manner which was prejudicial to him? Will Government please state whether any inquiry was made on or after the receipt of his memorial alluded to and if so, will they kindly place the decision of the Inquiry Committee on the table of this House?

Mr. G. M. Young: The answer to the first part of the question is in the affirmative. The allegation was, however, found upon investigation, to be baseless. Government have no intention of laying any papers in connection with this case upon the table of the House.

Maulvi Muhammad Yakub: Why not?

Mr. G. M. Young: My Honourable friend must be well aware of the details. Or perhaps he is not aware. It was an exceedingly trivial case, of no public interest whatever, and settled six years ago.

Maulvi Muhammad Yakub: The Honourable Member never gave me the details, and how can I be expected to know them?

Mr. G. M. Young: If my Honourable friend had been aware of the details, he would not, perhaps, have suggested that the papers should be laid on the table. The case relates, Sir, to the disappearance of a sum of Rs. 6-11-0 from the accounts of the Medal Section. An inquiry was held and it was found that the clerk mentioned in the question was responsible for the disappearance. Steps were therefore taken to recover the amount from his salary.

DAILY REPORTS OF WORK DONE BY CLERKS IN THE MEDAL SECTION, ARMY DEPARTMENT.

862. *Maulvi Muhammad Yakub: With reference to my starred question No. 892 (e) of the September Session, 1929, is it not a fact that the

practice of submitting daily reports of the daily work done in the Medal Section has been in force since 1920 and is not the Medal Section part and parcel of the Army Department Secretariat? If the reply is in the affirmative, will Government please state the circumstances under which an incorrect reply has been given to this House to the effect that no clerk is required to submit daily report? Do Government propose to take some action against the clerk who is responsible for this?

Mr. G. M. Young: I am told that it is the practice in the Medal Section for clerks to note at the end of the day, on a slip of paper, the number of cases with which they have dealt during the day, and the number still with them. There is no order requiring them to do this, nor are other clerks of the Army Department required to submit daily reports of any kind. In his previous question the Honourable Member inquired whether Mr. N. C. Dass submitted a report of his daily work as required in the case of other men of the Department. Mr. N. C. Dass was not a clerk of the Medal Section. The question, if I may say so, was therefore misleading; but the answer given by my predecessor was substantially correct.

ASSISTANCE OF MINT EMPLOYEES BY MR. N. C. DASS.

863. *Maulvi Muhammad Yakub: With reference to my starred question No. 892 (d) asked in the September Session, 1929, will Government please state whether the men employed in the Mint for inscribing the names of the recipients on the medals were all illiterate and none of them could read the typewritten names, numbers, designations, regiments, etc., on the rolls and they therefore required the continued assistance of Mr. N. C. Dass for reading them the necessary details or whether Mr. N. C. Dass used to point out to them, on the spot, which roll was to be attended first? If the reply is in the affirmative, will Government please state if the Punching Contractor, before the transfer of the punching work to the Mint, also utilised the services of Mr. N. C. Dass, and if so, what private remuneration he received from him? If Mr. Dass did not help the Punching Contractor, what was the special reason for which the punching work in the Mint could not be done in the Mint?

Mr. G. M. Young: With your permission, Sir, I will answer questions Nos. 863, 864, and 865, together.

Government do not accept any of the inferences drawn in these questions. The facts are that the men who were employed on the work of punching medals at the Mint were mechanics, and though they could read words and figures sufficiently well to inscribe them on the medals, were not capable, without supervision, of making the necessary abbreviations. Mr. N. C. Dass, a clerk of the Army Department Records Office in Calcutta, used accordingly to go over to the Mint and give the mechanics the requisite assistance. For this work he was granted an honorarium of Rs. 500. If we had employed as punchers men with sufficient knowledge of army nomenclature to carry out the transcriptions without help, it would have cost us a great deal more than Rs. 500, and would have been a real waste of Government funds. The number of medals inscribed was well over two millions. In the earlier stage, the work was performed by a contractor in the office of the Medal Section itself, and there was then of course no need to utilize the services of Mr. N. C. Dass.

ASSISTANCE OF MINT EMPLOYEES BY MR. N. C. DASS.

†864. *Maulvi Muhammad Yakub: Will Government please state the circumstances under which the Mint Master engaged inefficient punching men who required the continued assistance of Mr. N. C. Dass and afterwards the award of an honorarium of Rs. 500? Will they kindly obtain the explanation of the Mint Master for this loss of Government and place it on the table of this House?

ASSISTANCE OF MINT EMPLOYEES BY MR. N. C. DASS.

†865. *Maulvi Muhammad Yakub: Will Government please state if the laborious work which Mr. N. C. Dass did was to point out to the punching men the details which were to be inscribed on the medals? If the reply is in the negative, will they kindly furnish the full particulars of the work done by him, and for which he was paid Rs. 500 as honorarium?

TEMPORARY SERVICE OF CERTAIN CLERKS IN THE COMMERCE DEPARTMENT.

866. *Maulvi Muhammad Yakub: Is it a fact that five temporary clerks of over four years' service in the Commerce Department were granted gratuity and leave admissible to them concurrently with the period of notice? If the reply is in the affirmative, will Government please furnish details of their temporary service?

The Honourable Sir George Rainy: Leave was granted to 5 temporary clerks, who were retrenched from the Commerce Department in 1923, in connection with the general reduction of the Secretariat establishments following upon the recommendations of the Indian Retrenchment Committee. No gratuity was paid to them. Their length of service varied from 4 years and 8 months to 7 years and 3 months.

EMPLOYMENT OF *ex*-SOLDIERS.

867. *Maulvi Muhammad Yakub: Is it a fact that, in his letter No. 17840-Home Military, dated the 27th June, 1927, and the Governor in Council order issued therewith, the Home Secretary to the Government of the Punjab stated that the Governor in Council was not satisfied that everything possible to accord preferential treatment in the matter of civil employments to *ex*-soldiers and others who served during the Great War, has been done, and invited the special attention of the heads of the Departments to the necessity for fresh efforts to secure civil employments for them? If the reply is in the affirmative, will Government please state whether they issued similar instructions to the heads of the Departments? If not, why not, and are they prepared to do it now? Are Government aware that many *ex*-service men are in a destitute condition, and although they possess the requisite qualifications of the various posts, do not get treatment equal to that given to the civilian candidates?

Mr. C. W. Gwynne: The reply to the first part of the Honourable Member's question is in the affirmative. I am not aware that any representations have been made as regards special difficulties experienced by *ex*-soldiers in other provinces in obtaining employment, but the Indian Soldiers' Board

†For answer to this question, see answer to question No. 863.

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receives and deals with a certain number of applications from other parts of India for assistance in this respect. In reply to question No. 279, asked by Mr. Rajah on the 11th February, the Honourable Member is referred to the instructions in the matter which have been issued to Departments of the Government of India. No other instructions have so far been issued, but I am prepared to examine the question further.

EMPLOYMENT OF TEMPORARY MEN IN THE GOVERNMENT OF INDIA SECRETARIAT.

868. *Maulvi Muhammad Yakub: Is there any rule under which Government can entertain and keep on temporary men in the Secretariat for an indefinite period?

Mr. C. W. Gwynne: There are no rules on the subject, but the Government of India have recently laid it down that the multiplication of temporary appointments should be avoided as far as possible.

OFFICER IN CHARGE OF THE MEDAL SECTION, ARMY DEPARTMENT.

869. *Maulvi Muhammad Yakub: (a) Is it a fact that the Medal Section practically consists of one assistant and seven clerks and is placed under an officer of an Assistant Secretary's grade? If so, will Government state the reason?

(b) Have Government considered the question of placing the Medal Section under one of the Assistant Secretaries of the Army Department?

(c) What was the strength of the Medal Section in 1922, when the post of the Officer in charge Medal Distribution, was not made permanent? What was the total number of assistants in charge, sub-sections, *i.e.*, 1914, 1914-15, I. G. S., B. W. & V. Medals, War, Recruiting and other Badges, Permanent Replacement and old War Medals (from 1799 to 1908-11) sub-section, etc., and what were the names of the Assistants in Charge of these sub-sections from 1st April, 1920, to 31st March, 1924?

Mr. G. M. Young: (a) No. Sir. The section consists of one assistant, ten clerks and a mechanic. The officer in charge is not graded as an Assistant Secretary.

(b) No.

(c) The strength of the section in 1922 was 47. The information asked for in the latter portion of this question is not available.

TRANSFER TO DELHI OF THE RECORDS OF THE ARMY DEPARTMENT.

870. *Maulvi Muhammad Yakub: Have the Army Department Records yet been brought to Delhi and, if not, when do Government intend to bring them to Delhi?

Mr. G. M. Young: Printed records of the Army Department from 1890 and all unprinted records of the last six years are kept in Simla. The older printed and unprinted records were left in Calcutta because until recently there was no storage accommodation available for them. They will be brought to Delhi in the course of the next year.

ADMISSION TO EXAMINATIONS OF DEPARTMENTAL AND RETRENCHED CLERKS.

871. *Maulvi Muhammad Yakub: (a) Is it a fact that Messrs. Karam Chand Varma, Gajjan Singh, clerks, Master General of Ordnance Branch, late of the Army Canteen Board, and some retrenched clerks of the Medal Section, holding temporary appointments in the Army Headquarters, have not been allowed to sit in the departmental examination of November, 1929? If so, will Government furnish a complete list of the retrenched clerks of the Medal Section and the Army Canteen Board holding temporary appointments in civil and military offices of the Government of India who have not been permitted to appear at the last examination and also state the reasons for withdrawing these concessions in each case?

(b) Have any clerks who neither belong to the Medal Section nor to the Army Canteen Board been allowed to sit in the examination? If so, what are the special reasons for doing so?

Mr. G. M. Young: (a) The answer is in the negative as regards Messrs. Karam Chand Varma and Gajjan Singh, both of whom were permitted to sit at the examination. There was only one retrenched clerk of the Medal Section holding a temporary appointment in Army Headquarters, who was not allowed to appear at the departmental examination, because the concession applied only to clerks who were serving in the Medal Section in 1929. The appointments of seven of these in the Medal Section were made permanent, and employment was found at Army Headquarters for three more. The clerk, who was not allowed to appear at the examination, had been selected for retrenchment, four years previously, when the first reductions in the Medal Section were made, on account of his unsatisfactory work and conduct. The latter part of the question does not arise.

(b) Yes, exceptional cases were referred to the Public Service Commission, who granted admission on the merits of each individual case.

EMPLOYMENT OF RETRENCHED CLERKS.

872. *Maulvi Muhammad Yakub: Is it a fact that Messrs. Abdul Haq, R. R. Sett and S. C. Sett, late clerks of the Medal Section, have been provided with appointments in the Army Headquarters after retrenchment? If so, do Government propose to give similar treatment to the clerks of the Medal Section who were thrown out of employment after faithfully serving Government for almost ten years; in many cases, at the time when they became overaged and unfit for further service?

Mr. G. M. Young: The answer to the first part of the question is in the affirmative. Government have always been, and are still prepared to consider applications from clerks, who were retrenched, for further employment. I would point out, however, that the large Medal establishment employed during the first few years after the war was on an avowedly temporary basis, and that none of the clerks so employed had any expectation of permanent employment. It was inevitable that after the main work of distributing medals was completed, the establishment should be greatly reduced. I cannot accept the suggestion in the last sentence of the Honourable Member's question that Government should re-employ clerks who are over age and unfit for further service.

RETRENCHMENT OF CLERKS IN THE MEDAL SECTION.

873. *Maulvi Muhammad Yakub: Will Government please state whether the clerks who were transferred, along with the Medal Section, from Simla to Calcutta, after being given 20 per cent. deputation allowance, and the clerks who were entertained in Calcutta, were, wholly or partly, paid from War Office funds? If so, did the retrenchment in the Medal Section occur on the recommendation of the War Office with a view to curtail their expenditure?

Mr. G. M. Young: The answer to the first part of the question is in the affirmative, and to the second part in the negative.

TRANSFERS OF CERTAIN OFFICERS OF THE POSTS AND TELEGRAPHS DEPARTMENT.

874. *Maulvi Muhammad Yakub: (a) Will Government be pleased to state whether Government have promulgated rules, regulating transfers of Deputy Assistant Electricians and Sub-Divisional Officers of the Engineering and Telephone Branches of the Posts and Telegraph Department? If so, would they table departmental regulations prescribed for the purpose?

(b) Has a time limit been fixed under the rules above, for each station or locality?

(c) Is it a fact that there is a general lack of uniformity in the manner transfers are being effected generally, i.e., some being provided prolonged tenures at places, whilst others, either stagnate at inconvenient stations or are jostled about oftener?

(d) Will Government be pleased to furnish a list of all such officials in all cadres, afore-mentioned, who have already served in the same place or post for over three years, indicating also respective periods involved?

(e) Are Government aware that a strong feeling exists throughout and amongst all cadres afore-named, that transfers could be conducted on better and more equitable lines than they are at present?

(f) Are Government prepared to review the whole question of transfers in all three branches?

Mr. H. A. Sams: (a) There are no special rules relating to the transfer of officials of the classes referred to. The officials are subject to the general rules regarding the conditions of transfer.

(b) No.

(c) As transfers of the officials referred to are effected in the interests of the service, there cannot be uniformity as regards the period for which an officer is stationed at a particular place.

(d) Information will be collected and will be furnished to the Honourable Member in due course.

(e) No.

(f) There appears to be no necessity for the action suggested.

CONDONATION OF BREAK IN SERVICE OF CERTAIN TEMPORARY EMPLOYEES.

875. *Maulvi Muhammad Yakub: (1) Will Government be pleased to state if it is a fact that:

(a) As a result of the Report of the late Incheape Committee, reduction in the establishment of different Departments of the Government of India was effected, and certain temporary men, having long temporary service at their credit at the time, were thrown out of employment and again provided for in Government Offices by the Staff Selection Board with a short break in service?

(b) Government granted leave up to some specified period to those retrenched temporary men who had four years' temporary service or over at the time of retrenchment?

(c) There is an article 420 (d) in the Civil Service Regulations to the effect that the break in temporary service shall be condoned if it is due to the reduction in establishment?

(2) If replies to part (1) be in the affirmative, are Government prepared to treat as leave or condone the break in service of the temporary men referred to in part (a) above to enable them to avail themselves of their long temporary service before the break for purposes of leave and pension?

Mr. C. W. Gwynne: 1. (a) Yes.

(b) Retrenched temporary employees, who had put in 4 years' continuous temporary service or more, were allowed to count that service for purposes of leave as if it had been permanent service.

(c) Article 420 (d) of the Civil Service Regulations provides, as an exception to the general rule that an interruption between two periods of service shall have the effect of making it impossible to reckon the earlier period as service for any purpose, that a loss of appointment owing to reduction of establishment shall not have that effect.

(2) The question of leave has already been disposed of on the merits of each individual case and Government do not propose to reopen the matter. The position regarding pension was explained in reply to Mr. Siddheswar Prasad Sinha's starred question No. 717 on the 23rd September, 1929.

MEDICAL ATTENDANCE FOR APPRENTICES AT THE KHARAGPUR WORKSHOPS.

876. *Mr. S. C. Mitra: (a) Will Government please state whether the facilities afforded in medical attendance and medical assistance to the apprentices in the Bengal Nagpur Railway Workshops at Kharagpur are equal for all and for all purposes, regardless of their race and class?

(b) If the reply to part (a) above is in the negative, will Government be pleased to state what are the differences observed, as regards the kind and quality of such attendance and assistance that are given to the Indian apprentices and particularly to the "A" grade apprentices from that given to the Anglo-Indian and European apprentices there?

(c) Are Government prepared to instruct the Railway to make the rules for medical facilities to their apprentices uniform? If not, why not?

Mr. A. A. L. Parsons: With your permission, Sir, I will answer questions 876, 877, 878 and 879 together. I have called for information and will communicate with the Honourable Member when it is received. I wish, however, to say that the Agent of the Bengal Nagpur Railway is personally investigating the question of removing the inequality, which must, I think, be admitted to exist in the treatment of European and Anglo-Indian and Indian apprentices in the Kharagpur Workshops, and the Honourable Member's questions will be useful in bringing particular points to his notice.

LEAVE ADMISSIBLE TO APPRENTICES OF THE KHARAGPUR WORKSHOPS.

†877. *Mr. S. C. Mitra: (a) Will Government please state what period of leave during the year, on full pay, is admissible to the apprentices in the Bengal Nagpur Railway workshops at Kharagpur, that counts towards their service and increments?

(b) Does the medical leave of apprentices at Kharagpur count for service and increments? If so, for how long does it ordinarily count in the year and what are the allowances granted to the apprentices while on medical leave?

(c) What other leave with full pay is admissible to the apprentices that counts for increments and service and is granted on extraordinary reasons?

(d) Is there any differential treatment observed for the Indian apprentices, particularly for the "A" grade apprentices, in respect of leave and - leave allowances from that of the Anglo-Indian and European apprentices in the Kharagpur Railway workshops?

(e) If the reply to part (d) above is in the affirmative, will Government please specify the differences observed and state reasons for the differential treatment?

COMPENSATION FOR INJURY FOR APPRENTICES OF THE KHARAGPUR RAILWAY WORKSHOPS.

†878. *Mr. S. C. Mitra: (a) Will Government be pleased to state whether any compensation for injury or disability caused in performance of their duty, is given to the apprentices in the Bengal Nagpur Railway workshops at Kharagpur?

(b) If the reply to part (a) above is in the affirmative, will Government please state whether the Workmen's Compensation Act is applicable in such cases?

(c) If the reply to part (b) above is in the negative, will Government please place on the table a copy of the rules that regulate the grant of such compensation to the apprentices in the Kharagpur Railway workshops?

(d) Have the Bengal Nagpur Railway had any occasion before to grant such compensation to any one of their Apprentices? If so, will Government please furnish the particulars?

(e) Is there any different ruling for the grant of such compensation to Indian and particularly to the "A" grade apprentices from that of the Anglo-Indian and European apprentices in the Kharagpur Railway workshops? If so, what is the reason for this differential treatment?

TRAINING OF APPRENTICES IN THE KHARAGPUR WORKSHOPS.

†879. ***Mr. S. C. Mitra:** Is it a fact that the rules governing the admission of apprentices in the Kharagpur Railway workshops lay down different kinds of distribution in their training for the different periods of apprenticeship of the Indian "A" grade apprentices, but there are no such conditions laid down in the rules for the European and Anglo-Indian apprentices there? If so, will Government please state the reasons for this differential treatment?

APPOINTMENT OF INDIAN OFFICERS IN THE OFFICE OF THE DEPUTY COMMISSIONER, DELHI.

880. ***Mr. S. C. Mitra:** (a) With reference to the reply to question No. 745 (b) in the Legislative Assembly Debates, dated the 25th February, 1929, will the Honourable Member in charge of the Home Department kindly say if it is a fact that a junior Anglo-Indian clerk was again imported in the office of the Deputy Commissioner, Delhi, to officiate as Office Superintendent in May or June, 1929, in supersession of long service assistants? If so, why?

(b) Will Government be pleased to state, if the post of the Registrar, office of the Chief Commissioner, Delhi, is reserved for Europeans and Anglo-Indians? If not, do Government propose to appoint an Indian to the said post on the occurrence of a vacancy?

Mr. C. W. Gwynne: (a) An Anglo-Indian Head Assistant from the Chief Commissioner's office on a higher rate of pay than any of the clerks in the Deputy Commissioner's office was appointed to officiate for one month for the Superintendent of the Deputy Commissioner's office while the latter was doing his military training. There was no racial discrimination.

(b) No. There is no vacancy at present and Government cannot give any undertaking of the kind suggested in advance.

APPOINTMENT OF A JUNIOR CLERK AS SUPERINTENDENT, REFORMATORY SCHOOL, DELHI.

881. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the Chief Commissioner, Delhi, has appointed an Anglo-Indian clerk of his Office as Superintendent, Reformatory School, Delhi, which is a gazetted post?

(b) If so, what are the technical and educational qualifications of the said gentleman to hold the post?

(c) Has he any previous experience of any juvenile jail, or of educational institutions? If not, on what considerations has a junior clerk been appointed to hold a post of such a responsible nature?

(d) Why have the claims of senior Head Assistant been ignored in filling the appointment?

Sir Frank Noyce: The information asked for is being collected and will be supplied to the Honourable Member later.

†For answer to this question, see answer to question No. 876.

ACCEPTANCE OF DALIS BY THE SUPERINTENDENT, DEPUTY COMMISSIONER'S OFFICE, DELHI.

882. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state, if it is a fact that the clerks in the Deputy Commissioner's Office, Delhi, have to pay a certain portion of their salary of the month of December and with the amount have to purchase presents and wait on the Superintendent of the Deputy Commissioner's Office, Delhi, with *dalis* on the Christmas Day?

(b) Is it a fact that the *dalis* were accepted by the Superintendent of the Deputy Commissioner's office on the last Christmas Day from his subordinate clerks? If so, what was the value of the presents received and with what motive were they presented and accepted?

(c) In view of the reply given by the Home Member to question No. 748 (a) on the 25th February, 1929 on the subject, are Government prepared to institute an inquiry as to whether the practice of accepting *dalis* is prevalent in the Deputy Commissioner's Office, Delhi?

Mr. C. W. Gwynne: (a) No.

(b) The Superintendent accepted a few trifling presents of fruit, nuts or flowers from his clerks. Government have no reason to suppose that the motive of acceptance as well as of presentation was anything but goodwill.

(c) The presentation related to one occasion only and no question of the prevalence of a general practice arises. Government do not therefore consider it necessary to hold an inquiry as suggested.

APPOINTMENTS AND PROMOTIONS IN THE DEPUTY COMMISSIONER'S OFFICE DELHI.

883. ***Mr. S. C. Mitra:** (a) Is it a fact that the appointments and promotions in the Deputy Commissioner's Office, Delhi, are not made with due regard to seniority and efficiency and that employees are given pay of the higher grades without actually performing the duties of the higher posts?

(b) Is it a fact that one clerk is working as a Vernacular Munshi, and his name is shown as an English clerk in the Deputy Commissioner's Office? If so, why is the Superintendent of the said office allowed to make such appointments?

Mr. C. W. Gwynne: (a) and (b). The reply is in the negative.

MEMORIALS FROM THE CLERICAL STAFF OF THE DEPUTY COMMISSIONER'S OFFICE, DELHI.

884. ***Mr. S. C. Mitra:** (a) With reference to the reply to question No. 746 (b) in the Legislative Assembly Debates, dated 25th February, 1929, will the Honourable the Home Member kindly say what has become of the memorials addressed to H. E. the Viceroy submitted by the clerical staff of the Deputy Commissioner's Office, Delhi, in June 1927?

(b) Were the memorials withheld? If so, under which rule of the memorial rules?

(c) Were the memorialists informed of their memorials being withheld? If not, why not?

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(d) If the memorials are still under consideration, how long does the Delhi Administration intend to take before submitting the memorials?

Mr. C. W. Gwynne: (a) I understand that they were returned to the Deputy Commissioner.

(b), (c) and (d). The memorialists had prayed for further increase of the salaries, etc., recently sanctioned by the Government of India and for the grant of house rent. The Deputy Commissioner was informed in December 1927 that the Chief Commissioner was not prepared to refer the matter to the Government of India, and it is understood that this decision was conveyed to the memorialists. The memorials were not technically withheld, and it would have been open to the memorialists to approach the Chief Commissioner again with a request that they should be submitted to the Government of India even though the Chief Commissioner was unable to support them. They have not done so yet.

PAY OF EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, ALIGARH.

885. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that a large number of workers in the Government of India Press, Aligarh, have been paid less than the pay sanctioned by Government for the posts they hold?

(b) If so, is it a fact that such procedure is contrary to the provisions of the Fundamental Rules?

(c) Why is the Manager allowed to cut the sanctioned pay of the workers and why does not the Controller of Printing exercise proper supervision in the matter?

(d) Is it a fact that wages to the extent of about Rs. 15,000 were cut and are Government aware that some of the workers had to live on one meal a day owing to the reduction of 25 to 30 per cent. of their wages?

The Honourable Sir Bhupendra Naih Mitra: An inquiry is being made and the result will be communicated to the Honourable Member in due course.

(Mr. President called Mr. Ranga Iyer to put question No. 887.)

Mr. Vidya Sagar Pandya: May I know, Sir, what has become of question No. 886?

Mr. C. W. Gwynne: I have been informed, Sir, by the Legislative Assembly Department that the Honourable Member has withdrawn this question.

Mr. C. S. Ranga Iyer: That is why I did not put question No. 886.

CORRESPONDENCE BETWEEN THE SECRETARY OF STATE AND THE GOVERNMENT OF INDIA ON CERTAIN MATTERS.

887. ***Mr. C. S. Ranga Iyer:** (a) Will Government be pleased to state if any correspondence has passed between the Secretary of State for India and the Government of India in regard to:

- (i) the arrest of Vallabhbhai Patel;
- (ii) the policy to be adopted towards the civil disobedience movement; and
- (iii) the representation of the Congress in the projected Conference of Princes and people in London?

(b) If so, will they be pleased to issue a white paper or make a statement regarding the said correspondence?

Mr. C. W. Gwynne: (a) (i) and (ii). The Government of India have been in communication with the Secretary of State in regard to the policy to be adopted towards the civil disobedience movement and have reported to him the facts regarding the arrest of Mr. Vallabhbhai Patel.

(iii) There has been no correspondence between the Government of India and the Secretary of State on this subject.

(b) The reply is in the negative. For the policy of the Government of India towards the civil disobedience movement the Honourable Member is referred to His Excellency the Viceroy's address to the Assembly on the 25th January last.

Mr. Vidya Sagar Pandya: May I know, Sir, if there is any truth in the newspaper report this morning that both Sardar Vallabhbhai Patel and the Lord Mayor of Calcutta are going to be released before their time? (*Several Honourable Members:* "No, no. It is Subhas Chandra Bose.")

Mr. C. W. Gwynne: I have no information, Sir.

PROMOTIONS OF SUBORDINATES ON THE EAST INDIAN RAILWAY.

888. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government please state the total increase in expenditure today incurred by the recent raising of wages of the menial, unskilled and skilled employees on the East Indian Railway?

(b) Will Government be pleased to state the total number of subordinates promoted to official grades, both temporary and permanent and how many of them are Europeans, Anglo-Indians, Hindus, Mohammedans and other classes?

Mr. A. A. L. Parsons: (a) I do not know to what particular revision of wages the Honourable Member refers. If he will let me know precisely what information he wants I shall be glad to furnish him with it, if possible.

(b) I have called for information and will communicate with the Honourable Member when it is received.

Lieut.-Colonel H. A. J. Gidney: In view of the stereotyped replies given by the Railway Board of collecting information, will the Honourable Member tell this House where the Railway Board usually place their collection boxes? These are evidently not put in the right places, because I have been waiting so long for a reply to this question.

(No answer was given.)

PROMOTION OF SUBORDINATES ON STATE RAILWAYS.

889. ***Lieut.-Colonel H. A. J. Gidney:** Will Government please state when they intend remedying the present position of a large number of subordinates on the State Railways officiating as officials by making them either permanent or improving their salaries?

Mr. A. A. L. Parsons: The position will be improved when the cadres of the superior establishments of State-managed railways are revised. Proposals for the revision of the cadres are about to be referred to the Central Advisory Council for Railways.

RATES OF PAY ON THE EAST INDIAN RAILWAY.

890. ***Lieut.-Colonel H. A. J. Gidney:** (1) Will Government please state whether:

(a) the revised rates of 1928 on the East Indian Railway were drawn up by the Railway Board; and

(b) these rates are applicable to the entire staff of the East Indian Railway, i.e., including those recruited before the date of the introduction of these rates?

(2) Will Government please state the cost of the staff before the 1928 rates of pay were introduced?

Mr. A. A. L. Parsons: (1) (a) No.

(b) A copy of Circular No. 485/A. E.-388, dated the 1st October, 1928, of the Agent, East Indian Railway, which contains a full answer to the Honourable Member's question, has been placed in the Library.

(2) The total cost of all staff of the East Indian Railway including superior officers in the year 1927-28 was Rs. 6,95,67,687.

Lieut.-Colonel H. A. J. Gidney: Is the Honourable Member aware that the Agent of the East Indian Railway, when giving his evidence before the Labour Commission, stated that it was the Railway Board who introduced these revised 1928 rates of pay and not the East Indian Railway Agent?

Mr. A. A. L. Parsons: No, Sir; I was not aware of that. In fact, I have not seen the evidence.

Lieut.-Colonel H. A. J. Gidney: I rise to a point of personal explanation, Sir. My question that was sent to the Legislative Assembly has been so altered as to render it absolutely innocuous. I asked for a difference between the total cost of pay of the subordinate establishments between the years 1928 and 1926. The important part has been omitted and the smaller part has been kept as it was.

Mr. President: Was the Honourable Member informed that his question was so altered?

Lieut.-Colonel H. A. J. Gidney: I was not informed of that, Sir.

Mr. President: I will look into the matter.

PAY OF POLICE INSPECTORS IN DELHI.

891. ***Lieut.-Colonel H. A. J. Gidney:** (a) Has the attention of Government been drawn to the grievances of the Delhi Province Police Inspectors, Sergeants and Sub-Inspectors in regard to their pay and prospects in consequence of the revision made from the 1st April, 1928, detailed in an article on page 9 of the August (1929) issue of the *Anglo-Indian Review* as follows:

(i) Great disappointment and discontent is prevailing among the above ranks owing to the adverse effect of the increments fixed and given;

(ii) the increments fixed for Inspectors (*viz.*, Rs. 7-8-0) are much too inadequate in comparison with Inspectors in Bengal (*viz.*, Rs. 12-8-0) and even in clerical and other services in most of which the rates of increments of Government servants drawing pay at Rs. 100—300 amount to not less than Rs. 10 or Rs. 20;

(iii) the senior officers in each grade have suffered considerable loss in not getting any incremental pay for their longer services as compared with junior officers;

(iv) in spite of representation against and recognition of the anomaly by the Departmental heads, nothing has been done to redress their grievances; and

(v) though in order of precedence and pay, duties and responsibilities, the Inspectors ranked with Tehsildars, the latter have since been elevated to be gazetted officers and given pay from Rs. 200 rising up to Rs. 375?

(b) Do Government propose to take any steps to go into this matter and redress the grievances of these servants?

(c) Is it a fact that whereas the Indian Imperial Police and Provincial Police Services have their own organisations to represent their disabilities, Inspectors, Sergeants and Sub-Inspectors are not permitted to have such bodies?

(d) If so, are Government prepared to issue instructions to their Departmental officers to permit the formation of such Associations?

Mr. C. W. Gwynne: (a) (i) to (v). I have not seen the article referred to, but my information is that the introduction of the time-scale for the old graded system of pay has, on the whole, given satisfaction to the ranks concerned. The rate of increment for Inspectors in Bengal is Rs. 25 biennially, not 12-8-0 annually as suggested. In the clerical service of the Government of India Secretariat, and Attached Offices, the rates of increment vary, but it is not a fact that the minimum increment in scales running to Rs. 300 is Rs. 10. Officers who happen to be at, or very near, the top of their particular grade, naturally got a smaller increase of pay immediately under the new time-scale than they would shortly have received under the grade system, and officers who at the time of revision happened to be at or near the bottom of their particular grade, received an increase of pay immediately, which they would not for many years have received under the grade system, but such anomalies must be regarded as inevitable in a change of system from grades to a time-scale. Individual cases of hardship have been brought to the notice of departmental heads of the service. I understand that Inspectors ranked with, but junior to, Tehsildars, and that the latter have been created gazetted officers on a pay ranging from Rs. 200 to 375.

(b) The Inspectors, Sergeants and Sub-Inspectors at Delhi belong to the cadre of the Punjab police. The Government of India do not contemplate action in the matter.

(c) Subject to compliance with the rules laid down by the Government of India, the formation of Associations of police officers of the ranks mentioned is permitted, but it is for the Local Government to prescribe the rank

or ranks which may comprise an association and to accord recognition. For the reason stated in reply to part (b), the Local Government concerned in this case is that of the Punjab.

(d) Does not arise.

Lieut.-Colonel H. A. J. Gidney: In view of the Honourable Member's reply that the increase in the Bengal Police Inspectors' grade is Rs. 25 biennially, surely I am right in assuming that the increase annually is Rs. 12-8-0? This is obvious?

Mr. C. W. Gwynne: No, Sir, payment is not made annually.

SUPPLY OF TIMBER FROM THE ANDAMANS TO MATCH FACTORIES IN INDIA.

892. *Sir Darcy Lindsay: (a) Will Government be pleased to state what has been the supply of timber during the year 1929-30 from the Andamans to match factories in India and Burma?

(b) Have the demands for this special class of timber been fully met, and what has been the allocation by the Andamans Administration to the several match factories which have indented for it?

(c) What steps have Government taken to ensure that indents of the Indian companies and firms receive full consideration and that undue preference will not be given to any particular company? What steps have Government taken to ensure that no long term contract will be entered into which is likely to be prejudicial to the interests of the Indian companies as a whole?

(d) Will Government be pleased to state whether they have arrived at any definite conclusions on the Report of the Indian Tariff Board, and if so, as to what action they propose to take in order to conserve this growing industry to Indian interests?

(e) What steps are being taken by the Forest Department to discover suitable woods for match manufacture that can be extracted in quantity and readily transported to factories, as recommended by the Tariff Board on page 102, in paragraphs 21 and 22 and on page 118, in paragraph 25 of their Report?

Sir Frank Noyce: (a), (b) and (c). Information is being collected and will be supplied to the Honourable Member as soon as possible. The Honourable Member may rest assured that his suggestion that indents of Indian companies and firms for timber required for match factories in India and Burma should receive full consideration and that undue preference should not be given to any particular firms will be sympathetically explored.

(d) and (e). The proposals of the Indian Tariff Board referred to by the Honourable Member have been under consideration for some time. They were discussed with the Inspector General of Forests who, in August 1928, submitted proposals which included the establishment of an experimental match factory at Dehra Dun. As the appointment of a Special Committee to report on the future scope of the activities of the Forest Research Institute was contemplated by Government, it was decided to postpone action on the Inspector General of Forests' recommendations until this Committee had also had time to examine them. The desirability of this course of action was also indicated by the need for ensuring

that the definite research project, which the Tariff Board recommended should be drawn up, should be framed with due regard to economy. The Forestry Committee dealt with this matter in paragraph 54 of their Report, of which copies will be found in the Library of the House. Stated briefly, their recommendation was that before any project was drawn up, or any elaborate manufacturing plant installed at the Institute, a meeting of the representatives of the match trade should be convened and their exact requirements ascertained. The Inspector General of Forests was accordingly authorised to convene a conference of such representatives. Unfortunately, his efforts in this direction did not evoke sufficient response and the idea of the conference had, therefore, to be abandoned. The Government of India are now in communication with Local Governments regarding proposals which the Inspector General of Forests has submitted to provide for testing at Dehra Dun all species of Indian wood that appear to be suitable for use in the manufacture of matches and then testing them on a manufacturing scale at one of the match factories in India, and for ascertaining the requirements of match factories and arranging with provincial Forest Departments not only for the utilisation to the best possible advantage of available supplies but also for the selection of new areas for growing suitable species of timbers. The views of Local Governments on these proposals are now awaited.

Sir Purshotamdas Thakurdas: The question raised here does not affect any particular individual. It is a matter in which match factories all over India are interested. May I ask whether Government are prepared to place the reply on the table of the House?

Sir Frank Noyce: The reply to (a), (b) and (c)?

Sir Purshotamdas Thakurdas: Yes.

Sir Frank Noyce: Certainly.

Sir Purshotamdas Thakurdas: I thought the Honourable Member said that he would supply the answer to the Honourable Member who put the question.

Mr. President: It will be placed on the table.

Sir Purshotamdas Thakurdas: May I ask if Government are prepared to draw the attention of the Andamans' Administration to what is indicated in the latter portion of question (c).

Sir Frank Noyce: By all means. I would explain to the Honourable Member that we are endeavouring to find out from the Andamans' Administration exactly what the system there is at present. The suggestion now made by the Honourable Member will certainly be duly considered if the reply we receive from the Andamans' Administration shows that the practice is not being followed already.

Mr. Vidya Sagar Pandya: Will the Government make inquiries as to whether suitable timber is available there for manufacturing pencils also?

Sir Purshotamdas Thakurdas: My question was, will Government consider the desirability of asking the Andamans' Administration not to enter into any long term contract pending their making the reply available to this House.

Sir Frank Noyce: I think we should get the reply of the Andamans' Administration in the course of the next few days. I do not think there is the smallest danger of their entering into any fresh contract before we get their reply.

Sir Purshotamdas Thakurdas: My point is, that some time may elapse between the time the Government get the reply and the time when Government can make that reply available to this House. Will Government consider the desirability of asking the Andamans' Administration not to enter into a long term contract until the Assembly has had an opportunity of making a representation to Government, based on the reply which we may get hereafter?

Sir Frank Noyce: I am certainly prepared to consider that question.

Mr. Vidya Sagar Pandya: My question has not been answered.

Mr. Sarabhai Nemchand Haji: Will Government take steps to see that the benefit under this scheme goes to genuine Indian companies and not to the so-called indigenous companies, about which we have come to know, and which are only controlled by foreigners?

Sir Frank Noyce: I must ask for notice of that question.

Mr. Sarabhai Nemchand Haji: Is the notice required because the Honourable gentleman does not know the difference between a genuine Indian national company and an indigenous company which sails under false pretences and is controlled by foreign interests?

Sir Frank Noyce: The Honourable Member's question raises an important issue of policy and therefore I must ask for notice.

DECENTRALISATION OF THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL TELEGRAPHS, CALCUTTA.

893. ***Mr. S. C. Mitra:** 1. (a) Is it a fact that the office of the Deputy Accountant General, Telegraphs, Calcutta, is going to be decentralised? If so, when is it going to take effect?

(b) Will Government please state what is the approximate cost estimated for this scheme? What is the necessity and importance of this scheme? What is the urgency for immediate action during the financial stringency of the Government revenue?

(c) Is the decentralisation likely adversely to affect the system of commercialisation of accounts that has been lately taken up?

2. (a) Is it a fact that the decentralisation of the office of the Deputy Accountant General, Telegraphs was not originally approved by the Auditor-General, but after persistent demands from Mr. Jagat Prasad, the Auditor-General gave his approval?

(b) Are Government going to make arrangements for house accommodation for the employees in Nagpur and Madras, or are they going to grant house-rent allowance for the employees?

The Honourable Sir George Schuster: 1. (a) Yes; the decentralisation is expected to be completed by the end of August or September 1930.

(b) Against a gross recurring saving of about Rs. 37,000 per year there will be:

- (i) recurring extra expenditure of Rs. 22,600 per annum; and
- (ii) non-recurring expenditure of Rs. 1,15,000.

Decentralisation has been found advisable mainly on the following grounds:

(1) Decentralisation is a natural corollary of the unification of the Engineering Circles and the Postal Circles on the administrative side. The audit officer, through decentralisation, will be enabled to maintain closer touch with the Executive and to exercise more effective supervision over the divisional accountants.

(2) Besides improving the general efficiency of engineering audit, the decentralisation is expected to economise time and expenditure on local inspections and to facilitate the introduction of a system of intensive inspections.

(3) The decentralisation is expected not only to increase efficiency but also to produce some economy as already indicated. I may add that the proposals were very fully explained to and accepted by the Standing Finance Committee.

(c) No.

2. (a) No.

(b) The matter has been considered, but it is not proposed at present to take any action in the direction indicated, as it is understood that there is no special difficulty in securing house accommodation at a reasonable rate in the two places mentioned. Government quarters are not provided generally for clerks in these places.

SHORTAGE OF QUARTERS FOR EMPLOYEES OF NON-MIGRATORY OFFICES AT NEW DELHI.

894. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state the total number of non-gazetted Government servants belonging to the non-migratory offices at New Delhi, such as the Indian Stores Department, Accountant General, Central Revenues, etc., who applied for, but were not allotted any, Government quarters at New Delhi during either of the last two winter allotments?

(b) Is it a fact that the migratory staff are allowed conveyance allowance if they fail to secure any quarters at New Delhi and reside outside that area?

(i) Is it a fact that this conveyance allowance is denied to the non-migratory servants under the same circumstances?

(ii) Will Government please state the reasons for such a distinction?

(c) Are Government aware that well ventilated and healthy private houses are not available in New Delhi and Delhi?

(d) Is it a fact that the non-migratory staff are in receipt of less emoluments than those of the same status in migratory Government Departments?

(e) Do Government propose to consider the claims of these men when allotting Government quarters for the next winter?

The Honourable Sir Bhupendra Nath Mitra: (a) 348 in 1928-29.

429 in 1929-30.

(b) Conveyance allowance is granted to persons of the class indicated who apply for, but cannot be provided with, Government accommodation in New Delhi, if they in consequence have to live in the Old Delhi Notified Area and attend office in New Delhi.

(b) (i) Yes.

(b) (ii). The reason is that, save in exceptional circumstances, an officer is not entitled to conveyance allowance for the purpose of attending office.

(c) Government are aware that there are very few private houses available in New Delhi, while there is difficulty in finding good accommodation at reasonable rates in old Delhi.

(d) I have no precise information in the matter, but doubt whether this is true as a general proposition.

(c) Government do not see any reason to give preference to non-migratory staff over the migratory staff in the matter of allotment of quarters.

Lieut.-Colonel H. A. J. Gidney: Will Government give equality and not preference? Equality is asked for, not preference.

The Honourable Sir Bhupendra Nath Mitra: The relative claims of the two categories are always considered before allotments are made.

CONTRACT FOR COPYING PORTRAITS OF THE KING AND QUEEN.

895. ***Dr. B. S. Moonje:** (i) Will Government please state if it is a fact that, in the Fine Arts Exhibition recently held in Delhi, two artists, Messrs. Fernandis and Kelkar, were declared to be the best of all others and given first prizes particularly in the competition for copying pictures of well known European artists and for drawing original pictures of their own on the European style?

(ii) If so, are Government aware that the contract of copying the pictures of Their Majesties the King and the Queen has not been given to these two artists, but to others?

(iii) If so, will Government please state the reasons thereof?

(iv) Is it a fact that these artists have submitted a representation to the Government against what they believe to be an injustice done to them?

(v) If so, how has their representation been disposed of?

The Honourable Sir George Schuster: (i), (ii) and (iii). I would invite the Honourable Member's attention to the Press communiqué dated the 3rd March, 1930, issued by the Military Secretary to His Excellency the Viceroy, which explains the position.

(iv) No representations have been received by Government from Messrs. Fernandis and Kelkar.

(v) Does not arise.

REPORT BY MR. HAYMAN.

896. ***Maulvi Muhammad Yakub:** (a) Are Government aware that in reply to my starred question No. 631, put on the 18th March, information as to the Report of the inquiry made by Mr. Hayman was not supplied?

(b) Will Government be pleased to reply to all the points raised in my starred question No. 631, put on the 18th March, 1930?

(c) Will Government be pleased to supply the House with a copy of the Report of Mr. Hayman? If not, why not?

Mr. A. A. L. Parsons: (a) On the contrary, it was explained in the reply given to the Honourable the Deputy President, who asked what was the nature of the grievances investigated by Mr. Hayman, what were his findings on those grievances and what steps were taken by the authorities on his report, that the grievances fell into two categories, first general, and second with regard to the treatment of particular individuals. A memorandum detailing the general grievances and explaining the action taken on them was placed in the Library. It was also explained that in those of the individual cases which he investigated, Mr. Hayman found no reason to propose an alteration in the orders passed by the East Indian Railway authorities, but he suggested that some of them should be re-examined by the Agent, to whom my Honourable friend might apply for any information he desired. My Honourable friend also asked what action had been taken by the Railway Board and he was referred to a letter which had been sent to him. That letter explained that the Agent of the East Indian Railway would, when he considered it desirable to do so, instruct the Divisional Superintendent to meet the officials of the East Indian Railway Union at Moradabad, and, subject to any general or specific instructions issued by him, discuss the merits of any particular case with the officials of the Union. That was a complete account of the action which has been taken by the Railway Board. I regret that I am not prepared to lay a copy of Mr. Hayman's report on the table for it is a confidential document, but if the Honourable Member will let me know any specific points on which he requires further information I will see if it can be supplied to him.

Maulvi Muhammad Yakub: Will Government kindly state if any action has been taken by the Divisional Superintendent as yet.

Mr. A. A. L. Parsons: I am unable to say. If the Honourable Member will give me details of cases on which he would like to have information, I will see whether I can obtain that information for him, including the question whether the Divisional Superintendent took any action.

UNSTARRED QUESTIONS AND ANSWERS.

DESCRIPTION OF EMPLOYEES OF GOVERNMENT OF INDIA PRESSES.

330. **Mr. Mukhtar Singh:** (a) Is it a fact that some employees of the Government of India Presses have recently been converted from "industrialists" to "ministerialists"?

(b) Is it the intention of the Government that the Factory Act will not apply to such men now?

(c) Is it not a fact that the men so converted are still working the same number of hours daily as before?

(d) Do Government intend to reduce their time and bring it to the level with the clerical establishment?

(e) What are their advantages and disadvantages under such change?

The Honourable Sir Bhupendra Nath Mitra: (a) to (e). Certain employees of the Government of India Presses have been declared as "ministerial" for the purpose of the Fundamental Rules. The distinction between ministerial and non-ministerial officers is quite different from the distinction between clerical hands and industrial hands. The declaration referred to does not affect the working hours or the emoluments of the men concerned or the applicability of the Indian Factories Act.

HOLIDAYS IN THE GOVERNMENT OF INDIA PRESS, DELHI.

331. Mr. Mukhtar Singh: (a) Is it a fact that the Home Department of the Government of India issued a circular No. F-47/2/29-Public, dated the 7th February, 1930, recently sanctioning some more holidays for the Government of India Secretariat and Attached Offices?

(b) Is not the Government of India Press, Delhi, an attached office?

(c) Has the circular been sent to the said Press?

(d) If not, where is it being delayed, and why?

(e) Is it not a fact that, by this delay, the Press has already been deprived of a few holidays since the circular issued?

(f) Are Government prepared to see that holidays sanctioned for Attached Offices and observed in the office of the Controller of Printing and Stationery are given to the Press also?

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

(b) to (f). The question of the applicability of the orders to the employees of the Government of India Press, Delhi, is at present under the consideration of Government.

LATE HOURS AT THE GOVERNMENT OF INDIA PRESS, DELHI.

332. Mr. Mukhtar Singh: (a) Is it a fact that every year some men are compelled to come to office at 10 A.M. for Princes Conference work and are made to work up to 11 P.M. in the Delhi Press?

(b) Is it not a fact that many protests were made to the Manager, without any effect?

(c) Is it not also a fact that no special concession is allowed to men working so late at night?

(d) Do Government propose to stop the practice and compel no men to attend office at any other time than the usual attendance time?

The Honourable Sir Bhupendra Nath Mitra: (a) During the few days the Chamber of Princes is in session at Delhi, a few men are usually booked to attend at 10 A.M. in connection with the printing of the proceedings.

(b) No representations have been made to the Manager in this connection.

(c) Men working late at night are paid overtime at special rates.

(d) Government do not consider it necessary to issue any orders on the subject.

ALLOWANCES OF READERS OF GOVERNMENT PRESSES.

333. Mr. Mukhtar Singh: (a) Will Government please state why acting allowance is not given to readers of Government Presses except the head readers?

(b) Is there no difference of responsibility between first, second and press readings?

(c) Is it not a fact that the Honourable Sir Bhupendra Nath Mitra, in reply to a question of Mr. S. C. Mitra last year, admitted that because of this difference in responsibility, so many grades have been kept?

(d) Is it not a fact that some readers of the Government of India Press, Delhi, have recently been shown as acting and are being given the acting allowance by order of the Controller?

(e) Will Government please explain how this has been done?

(f) Are Government prepared to sanction such allowances to readers whenever any vacancy occurs or a man goes on leave? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The attention of the Honourable Member is invited to the reply given by me on the 3rd April, 1929, to part (c) of Mr. S. C. Mitra's unstarred question No. 453.

(c) The Honourable Member is presumably referring to the reply given by me on the 30th January, 1929, to part (a) of Mr. S. C. Mitra's starred question No. 274. In comparing the duties of readers and revisers I stated that the responsibilities of a reader vary according to the grade in which he is employed.

(d) No.

(e) Does not arise.

(f) No. Because no such allowance is admissible under the Fundamental Rules in this case.

FORMATION OF A SEPARATE PROVINCE OF KANARESE-SPEAKING PEOPLE.

334. Rao Bahadur B. L. Patil: (a) Will Government be pleased to state whether representations have been received by the Government of India regarding the formation of a separate Province of all the Kanarese-speaking territories now distributed between more than one administrative unit?

(b) Are Government aware that the Nehru Committee appointed by the All-Parties Conference, 1928, held that a *prima facie* case was made out for unification and formation of Karnatak as a separate Province?

(c) Will Government be pleased to state whether the British Karnatak Association submitted its memorandum to the Simon Commission and to the Simon Committee of Bombay on this subject?

The Honourable Sir James Crerar: (a) and (b). The replies are in the affirmative.

(c) Government have no information.

RECKONING OF TRADE UNIONS AS PUBLIC INSTITUTIONS.

335. Pandit Nilakantha Das: (a) Will Government be pleased to state whether the Trade Unions, registered under the Trade Unions Act, are reckoned as public institutions? If not, why not?

(b) If they are reckoned as public institutions, what facilities do Government provide them for their smooth working?

(c) Are they required to pay court fees in litigations and in other matters in which the assistance of the Court is sought by the Unions?

The Honourable Sir Bhupendra Nath Mitra: (a) A registered trade union is not a public institution in the sense that it affects or belongs to the State or to the community at large.

(b) Does not arise.

(c) As far as I am aware a registered trade union enjoys no special privilege in regard to the payment of court fees.

WELFARE COMMITTEES AND THE BENGAL AND NORTH WESTERN RAILWAY-MEN'S ASSOCIATION.

336. Pandit Nilakantha Das: (a) When was the Bengal and North Western Railwaymen's Association started and when the Staff Welfare Committees on that Railway?

(b) Is it a fact that in the Bengal and North Western Railway, an officer of high rank performs the functions of the President and another works as Secretary of the Welfare Committees? If so, what is the principle underlying this practice?

(c) Were men among subordinate rank not available for filling up these offices?

(d) How many meetings of these Committees were held during the year ending the 31st March, 1929, and how many meetings of the Executive Committee of the Bengal and North Western Railwaymen's Association were held during the same period?

(e) Will Government be pleased to lay on table, a copy of the constitution of the Welfare Committees of the Bengal and North Western Railway and another of the Bengal and North Western Railwaymen's Association? If not, why not?

Mr. A. A. L. Parsons: I have called for information from the Agent of the Railway and will communicate with the Honourable Member when it is received.

FUTURE ADMINISTRATION OF THE BENGAL AND NORTH WESTERN RAILWAY.

337. Pandit Nilakantha Das: (a) Has attention of Government been drawn to a resolution passed at the Jharia Session of the All-India Congress held in December, 1928 and printed at page 58 of Appendix of the "Report and the Congress Constitution of the All-India Trade Union Congress, Ninth Session, 1928", urging upon the Government of India to take over charge of the Bengal and North Western Railway Administration as soon as its present contract with Government expires on the 31st December, 1932, in view of deplorable condition of the subordinate staff on the said Railway?

(b) If reply to part (a) be in affirmative, will Government please state whether the said resolution has been recorded for consideration when the question, regarding its future administration, comes for final consideration in 1931? If their attention has not been drawn to the resolution, are Government prepared to call for a copy of it? If not, why not?

Mr. A. A. L. Parsons: (a) and (b). Government are in possession of a copy of the resolution referred to.

COST OF WATCH AND WARD STAFF ON COMPANY-MANAGED RAILWAYS.

338. Pandit Nilakantha Das: (a) Will Government be pleased to state whether the payment for "watch and ward" on the Company-managed railways is borne, in India, out of the Government revenue?

(b) If so, what have they to spend for it on the Bengal and North Western Railway per annum?

(c) How many watchmen are employed on this Railway and what is their wage?

(d) Are there any other staff? If so, what is their position and how much has the Company to incur per month?

Mr. A. A. L. Parsons: (a) Yes, the charge is met from railway revenues.

(b) Between Rs. 75,000 and 80,000.

(c) and (d). Government have no information.

RECOGNITION OF UNIONS BY THE RAILWAYS.

339. Pandit Nilakantha Das: (a) Will Government be pleased to state the number, title and address of the unions of the railway employees and of their officers?

(b) How many unions of the railway employees are registered under the Trade Union Act and how many out of them are recognised by the Agent of the Railway?

(c) Which of their unions are not recognised and what are the reasons for their non-recognition?

(d) What steps Government propose to take to have recognised the unrecognised union?

(e) What facilities are provided to the unions by the Agent for organisation of the railway employees?

(f) (i) Do railway authorities deduct from the wages of members, the subscription due to recognised unions? (ii) Are the officers of such unions given passes to travel free in order to organise staff on the line? (iii) Are the correspondence between the unions and their members and their publications carried over the respective railways free of charge? (iv) Do the Railway authorities provide such facilities to the institutes of their employees? If so, why do they not provide these facilities to the Unions?

Mr. A. A. L. Parsons: (a), (b), first part of (c) and (e). A statement giving the information required has been placed in the Library of the House.

Second part of (c) and (d). The recognition of railway unions has been left to the Agents of railways and Government do not propose to call for the reasons why recognition has been withheld from particular unions or to take any steps to have all or any particular unions recognised.

(f) (i), (ii) and (iii). No.

(iv) Institute subscriptions are recovered through the medium of salary bills. Information in regard to the other points is not available.

It is not proposed to extend to Railway Unions concessions allowed to Railway Institutes as the two organisations are different in character.

RESOLUTION PASSED AT THE TRADE UNION CONGRESS AT JHARIA.

340. **Pandit Nilakantha Das:** (a) Has the attention of Government been drawn to resolution No. 53, passed at the ninth session of the All-India Trade Union Congress, at Jharia, in December, 1928, and printed at page 53 of appendix of the Report and Constitution of the Congress of the same year?

(b) (i) If so, do Government propose to investigate the allegations and claims contained in the said resolution? (ii) If not, why not?

(c) If their attention has not been drawn to it, do Government propose to obtain a copy of the said resolution for their consideration? If not, why not?

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

(b) No; but I would like to point out that a systematic examination is being made of the suitability of the rates of pay of the lower paid establishments of railways.

(c) Does not arise.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

341. **Pandit Nilakantha Das:** With reference to the reply given to unstarred question No. 349 on the 18th of March, 1929, will Government be pleased to state whether they were able to obtain the cutting referred to in the question? If so, what action were Government pleased to take?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the affirmative.

As regards the second part, I would invite attention to the reply given on the 20th January, 1930, to question No. 52 by Khan Bahadur Sarfuraz Hussain Khan.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

342. **Pandit Nilakantha Das:** With reference to the reply given to unstarred question No. 336 on the 18th March, 1929, will Government be pleased to state whether they propose to answer the second part of my question? If not, why not?

Mr. A. A. L. Parsons: A reply was given to the second part of the question to which I understand the Honourable Member to refer.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

343. **Pandit Nilakantha Das:** With reference to the reply given to unstarred question No. 341 on the 18th March, 1929, will Government be pleased to state whether they propose to obtain the solicited information? If not, why not?

Mr. A. A. L. Parsons: Government are not prepared to call for the information as it cannot be procured without an expenditure of time and labour that would be entirely incommensurate with the value of the results obtained.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

344. **Pandit Nilakantha Das:** (a) With reference to unstarred question No. 347 and the reply given to it on the 18th March, 1929, will Government be pleased to state if they propose to obtain the required information? If not, why not?

(b) If they propose to obtain the information, are Government prepared to obtain the figures that stood on any of the days before the 6th March, 1929?

Mr. A. A. L. Parsons: (a) Government are not prepared to call for the information as it cannot be procured without an expenditure of time and labour that would be entirely incommensurate with the value of the results obtained.

(b) Does not arise.

PUNISHMENT INFLICTED ON THE ACCUSED IN THE BHATNI TRAIN COLLISION.

345. **Pandit Nilakantha Das:** (a) With reference to the reply given to unstarred question No. 340 on the 18th March, 1929, will Government be pleased to state what punishment has been inflicted upon the accused in the Bhatni train collision case?

(b) Is it a fact that they were dismissed from their service before their prosecution?

Mr. A. A. L. Parsons: (a) The Jemadar has been sentenced to eighteen months rigorous imprisonment with a fine of fifty rupees. The Assistant Station Master and pointsmen have been acquitted. The three men have been dismissed from the railway service.

(b) Yes.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further consideration of the amendments moved by Mr. Shannukham Chetty* and Pandit Madan Mohan Malaviya† on the 27th March, 1930.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): **Mr. President,** when the Assembly rose yesterday, I was drawing the attention of the House to the situation created by the persistent refusal of the Government

*“In sub-clause (1) of clause 2, for the proposed Item No. 156-A., the following be substituted:

‘156-A. Cotton piece goods (other than fents of not more than nine yards in length)—

(a) plain grey, that is, not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings;

(i) of British manufacture . . . *Ad valorem* 15 per cent. or 3½ annas per pound whichever is higher.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent. or 3½ annas per pound, whichever is higher.

(b) Others—

(i) of British manufacture . . . *Ad valorem* 15 per cent.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent.’.”

†“In sub-clause (1) of clause 2, for the proposed Item No. 156-A., the following be substituted:

‘156-A. Cotton piece-goods . . . *Ad valorem* 15 per cent. or 3½ annas per pound, whichever is higher.’.”

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of India to lay on the table of this House the letter or cablegram which the Government of India addressed in the first instance to the Secretary of State in connection with their proposals for taxation for this year; and I was going to say that the Government have not the courage to lay it before the House because it seemed to me that they were aware that, if the letter was laid before the House, it could not support the position which they have taken up, and that on the contrary, it would lend support to the contentions which we are placing before this House. This view is confirmed by the answers which the Honourable the Finance Member gave yesterday to some of my questions. The position which has arisen in the debate is this, that the Government of India have agreed—at any rate, they have not disputed the correctness of the proposition—that when they sent up their proposals of taxation in the first instance to His Majesty's Secretary of State for India, there were two proposals among them relating to cotton piece-goods, namely, an increase from 11 per cent. to 15 per cent. in the general revenue duty and of $3\frac{1}{2}$ annas per lb. on plain grey goods as a protective duty. But on my asking him why it was that, on the receipt of the message from His Majesty's Government, he decided to raise the duty to 20 per cent. on all non-British cotton goods, with a minimum of $3\frac{1}{2}$ annas per lb. on plain grey goods, the Honourable Sir George Schuster told us something which throws some light on the situation. He said:

"The question of putting up the duty to something higher than 15 per cent. had always been under consideration ever since the deputation of the millowners interviewed my Honourable colleague and the Acting Finance Member at the time on the 8th of December. The claim on behalf of the millowners had always been for a protective duty of 20 per cent. The Government of India's difficulty was to find justification for imposing an all round duty of 20 per cent., and it had always been in the minds of the Government of India that it would be easier if they could find some principle of discrimination which would avoid this very heavy burden on consumers, by putting a duty on to a large quantity of goods which could not, within the period under contemplation, be manufactured by Indian mills. It was the difficulty of finding that principle of discrimination which had prevented Government from being able to satisfy themselves that they were justified in imposing a duty of 20 per cent."

This makes it quite clear that the Government of India felt from an early stage, after the 8th of December, that the demand of the millowners of Bombay in particular and of India in general for a 20 per cent. all round duty on imports of cotton goods was a reasonable one. It was not a demand which could be dismissed as obviously unjust. And though the Government of India, in their first proposals, did not have the courage to put forward any such proposal, as we understand, in the darkness which has been created and maintained by them by keeping back the correspondence from us, they still had that fact present in their mind. Their conscience was still stinging them that they had not given that much protection to the Bombay industry that it deserved in the circumstances. They were conscious that, having raised the rupee ratio to 1s. 6d., they had inflicted a loss of 12½ per cent. upon the industry, and had presented a bonus of 12½ per cent. to every foreign manufacturer who sends his goods to India. Being conscious of that fact, they felt all the time that they had not done enough justice to the millowners of Bombay. But they could not see their way how to solve the difficulty. It is here that the letter which we have asked for and which has not been produced, would probably throw some light. But I am sorry we have to depend upon conjectures. In the circumstances my conjecture is that, if that

letter were laid on the table, it would show that the Government of India did assert, in their correspondence with His Majesty's Government, that the demand of the millowners for a 20 per cent. all round duty was not an unreasonable demand, and that therefore they had to find some excuse for not accepting it. If the letter, I submit, were laid on the table, it would support this view that the Government of India did say, in that correspondence, that the demand of the millowners for a 20 per cent. all round duty was not unreasonable. This view is supported by the answer which the Honourable the Finance Member gave yesterday. He says that, from the 8th December onward, the demand of the millowners for a 20 per cent. all round duty was always present to his mind. He was always thinking how to accept that demand and what to do in the circumstances. He had before his mind the picture of Lancashire rising in rebellion and throwing out of office the Government in power. As the Honourable Sir George Rainy reminded us yesterday, the British Government had been put in jeopardy on two previous occasions in connection with Indian cotton duties. The Government were very much perplexed and did not know what to do. They could not think of agreeing to a 20 per cent. all round duty on all imported cotton goods because that would bring them face to face with Lancashire, and Lancashire has been more powerful in the chequered and unhappy history of India's relations with England than any other single interest. Lancashire could not be opposed, and therefore they could not think and could not muster up courage enough to do justice to the Bombay mill industry by proposing a duty of 20 per cent. on all cotton goods.

Sir Hugh Cocke (Bombay: European): May I ask the Honourable the Pandit whether, in his view, putting Lancashire aside, it would have been a good thing for the Indian consumer to pay this 20 per cent. duty all round?

Pandit Madan Mohan Malaviya: Yes, and I will answer that question in detail later on. Now, Sir, the Honourable Sir George Schuster made it very clear in the answers which he was good enough to give to my questions, that the Government did all along feel that something more than 15 per cent. of general revenue duty and $3\frac{1}{2}$ annas per pound of protective duty was needed to give protection to the Bombay industry. If so, I entirely agree with the view that the Bombay industry needs full 20 per cent. today. Not only that, it needs more. And if we had it in our power, we would give that protection to the Bombay industry today. Let there be no misunderstanding on that point. But the Government would not make up their mind to put forward such a proposal for the dread of Lancashire. What did they do? They sent up the proposals, which were all that they could rise up to in the situation. And when His Majesty's Government drew attention, as they were bound to do, because His Majesty's Government consists of English patriots, to the probable serious effect of those proposals on the Lancashire cotton industry, the Government of India put forward their new proposals of preference to United Kingdom goods. Our friends on the other side are also patriots, and not the less so by reason of their being members of the Government of India. I was rather taken aback by Sir George Rainy fighting shy of asserting that position. It would have been perfectly straightforward to get up and say that they have the interests of their own country at heart, and that therefore they had put forward the proposal that they did. It is deplorable that, while we

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have been associated with this Government for such a long time, we have not learnt to practise the same amount of patriotism. But the reason is obvious. Subordination to a foreign Government is the greatest curse that can fall upon any nation. (Hear, hear.) It destroys the manhood in the people and it affects their moral fibre to a terrible extent. A foreign bureaucratic government is a body which corrupts the people over whom it exercises its power, its patronage and its influence. Its very presence has a corrupting influence.

But, Sir, to come back to my point, the Government did not put forward an all-round 20 per cent. duty because they could not face the wrath of Lancashire. I am asked by my Honourable friend, Sir Hugh Cocks, would it not inflict a very heavy burden on the consumer if an all-round 20 per cent. duty was imposed? That is the one plea urged by the Honourable the Finance Member and the Honourable the Commerce Member in offering such weak justification as they have been able to offer for not imposing a 20 per cent. duty all-round. Let us examine it. I think, Sir, I can claim that every fibre of my soul lives in sympathy with my people. Their happiness has been the happiness of my ideals and their sorrows have been the sorrows of my life. I am naturally anxious that not a single iota of burden should be laid upon the people where it is not justifiable in the circumstances. I will be the last person to say that, without compelling necessity, five per cent. more duty should be placed upon the consumer of cloth than is proposed by the Government. But why do I say still that I am prepared to support it? It is for very good reason. This wicked system of Government which is conducted on principles which take no account of justice or reason and is most extravagant is a curse. The salaries paid are intolerably high. Public expenditure has been maintained at an extremely high level, in spite of protests of the people. Time after time, whenever the Government have been under the necessity of finding more money, with very few exceptions they have resorted to fresh taxation. Even in this year when there is any amount of unemployment and suffering in the land, Government have quietly imposed taxation of over five crores upon the people, and, what is most galling, with the support of a certain number of elected Members of this House. Why, then, Sir, do I still support the proposal? Because it would enable a great national industry, the second in importance in this country, this great cotton industry of India, to stand upon its legs, to find that shelter and protection from foreign industries and from foreign manufacturers which it so sorely needs, and because upon all principles of protection such a course would be justifiable. If we put on a five per cent. extra duty on all foreign imports, the consumer undoubtedly pays it; he suffers for the time. He will have to pay an extra amount of two annas per dhoti or more, but he will pay with the feeling that he feeds his own national industry, and that when the national industry grows after a time, it will shut out all foreign manufactures and recapture the whole home market. (Hear, hear.) It used to supply that market until 1840, and even until 1880 to a large extent. It was by the deliberate and wicked policy of the British Government that the cotton industry of India was destroyed. Even today it is the action of England which is hurting that industry, and therefore, if a 20 per cent. all-round duty was imposed upon all cotton goods, it would protect the Indian industry, and the Indian industry, in spite of all the

nonsense that has been talked about the efficiency of foreigners being superior to that of Indians, will yet be able to show what Indians can accomplish. In the past no people in the world showed greater skill and greater industry in the production of cotton goods than Indians. India stood supreme among all the nations of the world in her cotton manufactures, and I hope to live and see in the near future, that the critics of Indian industry will acknowledge that the Indian is not less efficient or less industrious than any of his fellowmen in any other part of the world. But we want to give it the protection and assistance it needs. We want to give it time to breathe so that it may live and grow, and that time will come if there is a 20 per cent. duty, or even a little more, secured to the Indian manufacturer. No doubt, Sir, the burden on the consumer will be great for a time, but whatever burden he bears, he will bear to contribute to the development of the Indian cotton industry.

It is idle to think of this great industry as if it was a private property belonging to individuals or groups. This industry is a property belonging to the body politic of the nation as a whole. It is idle to tell me that one of my fingers is an isolated entity. The five fingers of my hand constitute my hand, and so every national industry is like a finger of the body politic, and if you cut off one, you weaken the whole and if you cut off two, you disable the whole still further. Therefore every industry, which is a national industry, deserves the protection of the government of the country. We have the example of other nations. While England talked of free trade when it suited it, England also imposed very heavy import duties when it suited it. I do not want to go into past history; it has been repeated *ad nauseam*. We know England imposed very heavy duties on Indian goods when it suited it to do so. England compelled India to take off duties on cotton imports when it suited her, to enable her to send her goods more freely to India. England now wants to take advantage of the position of dominance which she has acquired over India, a wrongful position, a position morally utterly unjustifiable, and taking advantage of that position, England wants to impose a burden upon India in favour of her own manufacturers at a time when India is utterly impoverished. Australia has flourished by high tariff walls, Canada and the United States of America and many other countries of the world have built up their national industries under the protection of high tariff walls. On the contrary, Sir, I grieve to say that there is no country in any part of the world where such injustice has been done to the national industries, particularly to the national cotton industry, as has been done in India under the British Government. Australians were not fools; the Canadians were not fools; the people of the United States of America were not fools; when they imposed heavy import duties; and after willingly and deliberately bearing the heavy burden which those duties imposed, they had the satisfaction of finding that their national industries stood upon their legs, and so they are prosperous now. Therefore, Sir, if a higher duty is to be paid by the consumer to help a national indigenous industry, it is justifiable to impose such a duty. In all discussions about protection, one obvious thing that has to be remembered is that protection is justified only because it will help a national indigenous industry. If a national indigenous industry can be benefited by protection, it ought to be given. If a national industry cannot be benefited by protection, there is no justification for compelling the consumer

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to pay one pice more for an article than what he can get it for from a free market. It is clear, therefore, Sir, that if a duty of 20 per cent. all-round were imposed, it would benefit the national cotton industry and will be justified.

But we are asked, why select the cotton industry for a heavy duty? Why not let the burden of taxation be distributed over other commodities, as has actually been done in this year's Budget. It will be said the Honourable the Finance Member has been very considerate in one respect, that he felt perhaps oppressed with the thought that, while higher duties were being levied from the poor, the rich should escape bearing their share of the burden, and that therefore he has tried to distribute the burden in the way he has done. He has raised the income-tax—Yes, but along with that has he not also imposed the silver duty, a duty which falls undoubtedly heavily upon the poor, a duty for which there is no justification unless the money raised by it were to be set apart by the free consent of the representatives of the people for some beneficial purpose, to help the people of the country. He expects to raise from the silver duty about one crore of rupees, while others think that two crores of rupees will be raised by it, and he has also imposed a duty on oil, which will bring in a large amount which also the poor man has to pay. If therefore he had decided to raise the cotton import duty to 20 per cent. all-round, the poor man in India would have paid through cotton goods alone, and in that case it would not have been necessary to impose a duty on silver, or a duty on oil, which the poorest of the poor use. The higher duty on cotton goods could be justified if there was need for such a heavy addition to the expenditure of the country, to the taxation of the country. If you raised the duty to 20 per cent. it is obvious that the burden would still have to be borne by the people, but the other burdens and the other injuries inflicted upon them would have been avoided. That has not been done.

Now, Sir, what is the situation in which the proposal to impose this duty has been presented, and what are our objections to it? Our first objection to it is that, either the Government of India were right in thinking that Bombay needs more protection or they were not. If they were right—as I say they were—in thinking that Bombay needs more protection, they should have agreed to the proposal of the Bombay millowners to impose a 20 per cent. duty all round. There is even now an amendment before the House, of which notice has been given by my Honourable friend Munshi Iswar Saran. If they are even now prepared to do justice to the Bombay millowner, Government can agree to that amendment, and I venture to say that a large body of Members on this side of the House will support Government in that proposal if they will only have the courage and the justice to accept it. But our difficulty is that Government are not willing to accept it, and it is this situation that we find ourselves face to face with in this House. Our objection to the proposals of Government is now clear. We are for a uniform rate of import duty on all cotton imports. We do not want that there should be any discrimination and preference introduced in this matter. Munshi Iswar Saran's amendment and my amendment both secure a uniform rate and both avoid discrimination and preference. Let Government accept either. And here, Sir, we are face to face with another situation which is most painful and most humiliating. Government

Members, the Honourable the Finance Member and the Honourable the Commerce Member, have both made it plain, they have not concealed it, that their proposal does involve preference to the goods of the United Kingdom. They have put it clearly, the Schedule shows it, their proposal shows it, they have made no secret of it. What the Finance Member, in his careful speech, said was: "We do not ask the Assembly at this stage to commit itself to the principle of Imperial Preference". That is all that he said. He never concealed that there was preference in his proposal to British goods. He said "We do not ask the Assembly at this stage to commit itself to the principle of Imperial Preference. But we put forward a particular proposal, which no doubt gives preference to British goods, but we do not ask the Assembly to adopt a policy or principle of Imperial Preference." But I am grieved to think that that has led some of my friends to rack their brains to find out arguments to support the idea, the absurd and untenable idea, that there is no preference to British goods involved in the proposals of Government. Sir, the saddest part of the story is that men of education, men who understand the English language and use it with great ability, should try to find out pleas and excuses for apologising on behalf of Government that they have not introduced any preference to the United Kingdom goods in this Bill. Government Members have the dignity not to adopt such a course. They tell you that it is preference to the goods of the United Kingdom, and it should be obvious to the meanest understanding that it is so. Still we have had many speeches and much argument in this House to try to lead us to think that there was no preference to United Kingdom goods involved in this matter.

Now, Sir, what is the justification for such preference? A great deal of discussion has taken place as to what preference is. I thought the matter was made very clear when I drew attention to the Fiscal Commission's Report. The Fiscal Commission said:

"Preference means that goods from one or more favoured countries pay duty at a rate lower than the general rate."

Obviously, the goods of the United Kingdom are to pay duty at a lower rate. That is preference clear and simple; and yet very elaborate efforts have been made to persuade us that there is no preference to British goods involved in the Bill. Now, Sir, preference can be justified only when it is to the benefit of the country which gives the preference to another country. My Honourable friends, the Finance Member and the Commerce Member, have not been able to show how it is to the advantage of India to give this preference to the United Kingdom goods so far as economic interests are concerned. My Honourable friend, Mr. Chetty, who has disappointed some of his fellow-workers by the attitude he has taken up on this occasion, said that there was an economic benefit to be had. He wanted an economic benefit; others wanted a political benefit. But in considering the question of preference to the goods of any particular country, the first thing to consider is the economic benefit. Hang all your politics if my people are going to die of starvation. What is the good of talking of a Round Table Conference and a constitution which will come into existence after they have been gathered to their forefathers? You have to protect the interests of the people who live today, and the interests of the people who live today, demand

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that, unless you are giving them some *quid pro quo* for what you are taking out of the poor, you have no right to lay your hands upon their little income or property. And what is the economic benefit which is promised to the Indian taxpayer by this preference to British goods? The economic benefit has been explained by my Honourable friend Mr. Birla; it would be the presentation by the Indian taxpayers to the British manufacturer of 2 to 2½ crores of rupees every year for the next three years. I thought that the Honourable the Commerce Member would feel that it was his duty to controvert that statement and, if it was not correct, to give the Assembly a correct estimate of the amount which Lancashire would gain from India by this proposal. Two and a quarter crores a year for three years was the estimate of a man of business who understands his business. I submit, Sir, that is economic benefit to Lancashire and loss to India. But that is not all. Japan is a competitor with Lancashire in cotton goods in India. India also is a humble competitor. The Indian cotton industry has been subjected to many handicaps; but by reason of that virtue of efficient and economic management, faulty though it is—and I am not less anxious than any of my Honourable friends on this side that that management should be improved until it beats the management of industry in every other part of the world—still due to such management as Indians have been able to show, this cotton industry has stood its ground so long. But the larger competition now is between Lancashire and Japan. Lancashire has had a long run and has had practically a monopoly of the Indian market for a very long period. I can well understand the pain which every lover of his country must feel in England at the trade of Lancashire being reduced or lost. I can very well understand their anxiety that it should not be lost or reduced. But when Englishmen take up the service of India and take the oath of allegiance to the King of England who is the Emperor of India, I expect that they will put the interests of India first and foremost in all considerations which affect the relations between the two countries, and in that view what Englishman can say that the Indian cotton industry has injured the trade of England in a material degree during the last five years? The competition has been between Lancashire and Japan. Under only one head. Lancashire has lost 34 million yards in the last five years, and Japan has gained 33 million yards in the same period. India has not added very much to her own production. Therefore, the competition is between Lancashire and Japan. The principle of protection is therefore absolutely put out of court. Lancashire is not a nascent indigenous industry of India. Lancashire is an old well-established industry of England, perhaps having the premier position in the world. There is certainly no cotton industry of an equal standing in any other part of the world that I know of. So well established, having practically a monopoly of this huge market of 320 millions, if Lancashire has failed to keep the position which she had so long enjoyed, that is not to the credit of Lancashire. If the Japanese, who have built up their industry during the last few years, have been able to take away so much ground from Lancashire, it must be due to the more efficient management, more economic management by the Japanese of their mills. Lancashire should therefore look within itself for an explanation to understand the situation. It is rich enough to afford to spend a couple of crore of rupees for a few years. It is rich enough to

spend much more than that in order to maintain its position in competition with another country. But what justification can there be for Lancashire asking the poor Indian consumer to bear a loss of two crores and a quarter every year, in order that Lancashire should recover some of the lost ground from Japan or that it should not suffer a greater loss? I cannot understand, Sir, how anybody with any sense of fairness can put forward a proposition like this and defend it? I cannot understand it.

Now, Sir, there is another very important fact which I want the Assembly to remember. If India were a free country, India could not discriminate against Japan. England dare not discriminate against Japan today by imposing any import duty on Japanese goods going into England at a higher rate than it imposes upon the goods of any other country. International obligations make it impossible for England to do that, and if India were a free country tomorrow, India would not be able to discriminate against Japan. England is taking advantage of our dependence on her, upon our position being subordinate to her, to inflict this wrong upon India and to inflict this wrong upon Japan. England is taking advantage of our position. I should not say England. I am very sorry if in my remarks on this question I used the word "England" and thus accused the people of England of a wrong attitude on the question before us. I wish my remarks to apply to the Government of India, because I have no reason to think that the English people have countenanced the proposals of the Government of India. Our quarrel is the more painful, because the Members of the Government of India, being in the service of India, have put forward a proposal which inflicts a serious wrong upon her people. I wish, Sir, to use a phrase used yesterday by Sir George Rainy. I think, talking of the convention he said that, if the Government were bound to accept the view of the Assembly it would be an intolerable position. The position in which the Assembly is placed is truly intolerable, and I hope the Government of India will yet recognise that the situation demands a reconsideration. I have heard the Honourable the Commerce Member express the attitude of the Government in very clear determined words. But I do not feel daunted by that fact in asking the Government still to reconsider the matter, and, Sir, if they are willing to do so, we make two offers to them. Either they agree to impose a 20 per cent. duty all round on all cotton piece-goods imported into this country and I venture to say that the House will, by an overwhelming majority, lend support to this proposal, or they agree to the amendment which I have put forward, which also imposes a uniform rate on all goods imported into this country, though it secures a little less to Bombay, somewhat less in some matters only, than the proposals of the Government; but it is equally free from the taint of discrimination against any particular country or countries.

Now, Sir, I wish the Assembly clearly to understand that I have been driven to this amendment which I have put forward because of the situation created by the Government. If the Government would, even now, be willing to agree to a 20 per cent. all round duty, I have said, and I repeat it, I will support it. But when we found the Government unwilling to do so, we put our heads together and have put forward the best proposal that we thought could be made in the situation. And let me say here, in support of what my Honourable friend Mr. Neogy said, that it is extremely unfortunate that a Bill of the importance of the Bill before us has not been referred to a Select Committee. If it were, all the facts and the figures produced from either side could be very fully tested, and it would have been possible to put forward proposals which could be communicated, if

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the Government so desired, to His Majesty's Government also for their approval, and which they could have laid before the Government of India as a whole with the authority of the Select Committee.

Mr. President: Not too late yet.

Pandit Madan Mohan Malaviya: True, Sir. Only there is a feeling of despair. How long is this unequal fight to be maintained? Our numbers are weak. Our stamina, I grieve to say, is weak, and there is a desire to escape from this situation as early as may be. The sufferings of the people are not sufficiently stirring the hearts of many of us, I am sorry to confess, and we feel that, as there is no likelihood of the Government accepting any suggestion from us, the sooner we get away from this place, the better. Now, Sir, if there were a Select Committee, the position would have been much better. I say this, in addition to the reasons advanced by my Honourable friend, Mr. Neogy, for this reason. The Government of India have, to my mind, deteriorated very much during the last few years. I do not know what the "Government of India" now mean, Sir. In the statute, the "Government of India" mean a Government consisting of so many Members of the Executive Council. There used to be many more meetings of the Council, I understand, in days gone by than there are now; there used to be many more despatches, some of which I have had the pleasure of reading, than there are now. I do not know, Sir, in what way the present proposal was originally dealt with. It is important to remember that, even when a matter has been dealt with only by a Secretary to the Government of India, and when a matter has been disposed of by the Secretary after the approval of the Member has been obtained by him, the decision is issued in the name of the Governor General in Council. There is not the smallest indication given whether a Member of the Government of India was present or was consulted before a particular decision was arrived at. And latterly there has been a frequent practice of settling things by cablegram between England and India: the despatches of old, some of which gave us help in discussing public questions, are becoming more and more rare. So I do not know whether, in this matter, this departure from the old practice of the Government of India has been to our advantage. I dare not pry into the secrets of the Government of India; I have not sought to meet any Member of the Government of India in connection with this question. If they have their secrets to keep, we have our own self-respect also to keep. But I do not know in what position this matter has been before the Government of India, and whether all the views expressed in this Assembly from the time when the Bill was introduced have been discussed by the Members of the Government of India, and if they have been, I should like to know what opinion every individual Member of the Government of India recorded. If it has not been done, the responsibility for not doing it lies upon the Members of the Government of India. If it has been done, there should be no hesitation on the part of the Government of India in letting us know how the matter has stood. Sir, my complaint becomes therefore the stronger that the matter was not referred to a Select Committee, because, if the matter were referred to a Select Committee, the pros and cons of it would have been weighed, and possibly, in that Select Committee, the Honourable the Commerce and the Honourable the Finance Member, who are the keepers of the conscience of the Government of India in this matter, might have felt the justice of listening to the recommendations of the Select Committee. That has not been done, and so, Sir, this Bill comes before this House, in its

present form, for which the procedure of a Select Committee, which has been provided in the Government of India Act has not been available. We have to explain our own proposals in this House, and I wish to explain the exact difference between the amendment which I have put forward and the proposal of the Government of India. Honourable Members are aware, Sir, that the Government of India have accepted the amendment which has been moved by my Honourable friend Mr. Shanmukham Chetty. Some Members are very grateful to the Government of India for what they have done. I am also grateful to the Government of India, for we must be thankful for small mercies, however small the mercies may be. But what virtue have they shown in accepting that amendment? The questions which I have put and the answers which I have got have made it clear that what is now Mr. Chetty's amendment was the original proposal of the Government when it went up to the Secretary of State. Why the Government of India did not put that original proposal in the Bill which they introduced in this House has not been explained. Was it because they wanted to keep that up their sleeve in order that, if there were some Members in this House, who are not statesman-like, who insisted on fighting on this question of preference to English goods, the Government might make a concession by agreeing to an amendment like Mr. Chetty's? But, however that may be, for that reason the Government cannot claim any virtue for having accepted the amendment of Mr. Shanmukham Chetty, because it is part of their own original proposal communicated to His Majesty's Government. But how far have I advanced the position? I confess to my regret that I have not done very much by my amendment for rescuing the consumers of this country from what amounts to a heavy burden in the circumstances of the case; but my proposal goes beyond Mr. Shanmukham Chetty's in this: Mr. Shanmukham Chetty's proposal is that there should be a duty of 15 per cent. or $3\frac{1}{2}$ annas per pound whichever is higher on all plain grey goods. That is part of his proposal. If that were the only proposal which Mr. Shanmukham Chetty had made, he and I would have been very much closer to each other, as we used to be in the past and, as I hope, we may yet be in future, but he proposes to limit this duty to goods of British manufacture only, and has gone on to propose a duty of 20 per cent. or $3\frac{1}{2}$ annas per pound whichever is higher, against plain grey goods not of British manufacture. He has also proposed a discriminating duty of 15 and 20 per cent. on goods of British and non-British manufacture. I have avoided all discrimination and have proposed a uniform duty of 15 per cent. or $3\frac{1}{2}$ annas per pound whichever is higher against all cotton goods imported into this country. That is the difference between the proposal of my Honourable friend and mine. Government have expressed their willingness to accept Mr. Shanmukham Chetty's amendment. That amendment of my friend means that there would be a duty of $3\frac{1}{2}$ annas per pound on only plain grey goods of British manufacture. But there are English cotton piece goods other than plain grey goods which come into this country. I do not see any justification for exempting them from the operation of the duty. There is an idea that these other bordered or coloured goods, as they are called, particularly large quantities of dhotis which are imported from Lancashire, do not compete with the Indian product. But my Honourable friend, Mr. Ghanshyam Das Birla, has shown that that is not the correct position. Let me quote his own words. He said:

"I propose to lay on the table, for inspection by this House, samples of dhotis which will show that there are dhotis imported from Manchester in very large quantities made out of finer counts and yet they compete with dhotis of coarser counts made in

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India. The reason is obvious. The Manchester dhoti, although very inferior so far as durability is concerned, is sold at Rs. 2 per pair, while the Indian-made dhoti, although nearly 100 per cent. more durable than the Manchester dhoti, is sold at Rs. 2-6-0 or Rs. 2-7-0 per pair." "In a country where poverty is rampant," *my friend went on to add*, "and the poor have got to live on two annas per day, it is not at all surprising that a man prefers to buy a cloth which is far less durable, merely because it is a little cheaper, than a similar cloth which is far more durable but slightly dearer. Dhotis from Manchester do compete therefore with Indian goods, and if you allow this to continue, you will have, on the figures quoted by Mr. Shanmukham Chetty, a keen competition going on against not only the products of the Bombay mills, but against the products of our Indian mills."

Is there any justification for exempting these dhotis, these coloured and bordered goods from the duty? Is there any justification for this discrimination? I submit not. Therefore my amendment seeks that there should be one uniform duty on all cotton goods imported into India. And I cannot see any reason why the Government should not accept this amendment.

Now, Sir, the Government ought to think primarily of the interests of the consumer, and if you allow so much of competition to go on with the products of the Indian mills, the result must be disastrous to India, and I beg the House further to consider in what insidious way this will work against our own industry. At present, owing to the competition from Japan and England, prices are kept at a certain level. The Japanese sell their things cheap. I do not know if they are always good, nor can I say that the English goods are always good now. There was a time when they used to be, but opinions differ now. It is said the concern of the Lancashire manufacturer is not that he should supply goods which would be durable but goods which are cheap which the poor man is attracted to buy. The Japanese have tried to lower their prices, and they have secured a market in India. Lancashire must reduce its prices in order to compete with the Japanese. It would be bound to, and the result will be that Indian consumers will purchase these foreign cloths at a cheaper price than they will do otherwise. In such a situation what does the Government proposal mean? It means this. The Government say, "We shall not allow this to go on. This has gone on for five years to the detriment of Lancashire. We shall shut out the Japanese by raising a tariff wall against them 5 per cent. higher than against British goods". Now, what do we give to the Lancashire people? We give them the advantage of a 5 per cent. lower duty, and they bring in their goods in a larger quantity; they practically secure a monopoly of the Indian market and they will then raise their prices. . . .

Mr. President: Order, order; I think the Honourable Member needs some rest before he proceeds further.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President in the Chair.

Mr. President: I think the Honourable the Leader of the Opposition should have set a better example. I hope he realises that he has incurred the displeasure of the Chair.

Pandit Madan Mohan Malaviya: I am sorry, Sir. I apologise to the Chair. My health is unfortunately bad at this juncture. I apologise not only to the Chair but also to all the Members of the House for being late.

I have pointed out, Sir, the difference between the amendment of my Honourable friend, Mr. Chetty, and mine, and I hope I have given sufficient reasons to the House to appreciate that difference. I do not understand why the Government who are willing to give the higher protection to the Indian cotton industry should be unwilling to give the somewhat lower protection that I am asking for. If their solicitude for the Bombay industry is genuine, I cannot understand why when they are prepared to give the larger protection of their present proposals, they object to give the somewhat lesser protection that I am pleading for. My difficulty is not with the Government alone. My difficulty is with my old colleagues also. I am grieved to find that, placed in the situation in which we find ourselves, my Bombay friends in particular and many other friends in the Assembly are acting under a sense of coercion, of the terrorisation which the Government have adopted. It is a most unusual course, a course unprecedented in the history of legislation, even in this country. I have known occasions, and you will, Sir, remember one very important occasion, the passage of the Rowlatt Bill through the Imperial Legislative Council, when in the teeth of protests of all Indian Members of the Council the Government carried the Bill through. But even on that occasion the Government did not start by telling the Council that, come what may, however strong, earnest and deep the opposition of the Indian Members, however unanimous the opposition of the Indian Members, the Government would not listen to any suggestion for any change. On this occasion the Government have adopted this unprecedented attitude. Practically, at the stage of the introduction of the Bill, the Honourable the Commerce Member told this House that the Government were not prepared to accept any substantial changes in the Bill even if they were passed by a majority of the Members of this Assembly. That, I submit, is unprecedented and is indescribably wrong. This expression of the opinion of the Government has unnerved many of my fellow Members of the Assembly. I am sorry to think that it has been so. Many of my Bombay millowner friends and the representatives of the Bombay mill industry and other friends of the Indian cotton industry are acting now under the sense of this threat, which is not a mere threat, but a declaration of the determined view of the Government. They are face to face with this situation, that they must either accept the cup of milk which the Government are presenting to them, but which contains, even according to the opinion of those who are willing to accept it, a dose of poison, or they should allow this great national industry, the cotton industry of India, to perish now and have no chance of reviving. I submit, Sir, it is not surprising that, in this situation, many Honourable Members feel that the battle is lost before it is begun, that it is no good fighting, that you might as well break your heads against a stone wall, or throw yourself into the burning fire, as attempt to stand between the decision of the Government and the Bombay cotton industry. Many a Member, sound and sensible, who has realised that Imperial Preference which is being practically forced upon us is an evil has said: "What are we to do? The Government are adamant; and we do not want to wreck the Bombay industry". My Honourable friend, Mr. Jinnah, also has succumbed to that situation. I am grieved to think that it should be so. On another occasion, my very esteemed friend, Mr. Jinnah, and some other friends succumbed to the proposals of Government in the matter of

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preference to British steel. I do not think there is one Member today who voted for it who does not realise that that was a mistake and that the country has suffered by reason of the attitude then taken by him. Today we are face to face with this grave situation, and several of my friends say that they find themselves hopeless and helpless, because the Government have taken up this attitude. And they ask us to tell them how we can save the Bombay industry if we oppose the proposal of the Government. My Honourable friend, Mr. Jinnah, put a direct question to the Government Member, if we carry the amendment which stands in my name or any other amendment like it, what will be the attitude of Government? The Government had no hesitation in saying that, if my amendment or any of the three or four other amendments was carried, they would withdraw the Bill. And, then my friends found themselves in this position, that if they do not accept the proposal of Government, including preference to the United Kingdom goods, the Bombay industry stands the chance of being ruined. In that strain many an Indian has spoken.

Far be it from me to accuse any of my fellow brethren. They are acting as people placed in a condition of subjection to a foreign power find themselves compelled to act. They are acting under the coercion of this legalised despotism that is being carried on. (*Cries of "Shame" from Non-Official Benches.*) They have succumbed to it. My Bombay friends have pleaded with us that we should not wreck the Bill. I have myself received telegrams and representations from many quarters, mostly from Bombay, imploring me not to wreck the Bill and not to wreck the Bombay cotton industry. Some friends have gone to the length of reminding me what I owe them gratitude for many favours done to me in the past. They subscribed munificently to the Hindu University of Benares when I went to Bombay to ask for their help, and they also subscribed munificently to the Tilak Swaraj Fund when Mahatma Gandhi asked for the Fund the support of the country. I am a human being, and I grieve to think that I should be acting in opposition to the wishes and opinions of friends who have been friends to me for twenty-five, thirty or more years; that I am acting in opposition to the wishes of those who are carrying on this great cotton industry under very difficult circumstances. But I would be false to myself and to my God if I allowed the interests of the Hindu University or any other interest to stand between me and the interests of my country. (*Loud Non-Official Applause.*) If it were necessary to sacrifice a hundred Hindu Universities, I hope God will give me the strength to sacrifice them without any hesitation and not to sacrifice the interests of my country. (*Loud Applause.*) I hope my Bombay friends will realise that I am not acting in a light-hearted fashion. I have weighed all the consequences, and I find that, while the proposals of Government will give them a temporary relief, an apparent relief, there is that insidious poison of the bounty to Lancashire which will in the long run, work disaster to the Bombay industry and to the industry of India. I realise that, to present a bonus of 2½ crores. or something like it, to a well and long-established industry like that of Lancashire at this juncture, to enable it to secure the whole of the Indian market, will be to hand over that market for a long time to come to Lancashire. I realise that that would mean that the Bombay industry would not be able to stand the competition of Lancashire for any length of time. I want Bombay to live; I want the Bombay industry to live, but if it is necessary for me to choose between my country and sacrificing the Bombay industry, I will have no hesitation in sacrificing it at the altar of

my country as a whole. (*Loud Non-Official Applause.*) My country is my first concern and my last concern. Bombay cannot live if India perishes. Bombay cannot prosper if India is impoverished and degraded and if there is depression all over the land. Today, Bombay is still producing a very large quantity of cotton goods, but does it find a market for them? Do the Indian manufacturers find a market for all the quantity of cloth that they produce? They cannot, they do not. If the Indian people are impoverished, no industry can prosper. Am I to forget, am I to overlook this important view, this large view, and succumb to the fears which have taken possession of the hearts of my Bombay friends? I fear that if this Bill is passed, the Bombay industry will find to its cost that it cannot stand the competition of Lancashire after the reorganisation which is going on there, and Bombay will rue the day when it offered its support and pressed us to support the Bill of Government.

Now, Sir, this being the position, what is the duty that lies upon us at this juncture? Our duty is clear. In matters economic, we must look straight to the reality of things. We find our indigenous industry is exposed to competition and to danger. Our duty is to find what amount of protection it needs, and to give that protection with open eyes, remembering that, whatever protection is given to an indigenous industry, re-circulates among the people. It is like water sent out into a garden, it plants, it supports and nourishes every plant and every tree in the garden, but if the water of a garden is drawn up by the scorching rays of foreign administration and showered upon a distant land, then the land from which it has been drawn must inevitably suffer. (*Hear, hear.*) We do not think it right that any protection which we should offer should redound to the advantage of any one except the people of the country who will make the sacrifice involved in giving that protection. (*Hear, hear.*) The consumers of India who are asked to bear the burden of the higher duty are entitled to know whether, in our judgment, it is right to impose that burden upon them. The example of many foreign countries tells us what is the right course to pursue in the modern conditions of life to protect the cotton industries of our country. That being so, what is the attitude we should adopt at this moment, with this declaration of the Government, with this prospect of the Bill being wrecked if we carry this amendment? I ask my Honourable friends in all humility and in all love to cast off fear from their minds, to dare to be right, to dare to be just (*Hear, hear.*) and to trust in the justice of God to help us and win our cause. What is this Government? What is the power of this Government before the power of the Supreme Ruler who rules over the Universe? Let everybody in the world know that this Government of India, as it is called, taking advantage, taking mean advantage of the situation (*Hear, hear*) in which we find ourselves, offers us a cup of milk in which there is a big drop of poison, and I implore you to have the good sense to refuse to take that milk, and to insist that we shall have a pure and clear cup of milk by reason of our birthright as the people of this great country. (*Hear, hear.*) Accept my amendment, if it appeals to you as the right amendment. Present it to Government, let the Government then take the responsibility of rejecting the proposal which is passed by a majority of this Assembly. Let them take that responsibility, let the world know the reality of things, and I venture to say that the Government will tremble in their shoes a long while before they decide to reject the opinion of the majority of the elected Members of this House. (*Hear, hear.*)

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If they do so, there are other means open to you. I have been asked, "What about the loss to Bombay while you are indulging in your patriotism?" My submission is, there will be very little loss to Bombay, if Bombay has the support of the whole country. Every honest, honourable man, every honest Indian should take a vow that he shall not use a bit of English cloth if this Bill is passed. There is such a thing as the people of a country and the Government of India do not compare, are not worth mentioning in comparison with the great people of this country, if their indignation is roused against a measure passed in this Assembly with the help of official votes against the opinions of the elected representatives of the people. That is the help which you can render to the Bombay industry. I do not want. I do not wish that Bombay should antagonise the rest of India, that the people should feel that, owing to the fears entertained by some friends in Bombay, and those who are representing them here, the elected Members of this Assembly voted a sum of 2½ crores a year to Lancashire. Do not let that feeling go throughout the length and breadth of India. It will hurt Bombay much more than the measure which the Government are giving it will help. For this reason I ask every elected Member of this Assembly to support my amendment and to present it to the Government.

Now, Sir, I am reminded at this stage of the attitude which the Government have taken in regard to the convention of fiscal autonomy. The exposition of the fiscal autonomy convention, I am told, made by the Honourable the Commerce Member yesterday leaves no room for me to discuss this question. I am told, I am wasting my breath and incurring great risk in doing so. Perhaps, I am, but while there is breath in me, let me protest with all the strength I can command against the impudent claim put forward by the Honourable the Commerce Member that the Government of India, acting by themselves, without the agreement of this Assembly, can practically decide what taxation shall be imposed upon the people. (Shame.) The Government of India said, this convention means this, that you have got Dominion Status in fiscal matters, but not Dominion Government, that the initiative must always rest with the executive Government, a proposition which nobody will question, that if the initiative taken by the Government is accepted by the Assembly, there is harmony, but if it does not meet with the acceptance of this Assembly, then the Government are the masters of the situation in the sense that they can withdraw the proposal that they have made and leave the country and the industry or interest concerned to perish. That they have that power, and they tell you that they are prepared to exercise that power; they are determined to exercise that power, that they will withdraw the Bill if the Assembly does not accept the proposal they have put forward. This is dictation of the worst kind I have read or heard of in any country's history. We are asked practically to register the decree of the executive Government. Whatever our sentiments, whatever our judgments, however strong our grounds for opposing it, we must either accept what they give us or see one of our great national industries perish. Is that the convention? Does the Honourable Member seriously think, in his heart of hearts, that that is the spirit of the fiscal autonomy convention? I say, he cannot. The moment he realises the implications of it, he must recoil from the position he has taken up. The fiscal autonomy convention, said

the Honourable the Commerce Member, is a reality, it is not a sham. I say, yes, it is a reality, and because it is a reality, we want to prove it a reality, and if you do not accept the verdict of the majority of the Assembly, you will have proved that your assertion is not correct. This is the position. If you accept the verdict of the majority of this Assembly, you will prove that it is a reality. What is that convention? The Secretary of State used to exercise the power of superintendence, control and direction in that matter of taxation, as in other matters in India until the fiscal convention was established. But when the reforms were introduced, there was a Joint Select Committee of Parliament appointed. That Joint Select Committee considered the question and laid down a very simple and clear proposition. I wish, with your permission, Sir, to read again a passage which has been read twice before in this House, but it is very important to draw attention to its language. The Joint Select Committee said in discussing clause 33.

"The Committee have given most careful consideration to the relations of the Secretary of State with the Government of India, and through it with the Provincial Governments. In the relations of the Secretary of State with the Governor General in Council the Committee are not of opinion that any statutory change can be made, so long as the Governor General remains responsible to Parliament, but in practice the conventions which now govern these relations may wisely be modified to meet fresh circumstances, caused by the creation of a Legislative Assembly with a large elected majority. In the exercise of his responsibility to Parliament which he cannot delegate to any one else, the Secretary of State may reasonably consider that only in exceptional circumstances should he be called upon to intervene in matters of purely Indian interest where the Government and the Legislature of India are in agreement.

"This examination of the general proposition leads inevitably to the consideration of one special case of non-intervention. Nothing is more likely to endanger the good relations between India and Great Britain than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt. That there ought to be no room for it in the future is equally clear. India's position in the Imperial Conference opened the door to negotiation between India and the rest of the Empire, but negotiation without power to legislate is likely to remain ineffective. A satisfactory solution of the question can only be guaranteed by the grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral portion of the British Empire. It cannot be guaranteed by statute without limiting the ultimate power of Parliament to control the administration of India, and without limiting the power of veto which rests in the Crown; and neither of these limitations finds a place in any of the statutes in the British Empire. It can only therefore be assured by an acknowledgment of a convention. Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee, therefore, the Secretary of State should, as far as possible, avoid interference on this subject when the Government of India and its Legislature are in agreement, and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party."

May I ask the attention of the House to the very important points that are mentioned in this recommendation of the Joint Select Committee? The Legislature and the Government are to be in agreement and the opinion of the Legislature, which has been created with a large elected majority, is to be respected. We are reminded that the only question to be determined is what is in the best interests of the consumers in India as well as of the manufacturers in India, and they say that India should have the same liberty to consider her interests as Great Britain, Australia, Canada, New Zealand, and South Africa. But says the Honourable the Commerce Member, "You have got Dominion Status here, but you have not got Dominion Government". If we had Dominion Government, would

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the Noble Lords and the other members of the Joint Select Committee have been so foolish as to waste their time and trouble over writing this paragraph? Where was the necessity for this recommendation of the Joint Select Committee if Dominion Government had been established in full? It is because we have not got Dominion Government, they pointed out that, in this matter of fiscal autonomy, Dominion Status should come into action, and that is a view which is supported further by what Lord Crewe's Committee had recommended. My Honourable friend, Mr. Neogy, drew the attention of the House to two passages in that Report which are of great importance in this connection. They said in paragraph 16:

"In examination of the Budget, and in criticism of general administration, the Legislative Assembly can express its views only by means of resolutions and these will continue to be advisory in character without legal sanction. Government may accept a resolution either because they agree at the outset or because they decide to defer to the opinion of the Assembly. Where for any reasons reference to the Secretary of State is considered necessary, we recommend that a joint decision of the Government of India and a majority of the non-official Members of the Assembly reached by discussion of a resolution should be given the same degree of authority as similar decisions on legislative proposals and that the principle we have stated in paragraph 15 should be applied in this case also."

I invite the attention of the House to the words, "A joint decision of the Government of India and a majority of the non-official Members of the Assembly" upon which the Committee laid stress. Paragraph 15 referred to above runs as follows:

"In normal cases where legislation comes before the Secretary of State it must already have received the assent of the Governor General and must have been passed by a majority of votes in the Council of State and in the Legislative Assembly. But in as much as there is a substantial official vote"

—I beg every Honourable Member of the House to note these words—

"But in as much as there is a substantial official vote in the latter body" (the Legislative Assembly) "and normally an official majority in the former" (the Council of State), "it follows that the measure has not necessarily the support of a majority of the non-official Members in either Chamber."

They say with reference to a measure which has been passed both by the Legislative Assembly and the Council of State, that it has not necessarily the support of a majority of non-official Members in either Chamber. And they go on to say:

"In order, therefore, to give proper emphasis to the legislative authority of the Assembly, we recommend that whenever legislation has the support of a majority of the non-official Members of the Legislative Assembly, assent should be refused only in cases in which the Secretary of State feels that his responsibility for the peace, order and good government of India, or paramount considerations of Imperial policy require him to secure reconsideration of the matter at issue by the Legislative Assembly."

You have it clearly laid down by Lord Crewe's Committee that, in all such matters, what you have to look for is the support of a majority of the non-official Members of the Legislative Assembly. Now, Sir, in the face of this very clear and authoritative proposition, laid down by Lord Crewe's Committee, how is the Honourable the Commerce Member justified in telling this House that, even if this House passes an amendment by a majority of the votes of this House, the Government will not adopt it?

Recently, Sir, the Honourable the Commerce Member also referred to the statement made by the Secretary of State that Dominion Status was already in motion and has been in practice for ten years. Even now, while this discussion has been going on in this House, we have a statement cabled to us from London in which Mr. Wedgewood Benn is reported to have said:

"In answer to a question by Sir William Davison whether Government had approved of the Government of India's proposal, in view of its opposition to preferential tariffs: Mr. Wedgewood Benn stated, 'I am called upon to protect the fiscal rights of India which I intend to do.'"

"Mr. Hammersley suggested that there had been a change of policy" (in respect of Mr. Chetty's amendment) "since representations were made, but Government had taken no steps:

Mr. Benn replied that the Cabinet's considered views were sent by telegram on the 7th February, to the Government of India. They had to have regard to the established rights of India and the Assembly in these matters."

"The established and indisputable rights of India and the Assembly in these matters". What are these rights except those that I have drawn your attention to in the recommendations of the Crewe's Committee and the Joint Select Committee? Sir, I cannot understand how the Government of India imagine that their position in this case is anything different from what has been laid down here. The reality of the fiscal autonomy convention demands that, though the initiative for putting forward proposals of a legislative character, particularly proposals of taxation, rests with the Government of India, as it rests with the executive in every country, once the proposals have been laid before the Assembly the Government of India should consider themselves bound to defer to the opinion of this House, even though it has not been laid down by the statute, because this convention has been established to prevent a dead-lock arising on such an occasion. Sir, I submit that in the cablegrams, which were exchanged between the Government of India and His Majesty's Government, that was the position which was present to the mind of the Government of India, because in one of the cablegrams, the Government of India clearly said that they would solicit the most free consent of the Legislature on their proposal, and they repeated, in two places, that the final decision must rest with the Legislative Assembly. I submit, therefore, Sir, that this matter requires clearing up, and that the Government of India ought to recognise that

The Honourable Sir George Rainy (Member for Commerce and Railways): I apologise to the Honourable Member for interrupting. My correction is purely verbal. The exact phrase used is, "The most free expression of opinion".

Mr. President: And the final decision will rest with the Assembly.

The Honourable Sir George Rainy: I understood that the Honourable Pandit used the words "free consent".

Pandit Madan Mohan Malaviya: I thank the Honourable the Commerce Member. They did say:

"We desire also to make it clear that in a matter of this kind, after frankly stating our case, we should desire to solicit the most free expression of opinion from the Legislature with whom the final decision must rest."

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I thank my Honourable friend for the correction. But it leaves the position quite as strong as it was before. For, the words used are, "The most free expression of opinion from the Legislature with whom the final decision must rest", *must rest*. (Hear, hear.) I ask for nothing more than that the Government of India should act up to what they stated in this cablegram. (Hear, hear.) In this connection I may invite the attention of the Government of India again to the opinion expressed by the majority of the Fiscal Commission. In paragraph 262, the Majority of the Fiscal Commission say:

"We recognise that the question of Imperial Preference is one which can only be determined in accordance with Indian opinion; and that the Indian view can be best ascertained by reference to the Council of State and the Legislative Assembly, without whose free consent no such policy can be adopted."

It is from this passage that I took the words "free consent", and I am sure that the Honourable the Commerce Member will not refuse to these words of the Fiscal Commission the same weight that he would attach to the words used by the Government of India in their cablegram to the Secretary of State. Now, Sir, I submit that, in view of all to which I have drawn attention, the Government of India should adopt the correct position in this matter which is this. The Government of India, as the executive Government, initiate proposals. We have not the power to do that, nor do we claim that we have. Once the proposals have been laid before this Assembly, in the very language used by the Government of India in their cablegram, they should solicit the most free expression of opinion of this Assembly and remember that, with this Assembly, the final decision must rest. That, I submit, is the convention which has been established. If it were otherwise, it will come to this. My Honourable friend, the Commerce Member, in discussing to whom the Government of India were responsible, said the previous consultation with the Secretary of State was of course to be had. But after that, the final decision as to what proposal it will place before this Legislature rested with the Government of India. I do not quarrel with my Honourable friend for that statement. I concede that the final decision as to what proposals the Government of India will place before the Legislature rests with the Government of India. But I say that, beyond that, once that has been done, in the language used by the Government of India themselves in the cablegram, the most free expression of opinion of this Assembly should be solicited and the final decision must rest with the Assembly. But, said the Honourable the Commerce Member, if according to the sense of responsibility they owe for the administration of this country, the Government of India cannot accept it, they are not to be forced to do so.

I submit, Sir, that on this occasion, having dealt with the theoretical aspect of it, having discussed the principle of the fiscal convention, I appeal to every Member of this House and the Government to consider what the situation at present is. I am not asking the House to pronounce a verdict on that question. I am taking the facts as they are. The Government of India have put forward a proposal for giving a certain measure of protection, say, X to the Bombay cotton industry or the Indian cotton industry. If the Assembly ask for X+1 measure of protection, I can understand the Government of India saying, "This is

more than we have decided to give, what we think it right to agree to give, and we cannot agree to it". But if the Assembly asks for X—1 can anybody say that the Government of India will be right in refusing to accept the decision of the Assembly, when it does not ask them to go beyond their own decision, but asks them to agree to something less than they have decided upon? That is the proposal I put before the Government and the Assembly. The Government of India have proposed a 20 per cent. duty with a minimum of 3½ annas per pound on plain grey goods from outside the United Kingdom, and a 15 per cent. or 3½ annas per lb. on plain grey from the United Kingdom. My proposal is a 15 per cent. all round, with a minimum of 3½ annas per pound whichever is higher. Will anybody try to persuade himself or others that my proposal is less than the proposal of the Government of India? Or will anybody try to persuade us that a part is greater than the whole in this instance? If we asked the Government of India to agree to something which was beyond what they had proposed, I could understand them saying, "In the discharge of the responsibility which we hold according to our light rests upon us, we cannot agree to it", but when it is something less that is suggested, with what justification can the Government of India say, "Even if you pass it by a majority, we shall not accept the proposal, but will withdraw the Bill". I submit, Sir, this position is utterly untenable. It cannot be justified by any canon of reason or justice. If the Government would look at the matter in this clear light, there should be no difficulty on their side in accepting my amendment. But, Sir, my words are too feeble to find acceptance from the Government. The Government Member has expounded the view of the Government of India as to what this fiscal autonomy convention is. He has told us, Sir, that the Government of India have framed their proposals, and when there is no agreement between them and the Legislature, the Government of India cannot accept any of the many proposals which are before the Assembly, because the Government of India cannot divest themselves of the responsibility which rests upon them. Those are the words used by the Honourable the Commerce Member: "We cannot divest ourselves of this responsibility; it will be an abnegation of its functions by Government."

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): May I know, Sir, on a point of information, whether the view which was enunciated by the Honourable the Commerce Member as regards the interpretation of the fiscal convention is the view of the entire Government of India, and if so, whether it has the approval of the Secretary of State?

The Honourable Sir George Rainy: As I explained to the House yesterday, all I can say is that that is the view which the Government of India take of this convention.

Mr. M. R. Jayakar: Has it secured the approval of the Secretary of State?

The Honourable Sir George Rainy: There is every reason to think so, Sir.

Pandit Madan Mohan Malaviya: I am surprised, Sir, at the answer which the Honourable the Commerce Member has given. In view of the cable which I drew attention to a little while ago, I find it difficult to reconcile the Honourable the Commerce Member's statement with the

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report published by the cable, in which it is stated that Mr. Wedgewood Benn stated, in answer to a question in the House of Commons, on the subject of the Indian cotton duties, that he had never suggested preferential treatment for goods from Britain; the suggestion originated in India. Then he went on to say, "I am called upon to protect the fiscal rights of India which I intend to do", and he said they had to have regard to the established and indisputable rights of India and the Assembly in these matters. When, Sir, Mr. Wedgewood Benn said that he was called upon to protect the fiscal rights of India, which he intends to do, I thought there was some room left, some ray of hope left, that, if the Government of India and the Assembly differed, the matter might be referred to the Secretary of State and that he might, by the grace of Providence, be inspired to act justly to India. But the statement of the Honourable the Commerce Member would seem to show, either that this report was incorrect, or that he had received some further communication, since this report was published from the Secretary of State, which justified him in making the statement which he has made. If he has, it is only fair to this House that he should let us know.

The Honourable Sir George Rainy: No, Sir, I have had no further communication.

Pandit Madan Mohan Malaviya: Then, I submit, Sir, probably the House will agree with me, that the Honourable the Commerce Member is not justified in saying that he has reason to think that his view has the approval of the Secretary of State. But, Sir, this raises a very important question to which I invite your attention. This House is called upon to legislate, to pass this Bill, which is before the House, into law. The statute is silent as to what is to be done in a matter like this. The Joint Select Committee's Report and the Crewe Committee's Report have made it clear and the Fiscal Commission have made it clear that the decision must rest with the Government of India, acting in agreement with the majority of the non-official Members of the Assembly. The Honourable the Commerce Member has given this Assembly his own interpretation of this convention. I have endeavoured, in my humble way, to place my interpretation of this convention before this House; other Members before me have tried to do that. You, Sir, preside over this Assembly. This is a matter of such supreme importance to the people of this country, that I must appeal to you to decide and to give a ruling to this Assembly on this very important question which involves a most important issue. I beg you to help us by an expression of your considered opinion as the Speaker of this Assembly, as the President of this Assembly, whether, in view of all that has been placed before this Assembly by the Government Members, the Honourable the Commerce Member and the Honourable the Finance Member, and ourselves on this side of the House, whether the interpretation put by the Honourable Sir George Rainy on the convention is correct and consistent with the recent declaration of the Secretary of State. I would also request you, Sir, to give us a clear guidance, by a ruling, whether the attitude, taken up by the Government that they have not an open mind in regard to my amendment, and that, if that or any other amendment referred to by them is accepted by the House, they will not further proceed with the Bill, is consistent

with the fiscal autonomy convention. And lastly, Sir, whether the official and nominated Members are entitled to record their votes on a division on this Bill. I have put these propositions before you, Sir, because, in the state of opinion that now prevails on either side of the House, it is impossible for many Members to come to a clear conclusion as to the rights of this House and of the Government in regard to this matter. So far as the last proposition is concerned, whether the official and nominated Members are entitled to record their votes on a division on this Bill, I beg you to give us your guidance on this matter, because, from the language used in Lord Crewe's Committee's Report it is clear that what that Committee recommended was that a matter like this should be decided by a majority of the votes of the non-official Members of the Assembly. They foresaw, Sir, that with an elected majority with a large number of official Members in this Assembly and a majority of official and nominated Members in the Council of State, a position like this was likely to arise. That position has arisen. The only solution which the Honourable the Commerce Member suggested was the establishment of Dominion Government.

The Honourable the Commerce Member said there was Dominion Status in action, but there was no Dominion Government in existence, and if we are to wait according to his interpretation, we must wait until we get Dominion Government in existence here; until then we should be at the mercy of the Government of India in regard to any proposal for the relief of any industry, however urgently protection may be needed. Is that the position, Sir? Have we to be entirely at the mercy of the executive Government, even when the majority of the Assembly supports the major part of the proposal of the Government and asks for only a little variation from it, or are the Government bound, under such circumstances, to defer to the opinion of this Assembly, to accept their verdict for a change in their proposals so long as it does not exceed, at any rate, the original proposals put forward by them? These are questions, Sir, which I beg you to consider and to help the House with your opinion on them. I do not think, Sir, at this stage, I can usefully take up any more time of the House. I feel that it is very important that, in a matter like this, the Assembly should have the benefit of your considered opinion to guide it in the dark situation in which it has the misfortune to find itself.

Sir Hari Singh Gour: (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, there are one or two observations

Mr. President: I would like the Honourable Member to confine himself to the points raised by the Honourable Pandit.

Sir Hari Singh Gour: That is exactly the point, Sir, upon which I propose to address the House. There are one or two observations which have fallen from the Honourable the Commerce Member against which this House must distinctly and emphatically enter its protest. The Honourable the Commerce Member is reported to have said—I give you his *ipsissima verba*. He says this:

"If the Government and the Legislature are not in agreement there is no means of evading that deadlock under the present constitution till",—

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mark these words please,—

“by persuasion one side is won over by the other. While therefore in the sphere of tariffs India already possesses Dominion Status, it does not yet possess the Dominion Constitution.”

Now, the words which the Commerce Member has used give away his whole case. He says that, under the present constitution, it is till by persuasion one side or the other is won over by the other. Sir, the Joint Parliamentary Committee have laid it down that, in the matter of fiscal autonomy, the Government are to act in agreement with the Legislature. Now, I ask the Commerce Member, how are the Government to act in agreement with the Legislature when they do not consult the Legislature, or keep an open mind to be convinced by the Legislature? I am perfectly prepared to admit, and my friend Pandit Malaviya has conceded it, that the initiative should primarily rest with the Government of India, but the initiative being taken, it was the duty of the Government of India to come before this House and say we do not stand committed to this view because our decision must be in agreement with yours, and therefore by the only constitutional method open to us by consultation, by compromise, it may be by a decision of the Select Committee, we shall come to an agreement, and it is only then that the Legislature and the Government can be said to have come to an agreement. Now, what is the position? The Government come before us and say, “We do not care what you think, much less do we care what you say; all we do care is that you should agree with us, and if you don't, so much the worse for you”. Now, that is intolerable. No self-respecting Legislature would for one moment tolerate it. This position ascribes to Government a degree of infallibility which it has not got under the existing constitution. The Honourable the Commerce Member read to you the words of the Joint Parliamentary Committee, and you remember, Sir, I pointed out at the time that the crucial sentence, the decisive sentence, the deliberative and concluding decision of the Joint Parliamentary Committee is contained in one sentence, and that sentence must be complied with. What is that sentence? It says:

“Whatever be the right of fiscal policy for India for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa.”

That is the decision of the Joint Parliamentary Committee. In the matter of fiscal autonomy, the Members of this House are exactly in the same position as Great Britain, Canada and the other self-governing countries. Consequently, it follows as a matter of constitutional necessity, that in the matter of fiscal autonomy, the procedure and practice of the self-governing Dominions of the British Commonwealth must be followed. My friend the Commerce Member asks, “But how is this possible when we are irremovable?” I answer that question by saying that, the mere fact that you are irremovable, does not take away your obligation, it does not make you any the less responsible to this House. What is the meaning of responsibility? In the case of a Minister, who introduces an unpopular measure before this House, you turn out the Minister and replace him. In the case of an irremovable Member, all that Member can do is to say, “You cannot turn me out, but I can change my views, because I have got to obey you”, and that is what the Commerce Member has got to do

if he wishes to respect the views of the Joint Parliamentary Committee. There is no use and you cannot get away from the fact that, if you are to apply the analogy of the self-governing Dominions; if you are to admit, and the Commerce Member has admitted it, that, so far as the question of fiscal autonomy is concerned, India is a Dominion. Within that small and narrow compass, the constitution must operate and work as if we were a self-governing Dominion, and I submit, Sir, that is what the Secretary of State said, that for the last ten years the fiscal convention has been worked by India like a self-governing Dominion.

Now, Sir, another point to which I want to draw your attention is this. I contend, in the first instance, that there is no incongruity between an irresponsible executive and the working of this convention in the spirit of the recommendation, may I say the decision, of the Joint Parliamentary Committee, because both in the House of Commons and in the House of Lords, when the Parliament Act was under discussion, it was conceded by responsible Ministers of the Crown that the Report of the Joint Parliamentary Committee must be read as a part of the Act. Now, that being the position, it raises another question of great constitutional value, and it is this. If the executive Government wanted this House to give their “most free expression of opinion”, I use their own phrase, do you think, Sir, that this House is in a position to give its most free expression of opinion when Member after Member on the Treasury Benches has spoken and said “Either accept this half a loaf, or you will get nothing at all”? Is this conducive to the most free expression of opinion? I ask the Honourable the Commerce Member to pause and consider. If they wanted to concede to this House a free and unfettered expression of opinion, it was up to them to come before us and say, “I have made no decision whatever on this matter. I am free to decide after hearing you. It may be that you will convince me, in which case I shall be converted. It may be that I shall convert you, in which case you and I will agree”. But what is the position that the Government have taken up? They say, “We recognise, we admit, we concede that this convention is a reality. We therefore concede that you are a Dominion, while you are dealing with the enforcement of this convention, but at the same time, so far as we are concerned, we have put wax into our ears, and whatever you may say, however strong may be your argument, however conclusive your logic, we refuse to agree with you unless you agree with us, and if you don't agree with us, then we do not give Bombay the protection which they so sorely need”. I ask any fair minded Member of this House, whether on the Government Benches or on the Opposition Benches, if this can be characterised as giving to the House an opportunity for the most free expression of opinion. That, I submit, is a question upon which I would like to have a reply from the Honourable the Commerce Member.

Now, Sir, there is another point and a very important one, dealing as it does with this constitutional issue. It has been said by the Honourable the Commerce Member—and I would give the House his exact words as reported so that there should be no chance of any misunderstanding—

“that would mean, (Sir George Rainy continuing said), that it might be contended that Government should, in this matter, abide by the majority vote of this House.”

Now comes the considered reply of the Government:

“that would mean, (Sir George Rainy continuing said), that it might be contended in a very large part of the fiscal sphere.”

The Honourable Sir George Rainy: May I interrupt the Honourable Member for a minute? I can give him the exact words, which were:

"That would mean nothing less than the abnegation of its function by Government in a very large part of the financial sphere."

Sir Hari Singh Gour: Now, mark the implication of those words that, "If we were to abide by your decision, we shall be abdicating our function . . ."

The Honourable Sir George Rainy: I said "abnegation".

Sir Hari Singh Gour: " . . . we shall be abnegating our function in a large sphere of financial responsibility". Sir, that is begging the whole question. What is their function? They are ascribing to themselves a function which is against the report of the Joint Parliamentary Committee. He has himself, in the previous paragraph, pointed out that, so far as this question of fiscal autonomy is concerned, the function is the function which the Government share with the Members of this Legislature. Where is the abnegation of function? They ascribe to themselves a power and a privilege which, according to the interpretation on the convention by the Honourable the Commerce Member himself, in the passage to which I have referred, he is not entitled to. I submit the function of the Government of India is a creature of the statute. These functions are the functions which they can only discharge with due advertence to the rights and privileges and, let me add, obligations, created by the statute. I have already pointed out that, so far as fiscal autonomy is concerned, the Government of India have got no right whatever to make any decision except with the agreement of the Legislature. My friend, Mr. K. C. Roy, tells me that this is the right in all Bills. I go further. In the matter of other Bills governed by the ordinary language of the Government of India Act, the powers of the executive Government in this country are larger

Mr. President: What are they?

Sir Hari Singh Gour: Take for instance, the power of certification.

Mr. President: Order, order. The Honourable Member made it quite clear yesterday, that when the Legislature and the Government of India do not agree, the convention ceases to be operative and they resume their powers again.

Sir Hari Singh Gour: I am just coming to that very point. I thank you, Sir, for drawing my attention to it. My friend, Mr. K. C. Roy, interjected a remark and said that, in the ordinary matter of legislation, the Government of India have got certain statutory duties. That is perfectly true in regard to ordinary legislation. But in regard to this fiscal autonomy, there are the exceptional powers conferred upon the Indian Legislature, and these powers could not be made a part of the statute, because the Indian Legislature could not be given the sovereign rights in all other matters, and the power of the veto of the Crown could not be limited. That, of course, you will find in the previous sentence. The Honourable the Commerce Member says that, if there is any agreement between the executive and the Legislature, in that case the convention goes by the board. Now, I beg to ask him this question. Is there anything in the convention to show that the convention is only operative if and when the Government and the Legislature are in agreement, and if

they are not, the convention is inoperative? You cannot implement on a convention a power of giving yourself a right which the statute has not given you. Nay more, it would create in the Government of India an autocracy unprecedented in its previous history. For while in all other matters it is subject to the general power of supervision, direction and control of the Secretary of State, that power is expressly withdrawn when the Government acts on the convention. In this case the power of control must be deemed to be transferred to and vested in the Legislature—since the Government must be responsible to some constituted authority, and the Secretary of State's power being withdrawn the power of the Indian Legislature necessarily comes into play. To that extent the will of the Legislature is paramount and the executive must submit to its decision. I therefore submit with due respect to the Honourable the Commerce Member that in this respect the ordinary constitution cannot come into play because the convention must be carried out and there is absolutely nothing in the circumstances of the convention, or in the mode and manner of its operation, or in the procedure by which it is to be enforced which makes it unworkable. Sir, the Joint Parliamentary Committee was an expert committee. They adverted to the fact that, in ordinary matters of legislation, the Indian Legislature had a limited authority. Surely, the Joint Parliamentary Committee must have seen, with half an eye, that there was a possibility of a deadlock between the Legislature and the Executive if the Legislature took one view and the Executive another. But have they adverted to it? They have. They have adverted to it in that pregnant phrase in which they have said that we charge the Government of India to recognise and to treat the Indian Legislature as a Parliament and themselves as belonging to a Dominion Parliament, and give the Legislature the fullest opportunity to decide as to how and when and in what manner the convention is to be enforced. Otherwise, there was no necessity to use this very emphatic phrase, namely, that they should have the same opportunity to consider her interest as Great Britain, Australia and the rest.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): How is the agreement to be found between the Legislature and the Executive?

Sir Hari Singh Gour: By mutual discussion.

Diwan Chaman Lall: By a vote of this House?

Sir Hari Singh Gour: By consulting you and me or by persuasion by you and me. But they have put themselves out of court; they have taken a false step. They are trying to show you, Mr. Chaman Lall, and you, Sir, that the

Mr. President: Both are not in the Chair.

Sir Hari Singh Gour: I have been trying to show you, Sir, that the position of the Government has become intolerable by the action they have taken of deciding a thing before placing it before this House. The position therefore is the very reverse of what was contemplated by the Joint Parliamentary Committee. But let me not digress. Another point which I wish to emphasise is this. Flowing from the language of the Joint Parliamentary Committee that we are to constitute ourselves as a Legislature of Great Britain, Australia and the other self-governing Colonies, it follows, as the Honourable Pandit Madan Mohan Malaviya has pointed out,

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from Lord Crewe's Report, that if you are to give this House, within the limited scope of deciding her own fiscal policy, the same rights and privileges as belong to a self-governing Dominion, then official and nominated vote has no place. Have you got any official and nominated Members of Parliament in England or in Australia or in Canada?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Of course not.

Sir Hari Singh Gour: You have not. Very well, Sir. If therefore you are to sit here as a Dominion for this limited purpose, then I submit, it follows, as a matter of logical necessity, that nominated and official Members should not have any vote. (Interruption by Mr. K. C. Roy.) My friend Mr. K. C. Roy has asked me whether a taxation Bill goes before the House of Lords.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): He is a nominated Member.

Sir Hari Singh Gour: That was a question which I had the misfortune to raise in the first Assembly when the then Finance Member wanted his Finance Bill to go before the Joint Committee of the two Houses. We then raised a point and that point succeeded, namely, that so far as fiscal matters are concerned, they are the primary concern of this House. I beg therefore to submit that, if you really work the constitution, even the occupants of the Treasury Benches must work the convention in the liberal spirit in which it was intended to come into operation. That being the position, I ask the Honourable occupants of the Treasury Benches to reconsider the position.

The Honourable Pandit Madan Mohan Malaviya has suggested a line of action, namely, that all the amendments in the Bill be referred to the Select Committee.

Mr. President: After the consideration stage is over.

Sir Hari Singh Gour: With the consent of the Honourable Member I have not the slightest doubt that that difficulty can be circumvented.

Mr. M. A. Jinnah: We can do this also under the convention, I suppose, as interpreted by Sir Hari Singh.

Sir Hari Singh Gour: Yes, we can set up a committee of the whole House, as is done in the House of Commons. We are to work as the Dominion Parliaments work in the matter of this convention. That, I submit, is a plain reading of what the Joint Parliamentary Committee have laid down in words which have been read by the Honourable the Commerce Member and my friend Pandit Madan Mohan Malaviya.

Now, Sir, that is all that I have to say with reference to the constitutional issue. May I say also a few words on the merits of this particular Bill?

Mr. President: I wish the discussion to be confined to the constitutional issue.

Sir Hari Singh Gour: Then, this is all I have to say on the constitutional issue.

Mr. M. A. Jinnah: Is there any point of order, Sir, that you are considering? I have not quite followed the debate so far. Is there any specific point of order which you wish to consider?

Mr. President: The Honourable Pandit has put several questions. Will the Honourable Pandit kindly pass them on to me?

Pandit Madan Mohan Malaviya: I requested the President to be pleased to help the Assembly by rulings on three questions:

(1) Whether the interpretation put by the Honourable Sir George Rainy on the convention is correct and consistent with the recent declaration of the Secretary of State;

(2) Whether the attitude taken up by the Government that they have not an open mind in regard to my amendment, and if that or any other amendment is accepted by the House, they will not further proceed with the Bill is consistent with the fiscal autonomy convention;

(3) Whether the official and nominated Members are entitled to record their votes on a division on this Bill.

Mr. Arthur Moore (Bengal: European): Sir, I wish to speak.

Mr. President: Is the Honourable Member going to speak on the constitutional question?

Mr. Arthur Moore: Yes, Sir.

Sir Hari Singh Gour: I have got only one point to submit; that is that the powers of the Chair to decide matters of constitutional issues and matters of rights and privileges of this House were settled in the first Assembly in connection with the Supreme Court Bill, with the consent of the then Law Member, and that question came up again in the third Assembly, and it was then decided that it was within the privilege and power of the Chair to decide these questions. That is all I have to say on the powers of the Chair.

Mr. Arthur Moore: Sir, the Honourable Member, Sir Hari Singh Gour, with very great ingenuity brought an accusation of begging the question. I think that with even greater ingenuity, he himself begged the question at the outset, because he started with the basic assumption that the Joint Parliamentary Committee laid it down that it was the business of Government to agree with the House.

Sir Hari Singh Gour: I never said anything of the kind.

Mr. Arthur Moore: I have not got the Honourable Members words before me, but I am sure I am within the recollection of the House when I say that the whole of the first part of the argument was based entirely on the assumption that the Joint Parliamentary Committee laid it down that it was the duty of Government to agree with the House. But, Sir, as I understand it, the Joint Parliamentary Committee laid down that the fiscal autonomy convention comes into operation if and when the Government and the House find themselves in agreement.

The Honourable Pandit, during certain passages in his speech, spoke with great eloquence and evidently under the stress of deep emotion, and

[Mr. Arthur Moore.]

I do not think that any of us who heard him can have doubted his complete conviction that he was speaking in a righteous cause. In view of what you say, Sir, I shall confine myself purely to the constitutional point. I would like to have taken up his argument, so largely based on the figure of 2½ crores, which I do not think can be sustained, but I will drop that point and deal

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): On a point of order, Sir. Do Honourable Members exhaust their right of speaking by addressing the House on this point of order?

Mr. President: No.

Mr. Arthur Moore: So, I shall stick to the point of order.

The Honourable Sir Brojendra Mitter (Law Member): What is the point of order?

Mr. President: The Honourable Member has not heard?

The Honourable Sir Brojendra Mitter: I do not understand that there was any point of order which the Chair has got to decide.

Mr. President: You may take the point that the points raised are not points of order.

The Honourable Sir Brojendra Mitter: I fail to understand what is the point of order. There is a motion before the House, there are two amendments, one that of the Leader of the Opposition and the other that of Mr. Chetty. These are the two amendments which are before the House. What is the point of order on the motion or on those amendments?

Mr. President: The point of order is this. The Government of India have given their interpretation of what the fiscal autonomy convention on which they have based this Bill means. The Honourable Pandit has put his interpretation, and I am called upon now to say which of the two interpretations is correct. That is one. The second point is, on a matter based on the fiscal autonomy convention whether the official and nominated Members of this House are entitled to take part in the division. That is the second point of order.

The third point of order is, whether the attitude taken up by the Government, namely, that they have not an open mind and that the Assembly is bound to take what they give is consistent with the fiscal autonomy convention.

Sir Hari Singh Gour: I submit that raises the question of privilege of the House. (Hear, hear.)

Sir Cowasji Jehangir: I understand that the final point of order raised by my Honourable friend is that Government have no right to withdraw the Bill if the Honourable Pandit's amendment is carried. (Hear, hear.) That is the final point of order.

Mr. M. S. Aney (Berar Representative): He has not made that point.

Mr. President: I have already fully explained to the House what the questions raised by the Honourable Pandit are.

Mr. M. A. Jinnah: I rise to a point of order. I want your ruling whether any of these three points, which have been stated and which are contained in the statement of Pandit Madan Mohan Malaviya, are points of order, having regard to the progress of the Bill. ("Hear, hear" from the Government Benches.)

Mr. President: That is a point on which I shall be prepared to hear Honourable Members.

Mr. M. A. Jinnah: The first point I want you to consider is whether these are points of order.

Mr. President: I should like to hear Honourable Members on that point too.

Mr. M. A. Jinnah: Let us confine it to one thing at a time.

Sir Hari Singh Gour: Is not a question of privilege of the House a point of order?

Mr. Arthur Moore: Well, Sir, I think I understand your wishes and I shall endeavour to comply with them. I heard my Honourable friend the Pandit's remarks with regard to this fiscal autonomy convention, and it did seem to me that the Honourable Pandit throughout was making a large assumption. He assumed that he was speaking for the majority of the House, and he assumed that the Government and the House are not in agreement. Now, Sir, that is an issue, I submit, which has yet to be settled.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): What about the Honourable the Commerce Member's statement?

Mr. Arthur Moore: The second point is this that he has said repeatedly

Mr. T. Prakasam (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I wish to rise to a point of order.

Mr. President: The point of order is being discussed. Mr. Moore.

Mr. Arthur Moore: It is said repeatedly

Mr. T. Prakasam: With your permission, I should like to rise to a point of order on the statement which my Honourable friend has made. He says on the first question raised by Pandit Malaviya, that it is a matter yet to be settled by this House. It is not a matter to be settled by the House, because the Honourable the Commerce Member has already given his views about it.

Mr. President: That is not a point of order.

Mr. Arthur Moore: I would suggest to the Honourable Members opposite, that we have all listened to their views at very great length. I shall be as brief as I can and I should very much like you to allow me to develop my argument, and it is this. It is suggested that Government have come before us in an entirely unyielding attitude. Sir, I do not think that that can be sustained. The Honourable the Finance Member has already told us that we shall not, in its final stages, be asked to accept the Bill as it stands. We have been told that we are not even asked to accept the proposal outlined on the 28th February by Sir George Schuster. The Government are going to accept an amendment, and from whom does that amendment come? It comes from the Opposition. It does not come from any reactionary or any one who sits behind them. It comes from one whom we have known as

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one of the ablest Members of the Party that Pandit Motilal Nehru used to lead in this House, and from one whom we are very glad to have still with us, though we know that he remains as convinced a Swarajist as ever.

Mr. Jehangir K. Munshi (Burma: Non-European): Give him a free choice!

Mr. Arthur Moore: I give the Honourable Member the credit of assuming that he had a free choice. I should think it is very unfair to Mr. Chetty to suggest that he has not a free choice, and I am sure Mr. Chetty would repudiate such a suggestion. But there it is. No one can say that Government have not made an effort on this occasion to meet the House in the interests of this very fiscal convention. The argument which is brought to rebut that is that the House has not a free choice, because Government have said that this is as far as they will go, and that they will not accept any further amendment.

Mr. M. A. Jinnah: Sir, I again most respectfully rise if you will permit me. I understood that, on my point of order whether the points stated by Pandit Malaviya were points of order or not, your ruling was that you want to hear our views on that also.

Mr. President: Yes, on that also. That is what I said.

Mr. M. A. Jinnah: Quite so. Now, may I most respectfully submit that that is a question which ought to be disposed of first, *i.e.*, whether there is a point of order or not. I would like to point out to you also the Standing Order, that generally it is for the President to decide a point of order. It is open to you, if you have any doubt, to consult one or two of the leading Members of the Assembly, or the old Members of the Assembly, who may have some experience, to guide you. But otherwise, may I point out, the Standing Order says this:

"The President shall decide all points of order which may arise, and his decision shall be final. Any Member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point."

Now, Sir, if you are going to allow this general discussion of all these matters on this point of order of mine, namely, whether the points raised by Pandit Malaviya are points of order or not within the meaning of the Standing Order, my submission is this. You will first of all have to decide whether they are really points of order. If you still want to consult certain Honourable Members, of course, it is within your power to do so.

Mr. Arthur Moore: On a point of order, may I ask whether the point of order raised by Mr. Jinnah is a point of order? (Laughter.)

Mr. M. A. Jinnah: Certainly it is.

Mr. T. Prakasam: May I know whether there is any rule

Mr. President: Order, order. I do not wish to hear several Honourable Members on the points of order raised by Pandit Malaviya and the point of order raised by Mr. Jinnah as to whether the points of order raised by Pandit Malaviya are points of order or not. I shall confine myself to two or three Honourable Members and Government if they choose to participate in the discussion. But I am not going to separate the two. The discussion will be on the question whether the points of order raised by Pandit Malaviya are really points of order or not, and if they are points of order, what the views of the Honourable Members are.

Pandit Madan Mohan Malaviya: May I just supplement your statement by one remark?

Mr. President: Order, order.

Pandit Madan Mohan Malaviya: I should like to explain

Mr. President (to Mr. Arthur Moore): I hope the Honourable Member will be brief. He will have another opportunity of speaking on the merits.

Mr. Arthur Moore: Sir, I do not think I need go into the question of merits now, though I submit that my argument with regard to the fiscal convention is germane to the Bill itself. And I should like, with your permission, to deal with the question of Lancashire because that seems to be largely the basis of the argument about the fiscal convention, and whether the House has a free choice or not. I would call my Honourable friend Pandit Malaviya's attention to a sentence from the Report of the Joint Parliamentary Committee, which he himself read out, and to which he attached considerably less importance than I do. The Committee say that the convention exists "in the interests of India as an integral part of the British Empire". That, Sir, is the point. If we are discussing the merits, I think I can say to the Honourable Pandit Malaviya that the figure of 2½ crores which is so freely talked about is entirely illusory; and that Lancashire will actually be extremely hard hit by this Budget.

Mr. M. A. Jinnah: It seems to me that the Honourable Member is determined to speak on the merits of the Bill.

Mr. President: I hope the Honourable Member will confine himself to the points of order.

Mr. Jehangir K. Munshi: And also tell us which point of order he is particularly dealing with.

Mr. Arthur Moore: Mr. Jinnah has raised so many points of order that all our heads are slightly in a whirl.

Dr. A. Suhrawardy: That is a point of disorder. (Laughter.)

Mr. M. A. Jinnah: I have been upheld by your ruling, Sir. The Honourable Member is going beyond the point of order.

Mr. Arthur Moore: I was submitting that it is the question of the fiscal convention which is now under discussion and not merely the point of order of Mr. Jinnah. The President has clearly ruled that both are to be discussed together; and Pandit Malaviya made it perfectly clear that he based his argument with regard to this fiscal convention largely on the question that the House was being asked to do something not in the interests of India but in the interests of Lancashire.

Mr. President: The point, if it is a point of order, is whether the interpretation put by Government on the fiscal autonomy convention is correct or not.

Mr. Jehangir K. Munshi: May I suggest, Sir, that the point of order be written out and handed over to Mr. Moore? (Laughter.)

Mr. Arthur Moore: That, Sir, is the first of Pandit Malaviya's three points. But Pandit Malaviya went much beyond that in the other two points which he raised. He also asked, Sir, whether nominated and Government Members should vote, and I would submit, Sir, that any ruling to say that they should not vote would be to wash out the importance not

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[Mr. Arthur Moore.]

only of the Simon Commission and the Round Table Conference and the Government of India Act, which will probably be passed next year, (Laughter and applause.) and would give Dominion Status by a side wind in the next five minutes. That is the second point. I would like to refresh my memory as to what is the third point.

Diwan Chaman Lall: Here, there are the three points.

(The Honourable Member passed on a slip to Mr. Arthur Moore.) (Laughter.)

Mr. Arthur Moore: I find that I have completely disposed of the Pandit's other points about the Government having an open mind, because I have shown that the Government, in not asking the House to accept their original proposal, have done something to meet the House. But at the same time, I should like to say that I am very largely in agreement with Honourable Members opposite as to the way in which this is to be done. (Hear, hear.) I do think that a very unfortunate precedent has been established of conducting these negotiations outside the House, (Hear, hear.) and that the Government would have found itself in a very much stronger position if it had accepted Mr. Chetty's amendment on the floor of this House instead of telling us their decision before it had been discussed.

The Honourable Sir Brojendra Mitter: I think Mr. Jinnah's point of order is perfectly sound. What the Leader of the Opposition calls a point of order is really not a point of order. What is a point of order? When a Member is saying something or bringing in a motion which is not in order, you can stop him. What are you expected to stop now? Are you expected to stop the discussion on the motion which is before the House? No, because you cannot do it under the rules; you cannot stop discussion. You cannot prevent discussion, nor can you refuse to put the question.

Mr. President: Under which rule?

The Honourable Sir Brojendra Mitter: Rule 17A. You cannot refuse to put the question. That being so, Sir, my submission is that none of these points can possibly be points of order. Now let us see. The first is, is the Honourable the Commerce Member's interpretation of the convention correct? Supposing it is not correct, what then? What follows? Supposing it is correct, what follows? In either event, you are bound to put the question before the House, the question which is being debated. Therefore, how can it be a point of order? Your decision one way or the other cannot stop the debate, nor can it stop putting the question before the House.

Diwan Chaman Lall: Is the Honourable Member referring to rule 17A?

The Honourable Sir Brojendra Mitter: Yes. Then the second point is about the attitude of the Government. Supposing the attitude of the Government is wrong. What then? What follows? The debate will not stop on that account. Supposing the attitude of the Government is right, the debate will go on equally well. Then, how can it be a point of order? Assuming you, Sir, come to the conclusion that the point of order of the

Leader of the Opposition is good, what is out of order? Is the Bill out of order? Objection ought to have been taken on the introduction of the Bill, that the Bill has not been properly brought before the House.

Mr. President: May I point out to the Honourable Member that the Honourable Pandit's point is that the Honourable the Commerce Member's statement, that the Government have made up their minds and they are not going to accept any other amendment except that of Mr. Chetty, is inconsistent with the fiscal autonomy convention on which this measure is based, and therefore he wants my ruling whether this attitude is right, and if that is not the right attitude, how it affects the whole question.

The Honourable Sir Brojendra Mitter: I have followed what you have been pleased to explain. My difficulty is still not overcome. Assuming the attitude which the Honourable the Commerce Member took up is most reprehensible—I am not discussing the merits of the attitude—but assuming that it is most reprehensible, what follows? Can you refuse on that basis to put the question on the motion before the House?

Mr. President: It has to be considered.

The Honourable Sir Brojendra Mitter: I am submitting that, even in that case, you cannot prevent the discussion on the motion which is before the House, nor can you refuse to put the question before the House.

Mr. President: Under the new rule?

The Honourable Sir Brojendra Mitter: Under the new rule 17A. That being so, it is irrelevant, the whole of this point.

Mr. President: If that rule is *ultra vires*?

The Honourable Sir Brojendra Mitter: If you hold that that rule is not binding, that is another matter. But that point of order has not been raised yet. (Applause.)

Then as regards the third point, as to who can vote on the motion which is before the House, we have not yet come to that stage. We are still in the stage of discussion and when the time comes for voting, the point may be taken by any Member as to who are entitled to vote.

Mr. President: The Honourable Member accepts that as a point of order?

The Honourable Sir Brojendra Mitter: It may be. But at the present moment it is premature. When Government Members are about to vote, then any Member can take the point that they are not entitled to go into any division lobby. I can understand such a point of order; but we have not come to that stage yet, and all I need say now is, if that point of order is raised at that time, you will give me an opportunity to speak.

Mr. President: The Honourable Member may make it quite clear now.

The Honourable Sir Brojendra Mitter: Under section 63D of the Government of India Act the question shall be decided by a majority of votes of Members present and no distinction is made between elected and nominated Members.

Mr. President: If any Member has got a pecuniary interest in the subject matter of the motion, he is entitled to vote?

The Honourable Sir Brojendra Mitter: He is entitled. Whether he ought to vote or not, is for him to consider; but that is not a point of order.

Mr. M. A. Jinnah: I am very loath indeed to take up the position which I wish to take up. But I assure you, Sir, and assure this House, that any observations that I make are entirely based on one consideration and one consideration only, and that is the true and the correct interpretation of our Standing Orders and the various parts of our constitution. I, Sir, attach very great importance to our coming to a correct decision on points of this character, and therefore, please do not consider that I am taking the view because we have taken up a somewhat different position in regard to the Bill to that of the other Honourable Members. Now, Sir, in the first instance, what we are now concerned with is the consideration of this amendment.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Has the amendment been formally moved? That was not moved formally.

Mr. M. A. Jinnah: I thought the Honourable Member who moved the amendment spoke for nearly four hours and then finally. . . .

Mr. President: When? Today?

Mr. M. A. Jinnah: Nearly four hours yesterday and today certainly, and finally ended by saying, "I move my amendment". I do not know where the Honourable Member was. Now I do not want to waste the time over that. I am glad he knows now that the amendment has been moved. Therefore, Sir, I was saying that the amendment was moved and the House is seized of the amendment. Therefore, Sir, I must say that an amendment has been moved and the House is seized of that amendment. Well, now, Sir, the first question that is raised is this. Is the interpretation put upon the convention of fiscal autonomy by the Government of India, through of course the Honourable the Commerce Member, correct? Now, Sir, is it within your province to decide? That is the first question. But I will assume for the moment that it is within your province. Whatever interpretation you may put upon it, will it prevent the Government of India from withdrawing this Bill? Whatever interpretation you put upon it, we shall be exactly in the same position from which we started. Therefore, it seems to me, Sir, that, in the first instance, whatever interpretation you may put upon it, and whatever respect it may command, it cannot be conclusive or decisive; and secondly, it will not prevent the Government from withdrawing this Bill if they are so determined. Now, with regard to this second point, there again the question is raised, is the attitude of the Government, namely, that they have announced that they will withdraw the Bill if the amendment is carried, consistent with the correct interpretation of the convention? Well, now suppose you pronounce that their attitude is not correct or consistent with the true interpretation of the convention; what follows then there? Nothing. Now, Sir, in the first instance, I most respectfully submit that neither of these two points are points of order, and whatever

opinion you may express is not going to be of any real use if you admit that the Government have power to withdraw this Bill.

Now, Sir, then comes the third point, namely, whether you can give a ruling and say that any particular Member of this House is not entitled to vote because he is an official, or because he is a nominated Member, which will be directly in contradiction with the terms of the statute, and for that ruling, Sir, I say, with great respect, you may well command respect, being a ruling coming from you, but it will not be effective; it will be a contradiction of the terms of the statute, and it is not a point of order. Therefore my submission is, Sir, that none of these three matters raised by my Honourable friend are points of order. I am very sorry to say this—I say this, because I want every Member to give his judgment fairly and in the interests of the progress of the constitution under which we are working, and which we wish to build up, because once we go wrong in these matters, I do not know where we may be landed. I do not think it is desirable to go wrong in these matters, whatever be our feelings with regard to the merits of the Bill, and therefore I wish to place before you, with the utmost respect, that these three points are not points of order, and I say. . . .

Mr. President: Honourable Members will remember that, in the past, points of order have been raised whether a particular Member is entitled to vote or not.

Mr. M. A. Jinnah: With great respect, Sir, I say, yes, the point may be raised on the ground of interest of a Member.

Mr. President: It is for the Chair to decide whether it is a point of order or not.

Mr. M. A. Jinnah: I say, that this point of order raised has only got to be stated and rejected. If you are asking my opinion, I give it, take for example this. Supposing an Honourable Member here gets up at the stage and says, "I rise to a point of order; the Honourable Sir George Schuster should not be allowed to vote because he is an official", I should think, in my opinion, the President should say, "Nonsense, I have no power", and there is an end of it. You are asking my opinion, and therefore I am giving my reasons. My reasons are that you cannot decide contrary to the terms of the statute, and say that the official Members and the nominated Members are not entitled to vote. Therefore, Sir, I submit that none of these matters are points of order, and if they are points of order, I say really that they ought to be rejected, on the merits at once and the progress of the Bill should not be delayed.

Mr. M. S. Aney: Sir, there are two questions raised for your consideration. The first is whether the points raised by the Leader of the Opposition are points of order or not, and the second question is whether the interpretation put upon the convention by the Honourable Sir George Rainy is correct, and also consistent with the pronouncement made by the Secretary of State. Besides these two points, there is the third point arising out of the second, viz., whether, in view of the convention, the official and nominated Members shall be entitled to vote when the House will have to divide. I was considerably surprised at the speech which the Honourable the Law Member has made. He has tried to make an attempt to define what a point of order should be, and if I have understood him

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right, what I gathered from his speech was this, that in his opinion a point of order should be a point of such a nature that a ruling thereon by the Chair would either interfere with the normal work of this House or with the debate on a particular motion under discussion. Such a point alone can be a point of order; no point which does not satisfy this test can be a point of order. That is the definition which he tried to lay down in his speech, and on the basis of that definition, he made an attempt to show that none of the three points are of such a nature that they can be considered points of order. He conceded, however, that the last point, namely, that official and nominated Members should vote or not, is a point of order, but according to him it was premature to raise the point at this stage, and the proper time to raise it, he thinks, is when the motion is going to be voted.

In the first place, Sir, I decline to accept that even as an approximately correct definition of a point of order. The Honourable the Law Member must be aware that there are various kinds of points of order, and that it is not necessary, in the case of every one of them, that a ruling on it would necessarily interfere with the working of the House or with the debate on any particular motion under discussion before the House. Say, for example, any Honourable gentleman, in the course of his speech, used any particular word, and some other Honourable Member got up and said that a particular term used was an unparliamentary one, may I ask the Honourable Member whether such a point will in any way interfere with or prevent the debate? A point of order must raise a question which nobody except yourself alone, in your capacity as the custodian of the constitution, can decide. The real definition of a point of order always is that it raises a question relating to the procedure, propriety or privilege of the House on which the Chair alone can pronounce an opinion on a proper interpretation of the constitution or custom or convention of the House, and can call the Honourable Member or group of Members to order. There can be no other test of a point of order.

Secondly, the question is whether the points raised by my Leader can be points of order at all. My Honourable friend, Mr. Jinnah, has suggested that these cannot be points of order at all, in view of the fact you, Sir, are bound by the constitution, and your ruling will have to be given in terms of the provisions of the Government of India Act and the statute. One thing, which he seems not to have taken note of, is this, that it has been admitted by all that there is a convention with regard to fiscal autonomy. That has been established and recognised for over ten years. What is the exact nature and scope of that convention may be a point of some difference of opinion, but a convention which has been established and recognised for over ten years, becomes a part and parcel of the constitution as much as the Government of India Act itself. It is as much a part of the constitution as the Act and the rules framed thereunder, having the force of an Act, and therefore any question, with regard to that convention or the interpretation of its precise nature and scope, is a proper question for you to interpret and not for anybody else. Therefore, I submit, Sir, that the two questions which have been raised by my Honourable Leader, the Leader of the Opposition, being related to that convention of fiscal autonomy and requiring, as they do, a correct interpretation of the convention, are proper points of order, on which you alone, Sir, can

give a decision. That disposes of the preliminary objection which my Honourable friend, Mr. Jinnah, has raised. It may be a very bad point, a wholly untenable point; it may be that there are not very sound reasons behind it; but these facts do not take the question out of the category of points of order. These considerations seem to have been entirely overlooked by my Honourable friend, Mr. Jinnah, and therefore he has raised the question whether these questions are points of order or not.

Sir Cowasji Jehangir: May I inquire, Sir, whether you can enforce your ruling given on these points of order?

Mr. President: The Chair has got all the powers to enforce its ruling.

Mr. M. S. Aney: Now, Sir, with regard to the convention, the most crucial point in that convention on which my Honourable friend, the Commerce Member, has solely relied is the reference to the fact of agreement mentioned in the Report of the Joint Parliamentary Committee. This fiscal autonomy convention, whatever it is, has got a real meaning only if there is agreement between the Government of India and the Legislature. That is a very crucial fact in regard to this question. Now, Sir, everybody knows that an agreement is a bilateral transaction and not a unilateral one. An agreement requires two things; there must be two separate entities. So there must be one party called the Government of India and another party called the Legislature entirely separate and different from the Government of India. It is only with regard to this fiscal autonomy that this question of agreement comes into prominence and has got some importance. In other matters the question of agreement never arises at all. So what the position of the Government Members in this House is with regard to other matters is not in any way a factor which ought to weigh with us in finding out their proper position so far as fiscal autonomy is concerned. Now the Government of India ordinarily are a body consisting of His Excellency the Governor General and his Executive Councillors, but they are here in this House also with their own representatives numbering in all 25. Those 25 persons do not represent any other interests except what are known as those of the corporation called the Government of India. Those who have studied the constitution know that the 25 nominated official Members, who are here in this House, only represent the Government of India. Now, if the Government of India come to this House for the sake of ascertaining what is the view of this Legislature on a fiscal measure, then that Government of India must know that they, as a body, are a separate body from the Legislature, whose free consent and opinion they want to know or find out. If they merge themselves in this body at all, then the distinct existence of the two entities, without which the bilateral transaction cannot be imagined, is altogether obliterated. Therefore, they and those official Back Benchers, whom they have brought to this House to represent themselves, are only one party whose duty is simply to ascertain the view of the Legislature. That is precisely what was conveyed by the language of the Crewe Report, a passage from which was read out by the Honourable the Leader of the House. The non-official majority in the House is therefore the only factor which ought to weigh at the time of division in regard to any fiscal measure governed by the fiscal autonomy convention. It may also be argued in terms of the language in the Joint Parliamentary Committee's Report that

[Mr. M. S. Aney.]

the interests of the manufacturers and the consumers and not of the exploiters whom the Government of India in this case undoubtedly represent have to be mainly looked to in regard to fiscal matters, and a decision has to be taken by this House only on that basis. Now, I can understand that there are non-official nominated Members in the House,—and I shall concede even to these nominated Members,—that they are supposed to represent certain minorities and other interests which are non-franchised under the existing state of our constitution in the country. But under the constitution the official block represents none but the Government of India, and if the Government of India want to concede that fiscal autonomy convention is a reality, then, in order to carry it out honestly and faithfully, the only equitable position which they can take is, that they cannot and ought not to take any part in voting so far as the decision of the fiscal question in this House is concerned, as they are here only for the sake of ascertaining the view of the Legislature which is the other party to the agreement. It is of course open to them to agree or not to agree with the view of the Legislature. They may afterwards take any stand they like, but in order to ascertain the opinion of this House and to find out whether they can agree with it or not, they can only take the attitude of neutrality and nothing else.

Sir, if this fiscal autonomy is a reality, and if this convention is a part of the constitution, it is your right to enforce, without fear or favour, the terms of that convention in such a way as to give this House a fair chance of expressing its free and unfettered opinion, and then the Government of India can decide whether they will agree with that opinion or not. In short, the fiscal autonomy convention, to be a reality, necessarily implies a convention of neutrality of official Members at the time of division. For these reasons, Sir, I maintain that it will be open to you to decide the last point raised by the Leader of the Opposition, if you think that my interpretation is a correct one, *viz.*, whether the official Members are entitled to record their votes on the question or not, when you will be pleased to put the question and ask the House to divide. This is the view, Sir, I submit for your consideration in all humility.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I should like to say something

Mr. President: I think we have heard enough on the point.

The Assembly then adjourned till Eleven of the Clock on Monday, the 31st March, 1930.

LEGISLATIVE ASSEMBLY.

Monday, 31st March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN.

The Honourable Mr. Harry Graham Haig, C.S.I., C.I.E. (Home Member); Mr. Thomas Ryan, C.I.E., M.L.A. (Department of Industries and Labour: Nominated Official); Mr. John Collard Bernard Drake, C.I.E., O.B.E., M.L.A. (Department of Commerce: Nominated Official); and Mr. Rama Shankar Bajpai, M.L.A. (Director of Public Information).

QUESTIONS AND ANSWERS.

ASSURANCE GIVEN IN THE HOUSE OF COMMONS *RE* THE GOVERNMENT OF INDIA'S ATTITUDE TOWARDS MAHATMA GANDHI AND CONGRESSMEN.

897. ***Mr. Jehangir K. Munshi:** (1) Are Government aware that an assurance was recently given in the House of Commons by the Secretary of State for India:

- (a) that Government do not intend to make use of section 124-A of the Indian Penal Code to pursue a repressive policy against Mahatma Gandhi or his followers;
- (b) that Government do not intend to prosecute Congressmen for views they may express or for propaganda they may preach, as long as they do not commit any acts of violence, or incite others to commit acts of violence?

(2) Have Government received any communication or instructions, either from His Majesty's Government, from the Secretary of State for India or from the Secretary of State for India in Council, with regard to the said pronouncement of policy recently made in the House of Commons?

The Honourable Mr. H. G. Haig: (1) No, Sir.

(2) The question does not arise.

Mr. Jehangir K. Munshi: Are Government aware that a debate recently took place in the House of Commons on Mr. Fenner Brockway's Motion?

The Honourable Mr. H. G. Haig: Yes.

Mr. Jehangir K. Munshi: Have Government studied that debate?

The Honourable Mr. H. G. Haig: Yes.

Mr. Jehangir K. Munshi: Will Government tell the House what assurance was given by Mr. Wedgwood Benn in connection with political prosecutions?

The Honourable Mr. H. G. Haig: I have been unable to find on studying Mr. Wedgwood Benn's speech any assurance of the nature described in the Honourable Member's question.

Mr. Jehangir K. Munshi: Will Government tell the House whether any assurance of any nature was given by the Secretary of State for India?

The Honourable Mr. H. G. Haig: I think the Honourable Member might perhaps read the speech for himself.

Mr. Jehangir K. Munshi: Am I to take it that the Government of India are unable to understand the statement made by Mr. Wedgwood Benn?

The Honourable Mr. H. G. Haig: Will the Honourable Member kindly quote the passage in Mr. Benn's speech to which he refers?

Mr. Jehangir K. Munshi: Is there no passage in Mr. Wedgwood Benn's speech to the effect put in my question?

The Honourable Mr. H. G. Haig: No, Sir, most emphatically not.

Mr. M. S. Aney: Will the Honourable Member be pleased to state whether the recent prosecutions under section 124A were not prosecutions for expressions of opinion?

The Honourable Mr. H. G. Haig: I think that question will arise on a later question asked by the Honourable Member.

INSTRUCTIONS FROM HIS MAJESTY'S GOVERNMENT RE THE CIVIL DISOBEDIENCE MOVEMENT.

898. ***Mr. Jehangir K. Munshi:** (1) Have Government received any communication or instructions, either from His Majesty's Government, or from the Secretary of State for India, or from the Secretary of State for India in Council, with regard to the policy to be followed and action to be taken in connection with the Congress propaganda or in connection with Mahatma Gandhi's programme of civil disobedience?

(2) Will Government:

(a) place on the table all such communications and instructions?

(b) communicate to this House the gist and purport of all such communications and instructions?

The Honourable Mr. H. G. Haig: (1) The Government of India have been in close communication with the Secretary of State in regard to the policy to be followed in the present situation.

(2) (a) and (b). The communications between the Government of India and the Secretary of State are confidential and I am unable to take the action suggested in regard to them.

PROSECUTION OF MR. SEN GUPTA.

899. ***Mr. Jehangir K. Munshi:** (a) Will Government place on the table:

(i) a copy of the complaint filed by the Commissioner of Police, Rangoon, against Mr. Sen Gupta?

(ii) copies of the speeches alleged to have been delivered by Mr. Sen Gupta in Rangoon in respect of which the Government of Burma are prosecuting Mr. Sen Gupta under section 124-A of the Indian Penal Code?

(b) Are Government aware that Mr. Sen Gupta has constantly preached the doctrine of non-violence?

(c) Will Government state whether the prosecution of Mr. Sen Gupta by the Government of Burma is or is not contrary to the recent announcement made in the House of Commons by the Secretary of State for India?

The Honourable Mr. H. G. Haig: (a) (i) and (ii). I regret that I am not yet in possession of copies of the complaint filed against Mr. Sen Gupta and of the speeches on which the prosecution was based.

(b) I have not made a study of Mr. Sen Gupta's speeches, but I should not have supposed that this was their main key-note.

(c) I am not aware precisely what announcement the Honourable Member is referring to.

Mr. K. C. Neogy: May I draw the attention of the Honourable Member to the following statement made by His Excellency the Viceroy in this Chamber on the 25th January last:

"It has not therefore been the policy of my Government that prosecutions for seditious speech should be extended beyond those cases where the language used, or the circumstances of its employment, constituted an incitement to violence or made it necessary to regard the speech as incidental to a movement directed to the subversion of law and of the authority of Government?"

Will the Honourable Member be pleased to tell us as to how far this particular case satisfies the conditions laid down by His Excellency the Viceroy in this statement?

The Honourable Mr. H. G. Haig: The statement of policy which the Honourable Member has just quoted is the policy of the Government of India and they consider that the initiation of this prosecution is in no way in conflict with that policy.

Mr. K. C. Neogy: Has the Honourable Member examined the judgment of the Magistrate who convicted Mr. Sen Gupta, before making this statement?

The Honourable Mr. H. G. Haig: No, Sir. We are not in possession of a copy of the judgment.

Mr. M. S. Aney: Will the Honourable Member be pleased to say whether before they gave sanction for this prosecution the Local Government was in communication with the Government of India and, if so, did they submit a copy of the speech for the perusal of the Government of India?

The Honourable Mr. H. G. Haig: That, Sir, arises on a subsequent question.

Diwan Chaman Lall: May I ask the Honourable Member, if he has not read a copy of the judgment, how does he make the statement that the policy pursued in this particular case is in consonance with the policy laid down by the Government of India?

The Honourable Mr. H. G. Haig: I said that it was not in conflict with that policy.

Diwan Chaman Lall: May I ask how the Honourable Member can say it was not in conflict, not knowing the facts?

The Honourable Mr. H. G. Haig: The Government of Burma, Sir, must be the judges of the facts in the first instance. Their judgment of the facts was that there was no conflict between the initiation of this prosecution and the policy laid down by the Government of India and the Government of India fully accept that.

Diwan Chaman Lall: May I take it then, that the position is that it is not the opinion of the Government of India but the opinion of the Government of Burma communicated to the Government of India?

The Honourable Mr. H. G. Haig: The primary responsibility for launching such prosecutions lies with the Local Government, consistently with the general policy which may be laid down by the Government of India.

Mr. Jehangir K. Munshi: Are Government aware that a sentence of ten days' simple imprisonment was passed on Mr. Sen Gupta?

The Honourable Mr. H. G. Haig: Yes, Sir.

Mr. Jehangir K. Munshi: Are Government aware that a sentence was passed by an English member of the Indian Civil Service, who is under the executive Government?

The Honourable Mr. H. G. Haig: I do not know what the Honourable Member's suggestion is when he says that the officer is under the executive Government. The sentence was passed by a Magistrate.

Pandit Madan Mohan Malaviya: Do Government realise that it is the right and the duty of every Indian, who loves his country, to condemn the existing system of Government in the strongest language he can?

The Honourable Mr. H. G. Haig: I hope it is not so.

Pandit Madan Mohan Malaviya: Do Government realise that, in order to bring about a change in the existing system, every man who hates this system ought to preach that hatred?

Mr. President: That is a matter of opinion.

Mr. Jehangir K. Munshi: How do Government reconcile this sentence of ten days' simple imprisonment with the policy laid down by His Excellency the Viceroy?

The Honourable Mr. H. G. Haig: The Government had nothing to do with the sentence of ten days' simple imprisonment. That was the judgment of the Magistrate.

Mr. Jehangir K. Munshi: How do the Government of India reconcile the policy of the Government of Burma in initiating this prosecution, which resulted in the sentence of ten days' simple imprisonment, with the policy laid down by His Excellency the Viceroy?

The Honourable Mr. H. G. Haig: It may be presumed that the Government of Burma took a different view of the gravity of the speeches from that taken by the Magistrate.

Mr. Jehangir K. Munshi: What view do the Government of India take now?

The Honourable Mr. H. G. Haig: I am not going to be led into a discussion of the merits of the Magistrate's judgment.

POLITICAL PROSECUTIONS IN BURMA.

900. ***Mr. Jehangir K. Munshi:** Have the Government of India issued to the Government of Burma any instructions during the past four months with regard to political prosecutions?

The Honourable Mr. H. G. Haig: The Government of India are in constant communication with all Local Governments upon general questions of policy.

Mr. Jehangir K. Munshi: Did the Government of India know that the Burma Government was going to prosecute Mr. Sen Gupta before the prosecution was launched?

The Honourable Mr. H. G. Haig: That question, Sir, arises on question No. 901.

Mr. K. C. Neogy: What steps do the Government of India take in order to assure themselves that the general policy laid down by them is being followed by the Local Government?

The Honourable Mr. H. G. Haig: No special steps are required.

Mr. K. C. Neogy: Is it open to any Local Government to defy the general policy as laid down by the Government of India in these matters?

The Honourable Mr. H. G. Haig: No Local Government would dream of defying that policy.

PROSECUTION OF MR. SEN GUPTA.

901. ***Mr. Jehangir K. Munshi:** (a) Were the Government of India consulted before the Government of Burma prosecuted Mr. Sen Gupta?

(b) Will Government place on the table the communications exchanged between them and the Government of Burma in this connection?

(c) Will Government communicate to this House the gist and purport of such communications?

The Honourable Mr. H. G. Haig: (a), (b) and (c). A decision as to the initiation of prosecution in any particular case rests with the Local Government and consultation with the Government of India is confined to general

questions of policy which may be held to effect the exercise by Local Governments of their responsibility. The Government of India were consulted in this case, but I am afraid I am not prepared to lay on the table the communications exchanged.

Mr. K. C. Neogy: At what stage were the Government of India consulted in this case?

The Honourable Mr. H. G. Haig: Before the prosecution was initiated.

Mr. K. C. Neogy: And what papers were laid before the Government of India in this connection by the Government of Burma?

The Honourable Mr. H. G. Haig: No papers were laid before the Government of India.

Mr. K. C. Neogy: What was the purport of the communications that the Government of India received from the Government of Burma in this matter?

The Honourable Mr. H. G. Haig: I cannot disclose the details of the communications that have passed, but the Government of Burma consulted the Government of India on the general aspect of instituting such a prosecution.

Mr. K. C. Neogy: Do I take it then that the sanction of the Government of India was obtained by the Government of Burma before this prosecution was launched?

The Honourable Mr. H. G. Haig: The Government of India had no objection to the initiation of a prosecution on the assumption that the Government of Burma wished to prosecute.

Mr. B. Das: Is it not a fact that, in the case of Sardar Vallabhbhai Patel, the Government of Bombay did not consult the Government of India before they prosecuted him?

The Honourable Mr. H. G. Haig: Yes, Sir; that is the case.

Mr. Jehangir K. Munshi: Were the Government of India aware, before they allowed the Government of Burma to prosecute Mr. Sen Gupta, that the prosecution was based on statements attributing motives to the Burma Government's campaign for separation?

The Honourable Mr. H. G. Haig: As I have already stated, the Government of India did not examine the speeches.

Mr. Gaya Prasad Singh: May I take it that the Government of India concurred in the views expressed by the Government of Burma with regard to the prosecution of Mr. Sen Gupta?

The Honourable Mr. H. G. Haig: The initiative comes from the Government of Burma on whom the responsibility for deciding on the prosecution lies.

Mr. K. C. Neogy: Do I take it that the Government of India were satisfied that the conditions laid down by His Excellency the Viceroy were fulfilled in this particular case before they agreed to the prosecution being undertaken?

The Honourable Mr. H. G. Haig: Yes, Sir. They had no reason to suppose and they have no reason to suppose that the prosecution was in any way in conflict with that policy.

Mr. M. R. Jayakar: Did the Government of India have before them a copy of the speech delivered by Mr. Sen Gupta?

The Honourable Mr. H. G. Haig: No, Sir.

Mr. Gaya Prasad Singh: Then how did they agree with the views expressed by the Government of Burma in regard to the prosecution for his speech?

The Honourable Mr. H. G. Haig: I have already explained that they were merely consulted on the general question of policy.

Mr. Jehangir K. Munshi: Did the Government of India apply their mind at all to this question before they allowed the Government of Burma to prosecute Mr. Sen Gupta?

(No answer was given.)

PROSECUTION OF MR. SEN GUPTA.

902. ***Mr. Jehangir K. Munshi:** Have the Government of India received any communication from the Government of Bengal in connection with the prosecution of Mr. Sen Gupta in respect of speeches delivered by Mr. Sen Gupta in Bengal?

The Honourable Mr. H. G. Haig: No, Sir.

PROSECUTION OF MR. SEN GUPTA.

903. ***Mr. Jehangir K. Munshi:** Will Government state:

- (a) why the Government of Burma considered it necessary to prosecute Mr. Sen Gupta for two speeches delivered by him in Rangoon during his short temporary stay in Burma days after he had returned to India; and
- (b) why the Government of Bengal have not considered it necessary to prosecute Mr. Sen Gupta for a series of similar speeches delivered by Mr. Sen Gupta in Bengal, which is the permanent centre of his political activities?

The Honourable Mr. H. G. Haig: (a) The Government of Burma considered that a number of statements made by Mr. Sen Gupta were false or deliberately misleading and that, in the case of one speech, they were calculated to cause hatred and disaffection towards Government among the large Indian population of Burma, and in the case of another speech, that they were intended to excite the religious animosity of the Burmans against the British Government. They took a serious view of the probable effect of these speeches.

(b) The speeches, I understand, were concerned quite definitely with Burman problems and conditions and, therefore, presumably, were not similar to speeches which Mr. Sen Gupta may have delivered in Bengal.

Mr. Jehangir K. Munshi: Did the Government of India take the same serious view of the matter as the Government of Burma did?

The Honourable Mr. H. G. Haig: I have already explained, the Government of India have not seen the speeches.

Mr. Jehangir K. Munshi: Have the Government of India satisfied themselves that the view taken by the Government of Burma was correct in view of His Excellency's speech?

The Honourable Mr. H. G. Haig: It is impossible to form a definite opinion without seeing the speeches.

Mr. Gaya Prasad Singh: Does the Honourable Member realise that the Government of Burma and the Government of India have made themselves thoroughly ridiculous by the way in which Mr. Sen Gupta was prosecuted and convicted?

Mr. President: Order, order.

PROSECUTION OF MR. SEN GUPTA.

904. ***Mr. Jehangir K. Munshi:** If it was considered necessary or desirable (a) either to punish Mr. Sen Gupta for speeches delivered by him during the past three months, or (b) to deprive him of liberty, will Government state why it was decided to prosecute him in Burma instead of in Bengal?

The Honourable Mr. H. G. Haig: There was no question of a desire to punish Mr. Sen Gupta for speeches generally delivered by him during the past three months. The action taken was solely concerned with the effect of the particular speeches which he made in Rangoon.

IMPRISONMENT IN BURMA OF MR. SEN GUPTA.

905. ***Mr. Jehangir K. Munshi:** Are Government aware that strong public resentment has been caused by Government's tactics of seeking to imprison Mr. Sen Gupta in Burma far away from his home, his family and his friends?

The Honourable Mr. H. G. Haig: There was no question of tactics. The Government of Burma considered it necessary to put Mr. Sen Gupta on his trial in respect of speeches made at Rangoon, and the trial was in accordance with the ordinary provisions of the law held in Rangoon.

Mr. Jehangir K. Munshi: Are Government aware of the strong resentment caused in the public mind by this action of the Government of Burma?

The Honourable Mr. H. G. Haig: No, Sir: I do not think they are.

Mr. Jehangir K. Munshi: Have Government taken any steps to find out public opinion on the question?

The Honourable Mr. H. G. Haig: They seem to be eliciting a certain amount of opinion this morning. (Laughter.)

GOVERNMENT'S POLICY IN REGARD TO CIVIL DISOBEDIENCE.

906. ***Mr. Jehangir K. Munshi:** Will Government take this Assembly into their confidence and make before this House a statement through the Honourable the Home Member with regard to their decision and policy in dealing with the Congress movement of non-violent civil disobedience?

The Honourable Mr. H. G. Haig: I would refer the Honourable Member to His Excellency the Viceroy's address to this House on the 25th January last, to which I have nothing to add.

GOVERNMENT'S POLICY IN REGARD TO CIVIL DISOBEDIENCE.

907. ***Mr. Jehangir K. Munshi:** Will Government give an assurance to this House that they will not prosecute either Mahatma Gandhi or any of his lieutenants without consulting the leaders of the various parties in this House except in cases of grave emergency directly involving elements of violence?

The Honourable Mr. H. G. Haig: Government are unable to give any assurance of the kind suggested.

IMPRISONMENT OF POLITICAL PRISONERS IN BURMA.

908. ***Mr. Jehangir K. Munshi:** (a) Are Government aware that the Burma Legislative Council on the 17th of March, 1926, expressed itself against Indian politicians being taken to Burma and imprisoned in the jails of Burma?

(b) Are Government prepared to respect the wishes and sentiments of Burma as conveyed by the said motion carried in the Burma Legislative Council on the 17th of March, 1926?

The Honourable Mr. H. G. Haig: (a) and (b). I have seen the debate to which the Honourable Member refers. It related, not to the prosecution of Indian politicians for acts performed in Burma, but to the detention of persons in Burma in respect of activities that had taken place elsewhere.

LATE OFFICE HOURS IN THE FOREIGN AND POLITICAL DEPARTMENT.

909. ***Mr. Mukhtar Singh:** (a) Will Government be pleased to lay on the table a statement showing the clerical and staff strength in 1916 and in 1930 in the Foreign and Political Department and the amount of work done in 1916 and 1930?

(b) Will Government be pleased to state the strength of clerical and staff establishment in the Issue, Establishment and Accounts Branches of the Foreign and Political Department of the Government of India in 1916 and 1930 and also lay on the table a statement showing the work done in 1916 and the work in 1930?

(c) Is it a fact that the employees have to sit late generally after 5 o'clock in order to meet the pressure of work?

(d) Is it a fact that a representation to this effect has been made both orally and in writing and that no action has yet been taken in the matter?

(e) Is it a fact that, in the Foreign and Political Department, even in branches in which there is no abnormal work, the staff is detained after 4-30 P.M. daily? If it is so, will Government be pleased to state the reasons for so doing?

Mr. E. B. Howell: (a) and (b). A statement is laid on the table. It has, however, been very hastily prepared and as there have been considerable changes in the organisation of the office and the distribution of work

between 1916 and 1929, which is the latest year for which figures are available, as it stands it might be somewhat misleading. With your permission, Sir, and that of the Honourable Member, I will take leave to revise it, if necessary, after further examination and add certain explanatory matter.

(c) and (d). The pressure of work has undoubtedly been heavy ever since 1923, when an arbitrary reduction of twelve posts was made in accordance with a recommendation of the Incheape Committee. Some relief was afforded in 1926 by the restoration of six of these, and the question how any further relief can be obtained, consistently with the need for economy, is now under consideration.

(e) No.

Statement.

1916.						1929.
2	Secretaries	..	..	..	..	2
2	Deputy Secretaries	..	..	..	..	2
1	Under Secretary(ies)	..	..	..	..	2
1	Assistant Secretary (ies)	..	..	..	..	2
1	Registrar	..	..	..	..	..
1	Attaché	..	..	..	..	1
9	Superintendents	..	..	..	..	10
36	Assistants	..	..	..	..	54
46	Clerks ..	..	..	..	..	66
2	Stenographers	..	..	..	..	5

Regular Branches, 1916.	Strength.	Amount of work.	Regular Branches, 1929.	Strength.	Amount of work.
Est. A	7	2,676	Accounts . . .	8(+3)	3,625
Est. B	6	1,857	Establishment .	9(+2)	6,057
Ext. A and War Branches.	8	590	External . . .	8	5,013
		9,786			
Est. B	6	1,323	Near East . . .	8	5,755
Frontier	6	1,557	Frontier . . .	8	5,524
General and Liby.	7	3,310	General . . .	7	4,006
Int. A	6	3,129	Political . . .	7	3,561
Int. B	6	1,655	Internal . . .	6	2,875
Int. C	7	1,618	Honours . . .	7	2,164
			Reforms . . .	7	2,671
Issue	20	40,233	Issue	16	67,002

ESTABLISHMENT OF A POST OFFICE AT KHURAD IN THE HISSAR DISTRICT.

910. *Mr. Mukhtar Singh: (a) Are Government aware that in Sankroth Khurad in Hissar District a great deal of inconvenience is felt on account of want of a post office in this village?

(b) Is it a fact that the amount of correspondence received and despatched from this village justifies the introduction of a post office there?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state when a post office is likely to be opened in this village? If the answer to part (b) be in the negative, will Government be pleased to state the amount of correspondence received and despatched by post in this village during the last year?

The Honourable Sir Bhupendra Nath Mitra: I have no information whether the facts are as stated. The matter has been brought to the notice of the Postmaster-General, Punjab and North-West Frontier Circle, and he will be asked to consider whether, after investigation, the opening of a post office at Sankroth Khurad is justified. If the need for a post office is established, the Postmaster-General will take steps to open it when funds at his disposal permit.

RESOLUTION RE ESTABLISHMENT OF VILLAGE PANCHAYATS.

911. *Mr. N. G. Kelkar: (i) Will Government be pleased to state what action the Government of India have taken on the Resolution recommending the Government to appoint a mixed committee of officials and non-officials to examine rural conditions and establish panchayats, passed by the Legislative Assembly on the 17th September, 1929?

(ii) Will Government be pleased to state what steps, if any, they have hitherto taken or propose to take in the near future to introduce and popularise the constitution of village panchayats in centrally administered areas, in accordance with the assurance given by Sir Frank Noyce during the debate on the Resolution?

(iii) Will Government be pleased to state if they propose to lay down a general policy for the guidance of the Provincial Governments, with a view to accelerate the growth and establishment of village panchayats in all the provinces of British India?

Sir Frank Noyce: (i) For the reasons which were fully stated by the Government spokesman in the course of the debate on the subject in this House in September last, the Government of India have not found themselves in a position to accept the view that a central committee should be appointed to inquire into the administration of what is a provincial transferred subject. Copies of the debate have, however, been forwarded to Local Governments for information and for such action as they may consider suitable.

(ii) The views of the Local Administrations have been invited as to the action which should be taken to stimulate the development of village panchayats in their respective areas. As regards the North-West Frontier Province, the Government have expressed their agreement with the Chief Commissioner that that province does not offer a hopeful field for efforts to establish village panchayats. This view is borne out by the experience of the adjacent districts in the Punjab in which not a single regular

panchayat has yet been formed. A similar decision has been taken in regard to Baluchistan, conditions in which also present special features. The question of extending the Punjab Village Panchayat Act, 1921, to Delhi is under consideration. In Coorg, a Panchayat Act is already in existence and the Chief Commissioner is considering ways and means of establishing village panchayats. As regards Ajmer-Merwara, the local authorities have promised to submit a report after examining the regulations that obtain in the United Provinces.

(iii) Government are unable to accept this suggestion. The matter is one which is primarily the concern of Ministers in provinces.

APPOINTMENT OF NON-EUROPEANS AS PILOTS AND HARBOUR MASTERS IN RANGOON.

912. *Mr. Jehangir K. Munshi: (a) Are Government aware that no non-Europeans have so far been employed as Pilots or Harbour Masters in the Port of Rangoon?

(b) Are Government prepared to afford facilities to non-Europeans residing in Burma to qualify as Masters?

The Honourable Sir George Rainy: (a) So far as the Government of India are aware, no Indian has been appointed as a Pilot or Harbour Master at Rangoon.

(b) I presume that the Honourable Member is referring to facilities for obtaining certificates of competency as Masters. The Government of India do not propose to afford further facilities in this direction than are already provided by the Training Ship "Dufferin" at Bombay.

CONSTRUCTION OF A ROMAN CATHOLIC CHURCH AT MINGALADON CANTONMENT, BURMA.

913. *Mr. Jehangir K. Munshi: (a) Will Government be pleased to state what progress has been made in building the Roman Catholic Church, Mingaladon Cantonments, Burma?

(b) (i) Have any plans and estimates been forwarded by the military authorities to the Government of Burma in connection with the said church?

(ii) If not, are Government prepared to see that the matter is expedited?

(iii) Will Government be pleased to state when the building of the said church will be completed?

The Honourable Sir George Rainy: (a) The necessity for the construction of a Roman Catholic Church at Mingaladon Cantonment has been accepted and the local military authorities have been asked to submit proposals through the Government of Burma.

(b) (i). No, not yet.

(ii) The Government of Burma have reminded the local military authorities.

(iii) It is not possible to give this information at present.

UNSTARRED QUESTIONS AND ANSWERS.

REPRESENTATIONS FROM POSTMEN.

346. Mr. C. S. Ranga Iyer: (a) Will Government be pleased to state if it is a fact that when representations are made by the postmen to increase the staff, they are informed that their request cannot be complied with either on financial grounds or on the ground that statistics do not justify it?

(b) Is it a fact that a Postmaster's recommendation for increase in the number of clerks is invariably complied with and rarely refused?

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

STRENGTH OF STAFF AT THE PALGHAT POST OFFICE.

347. Mr. C. S. Ranga Iyer: (a) When was Palghat post office made a selection grade post office?

(b) What was the strength of the clerical or the postmen staff prior to its conversion as a selection grade post office?

(c) What is the present strength in both cases?

The Honourable Sir Bhupendra Nath Mitra: (a) From December 1st, 1919.

(b) Ten clerks excluding the sub-postmaster and nine postmen including one village postman.

(c) Eleven and eight, respectively.

STRENGTH OF STAFF AT THE COIMBATORE POST OFFICE.

348. Mr. C. S. Ranga Iyer: (a) Is it a fact that the demand of Coimbatore postmen to increase their number was rejected on the ground that there is not statistical justification for the increase?

(b) Is it a fact that in the same post office of Coimbatore the clerical establishment was strengthened by two hands in one year?

(c) What was the strength of the clerical and postmen staff at Coimbatore in 1919 and the strength at present?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). Government have no information, but inquiries are being made and the result will be communicated to the Honourable Member.

PAY AND SERVICE OF POSTMEN IN THE MADRAS CIRCLE.

349. Mr. C. S. Ranga Iyer: (a) Will Government be pleased to state if there was any revision of pay of postmen in 1928?

(b) If the answer to part (a) be in the affirmative, how and when was the revision given effect to in the Madras Circle?

(c) Was the pay revised with retrospective effect and after due consideration of the service rendered by each official?

(d) Is it a fact that the seniors and juniors are getting equal pay and why?

(e) How many postmen are employed in each of the undermentioned Post Offices, the length of service and the present pay of each:

1. Mangalore.	7. Ramnad.	13. Bezwada.
2. Erode.	8. Dindigul.	14. Chirala.
3. Panruti.	9. Cuddalore.	15. Tenkasi.
4. Chidambaram.	10. Palamcottah.	16. Illore.
5. Pondicherry.	11. Nellore.	17. Cocanada.
6. Coimbatore.	12. Guntur.	18. Salem?

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

(b) The revision was given effect to from the 1st May, 1928, and was carried out in accordance with the Fundamental Rules.

(c) The reply to the first part is in the negative. With respect to the second part, transfers from the old to the new scales of pay were regulated under the Fundamental Rules.

(d) Government have no information as to the precise operation of the rules in individual cases. But such a result does not infrequently arise in every Department from the application of the Fundamental Rule.

(e) Government do not propose to call for the information as the expenditure of time and labour required for its collection would, in the opinion of Government, be out of all proportion to the importance of the result.

THE CREW SYSTEM.

350. **Dr. Ziauddin Ahmad:** (a) Are Government likely to replace the crew system by the old system?

(b) Why are persons now acting as crews and crews-in-charge debarred from the benefit of the Provident Fund and gratuity rules?

(c) Will Government give the number of the crew-in-charge, recruited in the year 1929? How many of them were promoted from the rank of the crew?

Mr. A. A. L. Parsons: (a) The Honourable Member's attention is invited to my reply to part (a) of his starred question No. 584 on the 17th March. The matter is at present under the consideration of the Government of India.

(b) The Honourable Member's attention is invited to my reply to part (b) of his starred question No. 584 on the 17th March.

(c) I am asking the Agent of the East Indian Railway to furnish the information and I will communicate later with the Honourable Member.

HOURS OF WORK OF CREWS AND GRANT OF COMPASSIONATE ALLOWANCE IN CASE OF ACCIDENT.

351. **Dr. Ziauddin Ahmad:** (a) How many hours per day is a crew expected to work? Are they allowed overtime? If not, why not?

(b) Are Government aware that the members of the crew sometimes are required to work 18 hours a day?

(c) Have Government allowed any compassionate allowance to the family of the crew who met with accidental death?

(d) Is the compassionate allowance only for persons bearing European names? If not, will Government be pleased to state the names of persons, whose families were granted compassionate allowances after their accidental death?

Mr. A. A. L. Parsons: (a) In regard to the hours of work of crewmen, the Honourable Member is referred to the information supplied to Mr. Amar Nath Dutt in Railway Board's letter No. 164-L., dated 30th November, 1929, a copy of which is in the Library of the House.

I have called for information on the subject of the grant of overtime to crewmen and will communicate with the Honourable Member when it is received.

(b) No.

(c) and (d). If the Honourable Member will let me know definitely the particular case or cases he has in mind I shall supply him with the information he wants.

I would like to make it clear, however, that no racial discrimination exists in the matter of the grant of compassionate gratuities.

INVESTMENT OF THE RAILWAY RESERVE AND DEPRECIATION FUNDS.

352. **Dr. Ziauddin Ahmad:** (a) Do Government consult Standing Railway Finance Committees about the manner in which the Reserve and Depreciation Funds are invested?

(b) If not, do Government propose to consult the Committee in future before investing its Reserve and Depreciation Funds?

Mr. A. A. L. Parsons: As was explained to the Honourable Member in reply to his question No. 587 on 17th March, 1930, Reserve and Depreciation Funds are not invested in any real sense of the word, but are merged in the balances of the Government of India. That being so, there can be no question of consulting the Standing Finance Committee for Railways about the manner in which they are invested.

PURCHASE OF THE BENGAL AND NORTH WESTERN RAILWAY BY GOVERNMENT.

353. **Dr. Ziauddin Ahmad:** (a) When will the contract of the Bengal and North Western Railway come to an end?

(b) Have Government begun negotiations for the purchase of the Bengal and North Western Railway?

(c) Have Government estimated the amount required for its purchase? If so, what is the amount?

(d) What dividend did the Bengal and North Western Railway pay during 1928-29?

Mr. A. A. L. Parsons: (a) The earliest date on which the contract can be determined is 31st December, 1932.

(b) No negotiations are in progress.

(c) The purchase price is estimated approximately at a little over 10 million sterling.

(d) 19 per cent.

RAILWAY PROJECTS.

354. **Dr. Ziauddin Ahmad:** (a) What are the new railway projects costing five lakhs or more, which the Government are contemplating to initiate during the next three years?

(b) Have Government taken the consent of the Railway Finance Committee?

(c) Will Government lay the details of the projects with estimate before the Assembly before actually starting the work?

Mr. A. A. L. Parsons: (a) There are no new projects costing five lakhs or more which Government propose to initiate in 1930-31. As regards 1931-32 and 1932-33, it is not possible at present to forecast what projects Government are likely to be able to take up.

(b) and (c). Do not arise.

UNCLAIMED INTEREST ON GOVERNMENT SECURITIES.

355. **Dr. Ziauddin Ahmad:** (a) What is the amount of unclaimed interest in the years 1926-27, 1927-28 and 1928-29, in the Post Office Savings Bank, Government Securities, War Bonds and Loans, etc.?

(b) To whom do Government propose to hand over the unclaimed interest?

The Honourable Sir George Schuster: (a) The information is not available and Government do not consider that the advantage to be obtained from compiling the necessary figures would be commensurate with the work involved.

(b) Interest not claimed in the year in which it falls due may be claimed in subsequent years. Interest which is not claimed is not debited to Revenue and this reduces Government expenditure and the general burden of taxation.

SHORT NOTICE QUESTION AND ANSWER.

HUNGER STRIKE BY THE KAKORI PRISONERS IN BAREILLY JAIL.

Mr. M. S. Aney (on behalf of Mr. N. C. Kelkar): (a) Is it a fact that some of the Kakori prisoners in Bareilly Jail are on hunger strike?

(b) Is it a fact that they so exhausted that they may die any moment?

(c) Is it a fact they have started the hunger strike on account of their standing grievance, that they are not given the benefit of even the new Jail Rules for treatment of prisoners?

(d) Is it a fact that these prisoners are still treated as "C" class prisoners?

(e) Is it a fact that they are willing to give up hunger strike if they are treated even as "B" class prisoners?

(f) Will Government state whether the new Jail Rules have been communicated to the authorities of the Bareilly Jail? If so, when?

(g) If not, will Government explain why they were not so communicated?

(h) Will Government state whether the jail authorities of Bareilly have been asked for and given any explanation of their conduct in not making the new Jail Rules applicable to these prisoners?

(i) Are Government prepared to take immediate steps to see that the grievances of these hunger strikers are redressed at once?

The Honourable Mr. H. G. Haig: (a) Yes.

(b) My information is that their condition is fair.

(c) They started hunger-striking on the 8th February, before the new rules were brought out.

(d) They have been treated as ordinary prisoners under the old rules.

(e) I understand that this is so.

(f) to (i). The Jail Superintendents were duly instructed to make their recommendations about the classification of prisoners, and the Local Government have now had sufficient material to begin considering the cases as a whole and have passed orders regarding prisoners in a number of their jails. They have classified the Kakori prisoners, among others, in B class.

Mr. Jehangir K. Munshi: Will the Honourable Member make it clear to the House what he means by saying, "Their condition is fair"?

Dr. A. Suhrawardy: That is they are not on the point of death.

The Honourable Mr. H. G. Haig: That is the report we received from the Local Government, and I am afraid I cannot amplify it.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Secretary of the Council of State:

"I am directed to inform you that the Council of State has, at its meeting held on the 27th March, 1930, agreed without any amendment to the Bill further to amend the Sea Customs Act, 1873, to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax, to vary the excise duty on kerosene leviable under the Indian Finance Act, 1922, and further to amend the Indian Paper Currency Act, 1923, and the Indian Finance Act, 1926, which was passed by the Legislative Assembly at its meeting held on the 24th March, 1930."

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1929-30.

INTEREST ON DEBT AND REDUCTION OR AVOIDANCE OF DEBT.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,62,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Interest on debt and reduction or avoidance of debt'."

The motion was adopted.

FOREIGN AND POLITICAL DEPARTMENT.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Foreign and Political Department'."

Mr. President: Will the Honourable Member kindly tell the House for what purpose this supplementary Demand is asked for to enable me to decide whether the amendment tabled is in order.

The Honourable Sir George Schuster: The supplementary Demand is required to meet the cost of telegrams, which attained an unexpectedly high figure. The circumstances in which this had occurred are fully reported in the proceedings of the Standing Finance Committee, which have been circulated to Honourable Members.

Mr. President: Has that anything to do with the deportation and continued ill-treatment of the ex-Maharaja of Nabha?

The Honourable Sir George Schuster: I am unable to trace any direct connection between the two subjects.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Foreign and Political Department'."

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, I beg to move:

"That the Demand for a supplementary sum"

Mr. President: Before the Honourable Member moves his amendment, I want him to tell me how his motion is in order, because, as the Honourable Member already knows, on a supplementary Demand for Grants, no questions of policy can be raised, but any question that is directly concerned with or relevant to the expenditure that is necessary can be allowed.

Mr. M. K. Acharya: I presume, from the details I have been able to get about the grant in question, that a portion of that grant will certainly be spent in probably issuing instructions to guide the personal conduct of the ex-Maharaja of Nabha, who is now confined in Kodaikanal. Therefore,

before even a single pie could be utilised for that purpose, the House will have to be satisfied and the House has got reason to demand that proper treatment is afforded to the person who is now confined in jail under Government custody in Kodaikanal hills. That, I think, Sir, is perfectly relevant to the question before us whether this supplementary sum could be given for use of telegrams and things of that kind for the Foreign and Political Department a portion of which I think was certainly going to be spent in regard to this particular purpose. If you, however, rule my motion out of order, I shall not move it.

Mr. E. B. Howell (Foreign Secretary): May I assure the Honourable Member that no portion of the money was spent on telegrams of that nature?

Mr. President: I am afraid in that case I cannot allow the Honourable Member to move his amendment.*

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan): Sir, I have got an amendment† in my name to this Demand.

Mr. President: Is that also connected with the expenses on telegrams?

Mr. E. B. Howell: I must admit, Sir, that some of this has been spent on telegrams for matters connected with the amendment which my Honourable friend is proposing. If I may say so, it was more or less, at his direct request, that money was spent on telegrams for matters connected with this affair.

Mr. President: I do not quite follow the Honourable Member. Has this motion any connection with the supplementary Demand for Grant?

Mr. E. B. Howell: No real connection, Sir. We have spent some small portion of this sum, the grant for which is now asked for, on telegrams, some of which—perhaps one or two of which—were connected with the subject matter which my Honourable friend has in mind, and which he has mentioned in his motion. But may I make a further observation, Sir? Even supposing that that is so, I would ask your ruling, Sir, whether the Honourable Member's motion is in order, seeing that it cannot be discussed without affecting the relations between the Government of India and the ruler of a foreign State, the State of Muscat, to which Gwadar belongs.

Mr. Fazal Ibrahim Rahimtulla: I want to raise this issue, because I want to know what measures the Government of India are adopting in order to ensure the life and property of British subjects who are residing in Gwadar temporarily for the purpose of business. The British resident is the representative of His Majesty for the safeguarding of these subjects, and I wish to raise the discussion in order to find out what part he has played during the disturbances of 1929. I have no desire to bring the State of Muscat at all into this debate. Sir, I beg to move

Mr. E. B. Howell: Sir, I am asking for your ruling whether the Honourable Member's motion is in order, in view of the fact that it concerns relations with another State.

*"That the demand for a supplementary grant of a sum not exceeding Rs. 43,000 in respect of 'Foreign and Political Department' be reduced by Rs. 100." (The deportation and continued ill-treatment of the Ex-Maharaja of Nabha.)

†"That the Demand for a supplementary grant of a sum not exceeding Rs. 43,000 in respect of 'Foreign and Political Department' be reduced by Rs. 100." (Treatment of British subjects at Gwadar.)

Mr. President: It is a very difficult question, and if the Honourable Member will enlighten me as to which rule or Standing Order debars any such discussion on a budget cut, I shall be much obliged.

Mr. E. B. Howell: I shall endeavour to convince you, Sir. The Honourable Member's complaint is that, in the course of certain disturbances which arose in the town of Gwadur last year, a member of the Khoja community, who are in a very small minority there, was murdered, and it amounts to a complaint that the case was not very adequately investigated by the Muscat authorities, and that the persons guilty of the murder were not punished as they should have been. A matter of this sort necessarily affects the relations between the Government of India and the authorities of the Muscat State in that the Government of India could not possibly express any opinion to the adequacy of those proceedings and the measures taken without affecting their relations with the Muscat State.

Mr. President: I quite understand that; but under what rule or Standing Order is a discussion of a matter of that kind prohibited on a budget cut?

Mr. E. B. Howell: With all due deference I understand it is prohibited by Legislative Rule 23 (1).

Mr. President: That applies to Resolutions, does it not?

Mr. E. B. Howell: It does.

Mr. President: This is not a Resolution.

The Honourable Sir George Schuster: Sir, on a point of order, I venture to submit that, if you allowed a motion of this kind to be discussed in connection with a supplementary Demand of this kind, you would, in effect, be departing from the spirit of the rule which you have hitherto applied in dealing with these questions. A supplementary grant for the cost of telegrams must obviously cover telegrams dealing with practically every subject which comes within the purview of the Foreign and Political Department. But if the mere fact that a sum of, say, eight annas has been spent on a telegram on a question of policy enables the Honourable Member to initiate a debate on that policy in this Assembly. I submit it would lead to a great waste of time and diversion of attention to matters of policy on occasions when this House ought not really to be asked to deal with them.

Mr. President: That is a point that I understand.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, may I point out with reference to what fell from Mr. Howell?

Mr. President: I do not wish to give any ruling on the main objection, because it involves a very important point of principle and I should not like to hazard any opinion all at once. There must be a full discussion before I can give any definite ruling, but in view of the observations made by the Honourable the Finance Member, I am not inclined to allow the Honourable Member to proceed with his motion.

Pandit Hirday Nath Kunzru: This is without prejudice to the larger question raised by Mr. Howell?

Mr. President: Yes, without prejudice to the larger question. The question is:

"That a supplementary sum not exceeding Rs. 43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Foreign and Political Department'."

The motion was adopted.

MISCELLANEOUS DEPARTMENTS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous Departments'."

As there is another amendment* tabled in connection with this Demand I would explain that the purpose of this Demand is

Mr. President: Does any amount out of this go to the party leaders?

The Honourable Sir George Schuster: I trust not, Sir.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 3,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous Departments'."

The motion was adopted.

CIVIL WORKS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 11,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Civil Works'."

Mr. President (to Dr. Ziauddin Ahmad): The Honourable Member wishes by his amendment† to raise a question of policy which I cannot allow.

The question is:

"That a supplementary sum not exceeding Rs. 11,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Civil Works'."

The motion was adopted.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

POINTS OF ORDER.

Mr. President: Before the House proceeds with further discussion on the Cotton Tariff Bill, I propose to give the Chair's decision on the points of order raised.

By Mr. Gaya Prasad Singh:

*"That the Demand for a supplementary grant of a sum not exceeding Rs. 43,000 in respect of 'Foreign and Political Department' (page 2) be reduced by Rs. 100." (Ineligibility of Indians for appointment as Diplomatic representatives.)

†"That the Demand for a supplementary grant of a sum not exceeding Rs. 11,70,000 in respect of 'Civil Works' be reduced by Rs. 100." (Bad supervision and over payment in the works done at Dehra Dun.)

[Mr. President.]

The Honourable the Leader of the Opposition formulated for the Chair's consideration the following propositions:

1. Whether the interpretation put by the Honourable Sir George Rainy on the fiscal convention is correct and consistent with the recent declaration of the Secretary of State;
2. Whether the attitude taken up by the Government that they have not an open mind in regard to his amendment, and that, if that or any other amendment is accepted by the House, they will not further proceed with the Bill, is consistent with the fiscal autonomy convention;
3. Whether official and nominated non-official Members are entitled to record their votes on a division on this Bill.

The Honourable the Leader of the Independent Party then raised a point of order as to whether any of the three points, which have been stated, and which are contained in the statement of Pandit Madan Mohan Malaviya, are points of order, having regard to the progress of the Bill.

The Honourable the Law Member concurred with the Honourable the Leader of the Independent Party in the view that they are not points of order.

The central contention is that, even if the points of order raised by the Honourable the Leader of the Opposition were sound, it does not seem that the Chair can give any relief, and where no relief is possible, no point of order can arise.

The Chair cannot concur with this view. The test whether a point is a point of order is not as to whether the Chair can give any relief, but whether it involves an interpretation of the rules, Standing Orders and various parts of the constitution which regulate the course of business of the House in one form or another, and whether it raises a question which the Chair alone can decide. The points of order raised by the Honourable the Leader of the Opposition fulfil these conditions. I therefore rule that the points raised by the Honourable the Leader of the Opposition are points of order within the Standing Orders and rules of the House.

1. The Honourable the Leader of the Opposition, by his first point, invites the Chair to give the House its authoritative interpretation of the fiscal convention. I desire to assure him and the House that, if I were satisfied that such interpretation was necessary for any specific purpose connected with the debate on this Bill, I should have, without hesitation, responded. But from what will follow later, the House will see that it is wholly unnecessary for me, for the purpose we have in hand, to proceed to interpret the Convention at this stage. I therefore refrain from doing so.

2. The position with regard to the second point is not so clear. The mill industry of India is admittedly on its last legs and needs immediate and substantial protection. The Government of India have submitted their proposals in that behalf to this House in the form of this Bill, based on the fiscal convention. They tell the House,

in the initial stages of the Bill, that if the Assembly does not accept their proposal, it will be impossible for them to proceed further with the Bill. This has created an impression in the minds of Honourable Members that, if the House did not accept the proposals of the Government of India, the mill industry of India would go without any protection, resulting in its total destruction. Several speakers, during the course of the debate, have expressed their strong resentment and disapproval of this attitude of Government.

In the considered opinion of the Chair, the Government were not within their rights in taking up that attitude, having regard to the terms of the convention, and this is so, whichever of the two interpretations of the convention is correct. If we take the interpretation of the Leader of the Opposition, that the vote of the House is final and binding on Government, the Government are bound to proceed with the Bill and take the vote of the House on it. According to the other interpretation, *viz.*, that put by the Commerce Member, as soon as disagreement is found between the Legislature and the Government, the Secretary of State would resume his powers of direction, superintendence and control. That means that the Secretary of State might either agree with the Government of India or with the Legislature. But if the House, by the attitude of the Government, is virtually compelled to accept the Government's proposals, no case for the interference of the Secretary of State would arise, and the House would thus be deprived of the opportunity of recording their free vote on them and having the matter examined by the Secretary of State. In either view, therefore, a free vote of the House is essential in all measures under the convention. It is therefore clear that the statement that the Government would not proceed with the Bill is not warranted by the constitutional position, and is also calculated to seriously interfere with the free vote of the House. In the first case, where it is contended that the vote of the House is of a binding character, the Government of India are bound to proceed with the Bill. In the other case, where the Secretary of State resumes his powers, he might throw his weight with the Legislature and direct the Government of India to proceed with the Bill; and even where he does not accept the view of the Legislature, he might ask the Government of India to proceed by way of recommendation or certification. The Government of India are not fair to themselves or to the Secretary of State when they convey an impression that, if the House did not accept their proposals, they would allow the mill industry of India to go to wreck and ruin.

In these circumstances, and in the interests of the freedom of vote in this House, and in either view of the convention, it is due to the House that the Government of India should, even at this late stage, reconsider their position and tell the House that they have an open mind and that they have not finally decided, and indeed could not decide, without reference to the Secretary of State, to drop the Bill, in the event of the House amending their proposals in any manner. I hope they will realise, on reflection, if indeed they have already not done so, that by the extraordinary attitude they have taken up, they have denied the House an opportunity to convince them by arguments and persuasion and thus rendered the whole debate on this measure unreal and farcical, and violated the spirit of the convention. I am aware that the suggestion made by me, even if carried out by Government, would not undo fully the mischief done by the statements of the Commerce

[Mr. President.]

Member. That, however, is the minimum that is due to the House in the interest of free expression of opinion and freedom of vote, so necessary in this matter.

3. I now come to the third point. The Honourable the Leader of the Opposition contends that official and nominated non-official Members are not entitled to record their votes on any division on this measure. I fully appreciate the point of view of the Leader of the Opposition that any decision taken in a House, constituted as this is, with 144 Members, of whom 26 do not represent any electorate in India, will go forth to the world as the decision of India in favour of Imperial Preference: and it is therefore necessary that if the convention is to be worked in the spirit of the recommendation of the Joint Parliamentary Committee, official Members should not vote. But, I hope, he will, in his turn, appreciate the limitations of the Chair, due to the constitution under which it is bound to conduct the business of this House, and I am sure no one knows more than the Leader of the Opposition that, by no possible stretch of language is it open to the Chair to rule that official Members shall not vote. The question whether they should or should not vote is for them to decide. As to their right to vote, there can be no question. So also the right of the non-official nominated Members. I agree that real fiscal autonomy is possible, even under the existing constitution, if the decision on fiscal measures is left to the vote of the non-official Members and such decision is regarded as binding on the Executive: but this can be done by a convention and not by a ruling of the Chair. I therefore rule that the official and nominated non-official Members are entitled to record their votes.

Before we proceed with the discussion of this measure, I desire to tell Honourable Members that it is my wish to finish this Bill in the course of the day and I hope and trust Honourable Members will co-operate with me in pushing through the various stages. If the Government also would restrict other business only to non-controversial matters, we may finish the whole business and adjourn the House. But that is for them to consider; but so far as the whole House is concerned, I appeal to them to co-operate with me in putting through this particular measure today. (Applause.)

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): May I ask you, Sir, to adjourn the House up to half past two, to enable me and my colleagues on these Benches to consider the decision you have given, particularly that which refers to the action taken by my Honourable colleague, Sir George Rainy, at an earlier stage of this discussion, so that we may inform you as to the course of action which Government propose to take in regard to that decision?

Mr. President: The Honourable Member, before voting takes place, can say whether, on behalf of the Government, he is prepared to accept that suggestion or not. The suggestion—he knows I have not given it the form of a definite ruling which I must enforce. I have merely made a suggestion in the general interest of the House as a whole, and in the interest of the growth of Parliamentary institutions in this country. If yet the Honourable the Leader of the House wants time, I am perfectly willing to adjourn the House till half past Two.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): No, Sir. No useful purpose will be served in view of the expression of opinion that

you have given. I think, Sir,—most respectfully I submit—that we should proceed with the Bill and the Government can make their statement at any time they like.

The Honourable Sir Bhupendra Nath Mitra: If, as I understand it more precisely, it is a suggestion and not a decision, I am quite willing to fall in with your desires in the matter.

Mr. President: I have made a suggestion which might be turned into a decision any moment. It all depends upon what the Government are going to say.

The Honourable Sir Bhupendra Nath Mitra: That is my precise difficulty. I thought this was a ruling, a decision, and therefore I wanted time. If, on the other hand, it is a mere suggestion for the consideration of the Government and Government will have an opportunity of considering the matter between now and the time when the debate on this Bill comes to a conclusion, in view of what fell from my Honourable friend, the Leader of the Independent Party, I have not the slightest desire to stop the progress of this discussion.

Mr. President: I think we had better proceed with the Bill, because it is my desire that we should get through this Bill today.

The House will resume further consideration of the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927

I think we have had 4½ days debate on this and every aspect of the case has been threshed out and all that is required is really that the Honourable the Commerce Member should give his reply to the Debate on the amendment* and we can then proceed further.

The Honourable Sir George Rainy (Member for Commerce and Railways): I think the House would like to hear Mr. Hardy, who is in a position to speak on one aspect of the case with greater authority than anybody else, and that is with regard to the administrative difficulties.

Mr. President: If he promises not to be long, certainly.

Mr. G. S. Hardy: I will not be long.

Mr. President: Mr. Hardy.

Mr. G. S. Hardy (Commerce Department: Nominated Official): Sir, it is not often, during the debate on a measure in this House, that an executive officer of Government, who will be responsible for its working, is given an opportunity of explaining on the floor of the House the difficulties which he apprehends will arise, should it become law. I welcome that opportunity, Sir, and I ask the House to bear with me for a few

*Amendment by Pandit Madan Mohan Malaviya that:

"In sub-clause (1) of clause 2, for the proposed Item No. 156A, the following be substituted:

' 151A Cotton piece goods	At valorem	15 per cent. or 3½ annas per pound, which- ever is higher'."
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[Mr. G. S. Hardy.]

moments while I describe some of the practical problems that would arise if this amendment were passed and a minimum specific duty, based on weight, were imposed on all classes of cotton piece-goods. I should like to explain at the outset, Sir, that I am not concerned primarily with the additional labour and annoyance that will be caused to officers of the Customs Department, for I am quite sure that, if additional staff is required to carry out the wishes of this House, the House will give a sympathetic hearing to demands for any supplementary grants that may be required for the purpose. I am concerned, Sir, rather with the convenience and interests of piece-goods importers, piece-goods merchants and piece-goods consumers. It may come as a surprise to those who are accustomed to regard the Customs officer as the natural and sworn enemy of trade, to find one posing as the champion of the rights of importers and pleading for their interests. I can assure any Honourable Members, who hold that view, that we, Collectors of Customs, are on the most friendly terms with the large majority of importers. It is true that, we have to extract from them the uttermost farthing which the law demands, but a great deal of our time is spent in trying to ensure that the process of extraction is performed as painlessly as possible. We exercise, in fact, Sir, the dual function of the dental surgeon and the anaesthetist, and it is in the latter, rather than in the former capacity, that I appeal to the House to give some consideration to that long-suffering patient, the importer. Let me first of all, Sir, describe, very briefly, the procedure which the importer has to follow before he can obtain possession of a consignment of piece-goods. On the arrival of the steamer in port, he takes his bill-of-lading, the document that gives him the title to his goods, to the office of the steamship company who communicates to him the number of his particular item in the ship's manifest without which he cannot make entry at the Custom House. They also give him a delivery order, which he will require at a later stage. He then prepares his bill-of-entry, in which he must give a complete description of his consignment, the number of packages, the marks of each, a sufficient description of each style for the purpose of both statistical classification and assessment, the number of pieces, the size of each, and the c. i. f. cost. He must also declare for each style the market price ruling in the port at the date of entry. When he has completed his bill-of-entry, he presents it to the import department which checks it with the corresponding item in the manifest, and if it corresponds, he can then proceed to appraisal. He takes his bill and other documents with the shipment-samples for each style to an appraiser, who sees that all the details are correctly transcribed, and then proceeds to check the market value. I will not weary Honourable Members of this House with a full description of this process; any Honourable Member who is interested will find an account of it in paragraph 24 of my Report. If the appraiser is satisfied, he makes a provisional assessment which is then checked by a second senior appraiser. I would remind this House that this second check was recently imposed as a result of the recommendations made by the Public Accounts Committee of this House. I understand that the House attaches considerable importance to it. I only mention it because, it constitutes a further complication in the process of the clearance of goods. When this process is complete, he is then able to proceed with the physical examination of his goods. He takes his

documents and the shipment samples to the wharf and with the help of the Port Authority's staff he identifies his packages, and presents them to the examining appraiser. This officer checks the quantities, compares the goods with the sample on which the valuation has been based and, if everything is in order, he confirms the assessment. The importer then pays the duty, obtains a clearance order, goes to the Port Authority's office and pays port charges, and is then finally in a position to clear his goods. I am afraid, Sir, that this has been a very tedious description and I hope the House has not found it unduly wearisome. If so, I should like to assure the House that it is a very much more wearisome business for the importer who has to carry out the processes I have described. He is only allowed a very limited free time for this purpose, beyond which he becomes chargeable with demurrage. I think it is a fair statement to say that the free time allowed is sufficient but only just sufficient if there is no hitch in the procedure and no dispute as to the assessment.

Now, Sir, we are proposing to complicate this process of clearance by the addition of a second assessment. If this amendment is carried, the appraising staff will have to carry out two separate assessments and compare the results before a final assessment can be made. It may be suggested that the Port authorities should be moved to allow additional free time for this purpose. I am afraid that this is not a practicable suggestion. The free time allowed varies somewhat from port to port, but in each case has been very carefully calculated in relation to local conditions so as to ensure rapid transit of cargo and to avoid congestion. It is clear, therefore, that every importer will be put to considerable inconvenience, unless we can reduce to a minimum the trouble caused by this second additional assessment.

Now, Sir, I should like to point out that a minimum specific duty on cotton piece-goods, based on weight is a definite departure from ordinary tariff principles. We have, in our tariff, a large number of specific duties on sugar, coal, oils, and various other articles, but in every case the specific duty is based on the unit by which the goods are bought and sold. Cotton goods in this country are occasionally sold retail by weight and Indian mills occasionally sell by weight in the wholesale trade but, in the import trade, piece-goods are never bought or sold by weight; they are invariably sold by the piece. The advantage of having a duty based on a unit, which is the unit of sale, is obvious. If the duty is a minimum duty, then the ascertainment of quantity involved in assessing *ad valorem* duty is equally useful for the assessment of the specific duty. With a single specific duty, if the unit of assessment is the same as the unit of sale, we have in the invoice for the article evidence of the first order as to the quantity of the goods on which the duty is payable. The importer is not going to pay for goods which he has not received, and the supplier is not going to send him goods for which he is not going to be paid. Consequently there is a very strong presumption that the quantities stated in the invoice are correct, and we can confine ourselves, in assessing the specific duty on such an article, to a mere percentage check of the weight or volume as the case may be. Now, we shall have no such safeguard in the assessment of this minimum duty. Therefore, Sir, it is clear that we must carry out much more intensive checks of quantity and shall only be able to administer this minimum duty without serious difficulty if we confine it to classes of goods which for some special reason can be simply and expeditiously

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weighed. I hope to convince this House that the only class of goods which satisfies this condition is the class of "plain grey" goods as defined in the Government Bill. The distinctive features of plain grey goods for this purpose are that they are packed in bales, no one of which ordinarily contains cloth of more than one size or of one quality. The gunny packing of the bale and the baling hoops constitute a very small proportion of the total weight of each bale. Consequently, by weighing a bale and making a small empirical deduction for tare, we can arrive at the nett weight of the contents without any very great difficulty. Now, Sir, grey dhotis are also packed in bales, but unfortunately the contents of such bales are not uniform. We find that a large proportion of bales of dhotis contain goods of different styles and different sizes, all packed together, so that a part of the contents of a bale may be assessable to the specific duty and a part to the *ad valorem* rate, and we cannot therefore make a proper assessment without opening the bale. Nor would it be possible to apply the minimum duty to the gross contents of a bale, for this would offer an obvious and simple method of evading the minimum duty and would practically defeat its object. This feature of the dhoti trade, of having bales packed with mixed assortments, is one that is very popular and one which I am sure this House would not wish to do anything to discourage. The up-country merchant wants an assortment of different styles; every man has his own taste in dhotis nor is everybody the same size. I am quite sure that if my Honourable friend Mr. Mody and my Honourable friend Mr. Ramsay Scott and myself were to go out to buy dhotis together for our personal use, and the merchant to whom we went had only one size in stock, at least two of us would be disappointed. I should like to emphasise this point further by calling the attention of the House to a consignment with which I recently had to deal. It was a shipload of plain grey cloth from Japan consisting of some six hundred odd bales; there were fifteen different styles in the whole consignment, that is, an average of about 40 bales for each style. Now, Sir, we could have

12 Noon. assessed those 600 bales to a specific duty by the weightment of a reasonable percentage, say 5 per cent. of each style, so that only 30 bales would have to be weighed and none would have to be opened. Now, I have here a document relating to a shipload of dhotis. It covers 11 pages; it relates to 581 bales, and it includes 206 different lots, so that the least we could do in this case would be to weigh 206 bales. But out of these 206 lots, no less than 62 were mixed consignments, each bale having a number of different sizes and styles.

Now, Sir, we always try and avoid, in the Custom Houses, the opening of bales of piece-goods, because, when once you open a bale by cutting the baling hoops over the gunny, the contents of the bale immediately expand to two or three times their original volume, and they cannot be replaced in the original packing. I would ask the House to consider what would be the result if we had to deal with a consignment like that and open 62 bales. Honourable Members from Bombay may remember that some 10 or 12 years ago there was a large fire in the Moolji Jaitha piece-goods market. I was there the morning after the fire. The Fire Brigade had extinguished the fire, the Salvage Corps were at work, and the streets all round were piled up with loose piece-goods. Now, Sir, that is what our wharves would look like if we tried to assess this specific duty on dhotis.

It may be suggested that dhotis might be packed in cases, but there are two objections to that. Firstly, it is a much more expensive form of packing and as the goods are not packed under pressure they occupy a much larger space and importers will have to pay more freight, the extra cost of which must fall on the consumer. The second objection is that the assessment of a specific duty on goods in cases is itself very difficult. We have already had experience of assessing the minimum specific duty on cotton yarn, which is both assessed and bought and sold by the pound. Even there we found when we came to make check-weighments, that there was considerable variation owing to moisture and other causes from the nominal weights on which the goods were sold. We had some difficulty in arriving at a satisfactory arrangement with importers whereby we assessed on the selling weights and made reasonable allowances for such variations as were recognised by the trade. We cannot apply that system to cotton piece-goods packed in cases which will be liable to similar variations because there is no "selling weight". We shall have to undertake actual weighment of individual pieces from each separate lot of coloured and white goods. They arrive in lots which average only three or four cases to each lot, and we shall have to open at least one in every three or four and remove the contents for weighment. Weighment of individual pieces is a delicate matter; we cannot use rough scales, nor can we carry delicate scales about the wharves. We shall have to bring all the samples to the Custom Houses, and I can say quite frankly that we simply have not the space for the purpose. There will be enormous delays in the assessment of these goods, wharves will be congested, trade will be dislocated, and shipping will be held up. I think it is clear that the only class on which we can assess a specific duty with reasonable ease and expedition is the class of "plain grey" goods as defined in the Bill. I am quite prepared to admit that the minimum specific duty would not be applicable to all goods, but it must be remembered that we should not have to weigh those goods, which were actually liable to the specific duty. We should have to weigh all goods whose price was sufficiently near the critical figure to raise the slightest doubt as to whether they were liable to the minimum or not, and that would constitute a very large percentage of the total.

It may be argued that, in other countries, specific duties based on weight are to be found in their tariffs. If they find them practicable, why not in India? The answer, Sir, is this, that in those countries where specific duties are based on weight, a very large proportion of the piece-goods trade is done by weight; a lot of the trade is rail-borne and not sea-borne, and consequently freight is charged on weight and not on volume. In none of those countries is the variety of the trade anything like it is in India; in none of those countries is the volume of the trade anything like it is in India; and in none of them do they attempt to administer an alternative duty, such as is proposed here.

Sir, it is a happy coincidence that the class of goods which Government desire particularly to protect is the one which is particularly susceptible to simple and expeditious weighment. Coincidences are always apt to arouse suspicion, but the reason for this one is not far to seek. It is cheap standardised cloth which is packed in the simplest and cheapest form of packing and is consequently simple to weigh. It is cheap standardised cloth which comes in large uniform consignments which enable us to

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be satisfied with a percentage check. It is cheap standardised cloth which competes most severely with the Indian mills, and it is against the cheap standardised cloth that the Indian mills require special protection to enable them to organize similar standardization which will eventually result in cheapness to the consumer.

Sir, when this debate finally comes to an end, when the last of the amendments has been moved and discussed, and when the Bill, in whatever form it may finally take, becomes law, Honourable Members from Bombay will be able to go back and enjoy the protection which this House may decide to give them. Other Honourable Members, including my friend the Honourable the Commerce Member, will be able to go back and put this vexed question of cotton piece-goods tariffs out of their minds for the time being. I, Sir, shall not be in that fortunate position. My troubles will just be beginning. I appeal to all Honourable Members of this House to reject the amendment of the Honourable Pandit Madan Mohan Malaviya, which seeks to impose on the tariff an anomaly which will cause very great inconvenience to importers, dislocation of trade and inevitable loss to the consumer.

Mr. M. A. Jinnah: I do not wish to take up the time of the House unnecessarily, but I want to make my position clear with regard to this amendment of my friend Pandit Madan Mohan Malaviya. Sir, I am opposed to this amendment on the merits. I have carefully considered this question and I have come to the conclusion that it is detrimental to the interests of India to accept this amendment. The object of my Honourable friend will not be served. In my opinion it will enable Lancashire to escape completely from any duty beyond the 15 per cent. revenue duty. So far as Japan is concerned, it escapes straightaway the 5 per cent. protective duty. Therefore, Sir, I have come to the conclusion that this will not constitute an effective, or for the matter of that, an adequate, protection for the textile industry. On the merits I am opposed to it. The objection which has been pointed out by Mr. Hardy is only on the ground of administrative difficulties. My difficulties are that it will enable Japan to escape this duty by turning its attention and energy to the manufacture of finer counts. Out of the 14,000 million yards which form the total import from Lancashire, the goods which directly compete with our manufactures are about 186 million yards. There Lancashire will probably completely escape, and Japan may turn its energies and its attention to making finer counts. The result of this amendment would be that the mill industry will be reduced to that protection only which is given indirectly by the 15 per cent. revenue duty against Lancashire. Sir that is not giving adequate protection to the textile industry of ours and I am not prepared, merely with one object and the sole object, namely, of getting rid of Imperial Preference, to reduce the measure of necessary protection and which is the main object of the Bill. I think my Honourable friend is too much carried away with his ideas of Imperial Preference and is carried away to such an extent that, as long as he can secure the elimination of "Imperial Preference", he is indifferent as to what other disadvantages may ensue.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): No.

Mr. M. A. Jinnah: The result of that amendment will be that. Therefore I want to make it clear that I am opposed to this amendment on the merits, but if there is any other proposal which can be considered by this House, I am quite willing, and my party is quite willing to give due consideration to that if circumstances permit us to do so, but that stage is not reached yet.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I cannot understand the position taken up by the Leader of the Independent Party. The original position taken up by him was this, that he would support the proposals of the Government of India as modified by Mr. Chetty's amendment, because he was not in a position to alter those proposals except at the sacrifice of the Bill itself. Now, I understand the position is, the Honourable Member is not prepared to accept the amendment moved by the Honourable the Leader of the Nationalist Party, because he is opposed to it on its merits but that he is prepared to accept another amendment if it is moved.

Mr. M. A. Jinnah: I have said the same thing from the start. I said that my party would be prepared to consider any other amendment. I said at the very start that I myself have got an amendment to move. Therefore I have not committed myself to any particular amendment, but I said that I am open to consider the amendment under certain circumstances, but in so far as this amendment has been moved, I am opposed to it on its merits.

Diwan Chaman Lall: The position is just as obscure as it was in the beginning. I want the Honourable Member to assist this House with regard to the position that he has taken up. Either the position is that he will accept nothing moved from this side of the House which materially affects the proposition placed before the House by Government . . .

Mr. M. A. Jinnah: The Honourable Member is either dense or he refuses to understand. I made it very clear that, so far as this amendment is concerned, I am opposed to it on the merits. If there is any other amendment, I am prepared to consider it. I have got an amendment to move myself.

Diwan Chaman Lall: May I ask the Honourable Member to refer to his speech? His original speech definitely stated the grounds on which he based his argument. He said that he would accept the proposals of the Government as modified by Mr. Chetty, and they had his fullest support whether he agreed with them or not.

Mr. M. A. Jinnah: That is not true, I never said that.

Diwan Chaman Lall: May I remind the Honourable Member that he used the very expressive phrase, "beggars cannot be choosers".

Mr. M. A. Jinnah: I never said that in connection with this particular point. I said that in answer to an interruption.

Diwan Chaman Lall: Any how, I take it that the Honourable Member is prepared to move his amendment. If any other proposal is put forward from this side of the House which the Honourable Member is prepared to accept, which the Government may not accept, I want to know from the Honourable Member whether he would be prepared to wreck this Bill even in that case.

Mr. M. A. Jinnah: That stage has not yet been reached. I will inform the Honourable Member and the House when that stage is reached.

Mr. M. S. Aney (Berar Representative): May I ask one question about the procedure that we are following. You have stated that you will allow Honourable Members who have got amendments to move them and then allow a general debate. If my Honourable friend Mr. Jinnah has got an amendment, he should also move it.

Mr. President: I have restricted the debate to the two main amendments, that of Mr. Chetty and that of Pandit Madan Mohan Malaviya. When they are disposed of, I will take other amendments.

Diwan Chaman Lall: As I have already said, I am against the principle of Imperial Preference, as imported into this Bill by the amendment moved by Mr. Chetty. Further, if the original Bill as well as the Finance Bill are examined, the principle of Imperial Preference is there. If the Government were not to accept Mr. Chetty's amendment, the position, as I understand it, would be this, that British goods would come in entirely duty free, whereas Japanese goods or other goods from other countries would be taxed. That would be the position, but by accepting Mr. Chetty's amendment, the position is altered in this respect that the Honourable Member over there, on behalf of Government, accepted certain modifications in regard to long cloth and shirting and imposed a differential duty on British goods. I originally stated that the reason why the Government of India accepted Mr. Chetty's amendment was very simple. As the Honourable the Leader of the Nationalist Party has stated, the proposal was originally set forth by the Government of India before the Secretary of State, and they made Mr. Chetty agree to the bringing forward of an amendment of this nature. Now, the reason why this amendment is brought forward is very simple. As I said, Lancashire does not mind losing the trade in long cloth and shirting, which is only 77 million yards or less today, so long as they get this Imperial Preference in regard to other goods which, as the Honourable the Leader of the Independent Party said, amount to 1,400 million yards, but in reality a little more. If that is the position, then they get preference in regard to coloured goods, and also in regard to white bleached goods, and they get preference in regard to dhotis. They are therefore quite prepared to sacrifice the trade in long cloth and shirting. The position as put forward by the Government is this. We are doing this in order to safeguard the interests of the consumer. May I ask how the Government can reconcile that position when the actual effect of their measure will be to cut out competition from Japan and from other countries? I want to ask a simple question of the Honourable Member. Take the case of white bleached goods. Is it or is it not a fact that the white bleached goods imported from United Kingdom are about 525 million yards, whereas the white bleached goods imported from Japan are only 5 million yards? Therefore, there is every danger for Lancashire that the trade from Japan will so increase, as it has increased in other commodities, as to endanger that trade between Lancashire and India. If there is free competition on an equal basis, the Honourable Member knows perfectly well that the consumer's interests will be safeguarded, because, with free competition between Japan and Lancashire, the prices will be kept down. Now, I ask, by penalising Japan as against Lancashire, in this particular brand of goods, is the Honourable Member safeguarding the interests of the consumer? Let me take the case of long cloth and shirtings.

Dr. L. K. Hyder (Agra Division: Muhammadan Rural): Explain the competition.

Diwan Chaman Lall: My Honourable friend says: "Explain the competition". If he will only read the statement issued by Sir George Rainy, he will find the explanation on pages 2 and 3 where Sir George Rainy has stated definitely that this trade has been captured from Lancashire partly by Japan and mainly by India. It is this steady advance of Japan in capturing trade in these various classes of goods that has created the fear in the mind of the manufacturers in Lancashire, and that is the basis of this measure of Imperial Preference. It will not do to encourage Japan. That statement is very clear and shows that, during the last few years, Japan and India have marched ahead at the expense of Lancashire and that, if this burden of extra 5 per cent. is placed against Japan in the matter of white bleached goods, she will not be able to march ahead at the expense of Lancashire. That is the basis for this discrimination and no other. Let me take the case of long cloth and of shirtings and of coloured goods. In the matter of coloured goods, it is obvious the competitive figures are only 50 million yards from the United Kingdom and 86 million yards from Japan. Now, I want to ask if the figure of Japan is 86 million yards per year and the figure of the United Kingdom is 50 million yards per year, how is the Honourable Member, by putting on an extra duty of 5 per cent. against Japan, safeguarding the interests of the consumers in this country? I would like to have a reply to that question. I would like to know how the Honourable Member is safeguarding the interests of the users of this 86 million yards of coloured goods. I would like to have a reply from the Government. If there is competition between Japan and Lancashire in the matter of coloured goods, and if Indian consumers are using coloured goods, then by penalising Japan, you are cutting out one source of supply and you are giving a virtual monopoly to Lancashire, but how is the Honourable Member going to safeguard the interests of this country? May I know how he is going to safeguard the interests of the average consumer?

In regard to other class of goods, let me take the case of dhotis. Japan is sending in 30 million yards of dhotis, which are competitive, and 5 million yards of dhotis which are not competitive, and according to the figures supplied by the Honourable Member, Lancashire is sending in 88 million yards of competitive dhotis. I showed, on a previous occasion, that they have taken the figures on a different basis. As a matter of fact the Japanese competitive figures in dhotis are not 30 million yards. They are not even one single yard. But taking the Honourable Member's figures to be correct, namely, that Japanese competitive imports are 30 million yards and the Lancashire competitive figure is 88 million yards, I want to ask the Honourable Member in what particular manner, by penalising Japan and stopping competition in the matter of dhotis, the Government are going to safeguard the interests of the consumer. Does the Honourable Member give us a guarantee that, because of the advantage that Lancashire will get of 5 per cent. against Japan and other countries in the world, he will keep the prices down for the consumer? No such guarantee has been given and can ever be given by this Government or any other Government. Sir, that is the position in regard to dhotis. The same is the case in regard to long cloth and shirtings. By adopting this method, the Government are going to penalise not only one country but

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all other countries as against Lancashire by shutting out competition from all these countries, with the result that the interests of the consumer will suffer. If it is looked at from that point of view, there is not the slightest doubt that the Honourable Member is not right when he says that the measure that he is bringing forward before this House is designed in the interests of the consumers of this country. It is not so designed. What it is designed for is to give assistance to Lancashire. The other day when the Honourable the Leader of the Nationalist Party raised this matter, he asked the Government to place on the table those documents that had passed between the Government of India and the Secretary of State for India, but he was told that these documents could not be placed on the table of this House. They could not be made public. Then the Government were asked by the Honourable the Leader of the Nationalist Party: "At whose suggestion did you bring in this policy of Imperial Preference?" And the reply, as far as I could understand it, and as far as this side of the House could understand it, was that it was at their own suggestion. Two days ago, the newspapers reported a speech in the House of Commons delivered by Mr. Graham, the President of the Board of Trade, in which he made the significant remark, that, as a result of the representations made by them to the Government of India, the question of Imperial Preference was incorporated and placed before the House.

The Honourable Sir George Rainy: I think it is only fair that I should intervene at this stage. I would draw the Honourable Member's attention to the very definite reply given by the Secretary of State in the House of Commons that no suggestion came from the British Cabinet for the adoption of a scheme of British Preference.

Diwan Chaman Lall: May I conclude, therefore, Sir, that the British Cabinet is speaking with two voices—one the voice of Mr. Wedgwood Benn and the other the voice of the President of the Board of Trade?

The Honourable Sir George Rainy: The Honourable Member does not seem to be acquainted with what must have been in Mr. Graham's mind. He was obviously referring to the telegrams which were exchanged and which have been laid on the table of this House and which were also laid on the table of the House of Commons. The result of that representation was, the Government Bill took the shape that it has taken.

Diwan Chaman Lall: That is exactly my point. It is as the result of the representation sent down by the British Cabinet that the Bill has taken the shape that it has.

The Honourable Sir George Rainy: That is a very different thing from suggesting that any suggestion came from the British Cabinet that it should take this form.

Diwan Chaman Lall: The Government of India are adepts and experts at diplomatic replies.

An Honourable Member: Camouflage.

Diwan Chaman Lall: I make this charge against the Government, that they have not proved that their statement is correct, and the only manner in which they can refute the charge levelled by this side of the House, is by placing all the documents in their possession on the table of the

House. Let the House judge, let the country judge. There is a definite statement by the President of the Board of Trade to this effect, that, as a result of the representations made by them, this has been done, and that it would not be fair to ask the Government of India to do anything more. That statement has appeared in the Press. It is a Reuter's telegram which the Honourable Member must have read. Whether the President of the Board of Trade is speaking with knowledge or not, it is not for me to say, it is not for this House to say. We do not possess the information. The information is in the secret archives of the Government of India. Let them lay bare these secret files. Let us know what exactly is the position. Why this unseemly hurry to introduce this principle of Imperial Preference into this Bill against the united voice, I say deliberately, almost the united voice of the country? Why have they done so? Why are they flouting public opinion, why are they flouting the opinion of this House in regard to this matter? Seeing the dependent condition in which the people are, and taking advantage of the strength that they possess, the Government have come forward and say:

"We will not listen to any representations made by this House, we will not listen to any arguments placed before us on the floor of this House. We are not amenable to any suggestion or any persuasion from the other side of the House. We are determined that this principle should be adopted."

This is what the Government say, and as my Honourable friend Mr. Kelkar said the other day, they do not call it Imperial Preference, but only a particular course of action adopted at a critical juncture. Now, Sir, I want to ask the Honourable Member this question, and I asked him that question in my original speech also, but the Honourable Member was very discreet in his silence. I refer to the Anglo-Japanese trade convention of 1905. If the principle of Imperial Preference has been imported into this Bill, I ask the Honourable Member to tell me whether a treaty entered into between the Government of India—by His Majesty's Government on behalf of the Government of India—and the Japanese Government is to be considered a scrap of paper, I want to ask him whether he is going to make this House a party to considering that particular trade convention a scrap of paper

The Honourable Sir George Rainy: As regards the convention to which the Honourable Member refers, the same statement applies to all the commercial treaties and agreements to which India is a party. Not one of them contains a clause debarring India from giving preference to other countries which are part of the British Empire.

Diwan Chaman Lall: The reading of that convention is conveyed in a letter which was addressed by the Government of India to the mill-owners of Bombay in 1926. In that letter there was not a suggestion of the kind which the Honourable Member is making now. The terms used in that convention are these:

"Any article, the produce or manufacture of the Dominions and Possessions of His Majesty the Emperor of Japan shall enjoy upon importation into India" (*not the Dominions and Possessions of His Majesty the King Emperor, mark you*) "the lowest customs duties applicable to similar products of any other foreign origin."

The Honourable Sir George Rainy: Quite so. No goods coming from parts of the British Empire are goods of foreign origin. (Hear, hear.)

Diwan Chaman Lall: I should like to know, Sir, if in his interpretation of this trade agreement, the Honourable Sir George Rainy has taken legal opinion.

The Honourable Sir George Rainy: That, Sir, has been the uniform interpretation placed upon it by His Majesty's Government and by the Government of India ever since 1905.

Diwan Chaman Lall: That interpretation is wrong and unjustified. If that has been the uniform interpretation placed upon it, that goods coming from Lancashire, as far as India is concerned, are not goods of foreign origin, let me remind the Honourable Member what happened to that interpretation in 1926. Did they ever place this interpretation upon this agreement in 1926? (Hear, hear.) No. They did not want to give protection to the millowners of Bombay in 1927. Because they did not want to give protection, they trotted out with great vigour, with great force this argument of the Trade Convention of 1905, that they could not possibly treat Japan on a differential basis because that would have meant the denunciation of the trade agreement of 1905. (Hear, hear.) In the course of the letter which the Government of India issued to the Secretary of the Bombay Millowners' Association, dated Delhi, 26th March, 1926, this is what they say:

"The case as stated above raises issues of grave importance,"

—I want Honourable Members to mark these words "grave importance"—

"for the proposals which have been submitted for the consideration of the Government of India contemplate the imposition of differential duties on yarns and piece-goods imported from Japan. If, therefore, they were subjected to this, they would involve the denunciation by the Government of India of the Trade Convention with Japan of 1905." (Applause.)

The Honourable Sir George Rainy: May I point out, Sir, that what is contemplated in that letter is differential duties on Japanese goods as distinguished from goods from all other countries. That would be entirely contrary to the Convention.

Diwan Chaman Lall: What is contemplated is goods coming from Japan only. It therefore comes to this, that this particular Bill makes a difference between goods of British origin and goods from all other origins and therefore this Trade Convention is not violated. Is that the position?

The Honourable Sir George Rainy: Yes, Sir.

Diwan Chaman Lall: If that is the position, I want to say that this is clearly not borne out by the interpretation put upon Article I which I have read out to the House. There goods of British origin are not mentioned. There the goods that are mentioned are goods trading between Japan and India. Japanese goods *versus* all goods of foreign origin, which must include British goods.

The Honourable Sir George Rainy: The Honourable Member will remember that treaties are made in the name of His Majesty the King-Emperor and clearly no part of His Dominions could, in such a treaty, be described as a foreign country.

Diwan Chaman Lall: The question is not whether the countries within the British Empire should be described as foreign countries. The question is goods of "foreign origin". (Hear, hear.) The Honourable the Commerce Member surely knows the distinction. The distinction is not whether Canada is a foreign country, as far as India is concerned, both being parts of the British Empire. The point is whether Canadian goods

coming into India are to be treated as goods of foreign origin, and if they are goods of foreign origin, then Article I operates. (Applause.) I want to know whether the Honourable Member has taken the necessary steps that are contemplated in the letter of 1926 which I have just read out. Has he taken the necessary steps to denounce that Trade Convention of 1905?

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Does not my Honourable friend think that Japan is more competent to defend her treaty rights than my Honourable friend is?

Diwan Chaman Lall: My Honourable friend is asking whether Japan is not more competent to fight for her treaty rights than we. My Honourable friend is exceedingly obtuse. He could not have any sense of honour if he says that it is not a point of honour involved in this so far as India is concerned. I say the honour of every man is involved in this question. (Hear, hear.) If he thinks that the Government of India can go and make a treaty over our heads, without even consulting us, without even telling the House, and can then with impunity break that treaty then my Honourable friend should know that his sense of justice and honour must be exceedingly obtuse if he is willing to permit the Government to treat this Trade Convention as a scrap of paper. I do not care for Japan. I am not concerned with Japan. I am concerned with the action of my own country. I would be the first to get up and support a measure placed before this House by the Honourable Member over there, prohibiting any Japanese from coming into this country and setting up mills as the Japanese are doing now. I would be the first to support that. I do not want the resources, the raw materials and the labour of this country to be utilised for the benefit of any foreign nation. Let me remind Mr. Ghazanfar Ali that just as Japan can look after herself, so also can Lancashire without the assistance of his vote cast for Lancashire and against his own country. I am against this proposition of the Honourable Member of giving a preferential duty in this Bill, placing a burden upon goods which are of non-British origin, for the simple reason that there is no justification either from the technical point of view or from the point of view of the consumer, nor any justification from the moral point of view for the Honourable Member to do what he is seeking to do, namely, to give an advantage to Lancashire in order that competition should be killed and that a heavy burden should be laid upon the shoulders of the consumer and the future of the industries in this country, so that when the time comes for these industries to be nationalised, the future should be a dark one and that we should be all at the mercy, at the beck and call of Lancashire, merely because the Honourable Member over there has the power, the will and the strength to carry any measure of this nature that he pleases through this House, constituted as it is at present. Sir, I emphatically protest against the policy of the Government in not even consulting this side of the House, not even consulting the country, not even waiting to ask the verdict of the country on a measure of such vast importance as this indeed is. I say deliberately that, not only the interests of the consumer, not only the interests of the public, not only the interests of the industry, but the honour of India is involved, and I want to warn all Honourable Members that, before they vote for this Bill, they should think twice before they cast their votes in favour of an unjust measure of this nature. (Applause.)

Sir Darcy Lindsay (Bengal: European): Sir, I should like to state that the views of my Group are very much in accord with those expressed by my Honourable friend Mr. Jinnah. (Laughter.) We cannot . . .

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Will my Honourable friend allow me to put a question to him? My Honourable friend Mr. Jinnah said that, while he was against this amendment, he wanted to propose an amendment of his own. Does my Honourable friend know the terms of that amendment which Mr. Jinnah has not yet communicated to this House?

Sir Darcy Lindsay: When my Honourable friend Mr. Jinnah moves that amendment, which I do not see tabled, I may have an opportunity of further expressing my views thereon. What I am now supporting are the views of Mr. Jinnah in connection with my Honourable friend Pandit Malaviya's amendment. My reasons are that I cannot comprehend in what way my Honourable friend Pandit Malaviya's amendment is going to help the national industry.

Mr. B. Das (Orissa Division: Non-Muhammadan): Or help Lancashire!

Sir Darcy Lindsay: Never mind about helping Lancashire. I want to know in what way it is going to help the national industry, and that is the point that this House has to consider. We are informed by the spokesmen of the industry that, with a 15 per cent. protection, they will not be able to improve their position in the manufacture of medium class goods that they fear will be largely imported from Japan. They are perfectly satisfied that, with a protective duty of 15 per cent., they will be able to compete against Lancashire, but with 15 per cent. they will not be in a position to hold their own against Japan. That is the position, so far as I see it, and it is to enable the Indian mills to place themselves in a position to manufacture, in the first instance, medium class goods—and I hope later on all classes of goods—that they ask for this additional 5 per cent. I am perfectly well aware that, in the first instance, they asked for a protection of 20 per cent. all round, but when it was shown that this 20 per cent. all round would not necessarily benefit themselves so far as goods were concerned, that they were not in a position to manufacture, and that it would impose a very heavy burden on the country as a whole, they receded from that position and now readily accepted what Government have proposed, that is, a protection of 20 per cent. against Japan on all goods, and against Lancashire, 15 per cent., with the protective duty of an extra 5 per cent. or 3½ annas per pound on the small quantity of grey goods that now come in with which they have to compete.

Now, Sir, my Honourable friend, Pandit Malaviya, made a very strong point against the Honourable the Commerce Member that he did not reply to a statement made by my Honourable friend Mr. Birla that this Bill was going to place in the pockets of Lancashire trade no less a sum than 2½ crores of rupees. Just how this Bill is going to place that large sum of money in the pockets of the Lancashire trade, I am at a loss to understand, and I am quite sure my Honourable friend, Mr. Birla, does not really believe that his statement was an accurate one of what was likely to happen.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): May I know what is your estimate, Sir Darcy?

Sir Darcy Lindsay: My estimate is that it will place nothing in the pockets of Lancashire. My estimate is that these goods will come into the country at 15 per cent. and be sold to the consumer at competitive rates. If my Honourable friend wishes to assume that, because there is this protection against Japan of 5 per cent., the Lancashire manufacturers will be able to charge their customers 5 per cent. more for their goods, I am not at all with him.

Mr. Ghanshyam Das Birla: Has my Honourable friend read the majority Report of the Fiscal Commission and does he know what they say in the matter?

Sir Darcy Lindsay: I ask my Honourable friend whether it is not common sense. Does he not know that the trade will be sufficiently hard-hit with having to increase their prices by the 4 per cent. increase to 15 per cent. in the revenue duty?

Mr. Ghanshyam Das Birla: It is just because we have got common sense that we are fighting, and it is also because you have got common sense that you are fighting in your own interests, that is the interests of Lancashire.

Sir Darcy Lindsay: I am not fighting in my own interests. I am fighting in the interests of India.

Mr. Ghanshyam Das Birla: Will the Honourable Member explain to me . . .

Sir Darcy Lindsay: I have been interrupted sufficiently. Sir, I most emphatically protest against this statement of my Honourable friend, Mr. Birla, and I hope that Sir George Rainy, when his turn comes, will make it perfectly clear.

My Honourable friend, Diwan Chaman Lall, had a good deal to say about the concealment of telegrams, and he was quite sure, in his own mind, that there was some sinister motive on the part of Lancashire and the Government at Home in enforcing this measure upon the Indian Government. We have had assurances, and ample assurances, from Sir George Rainy that that was not the case. I am sure that my Honourable friend, Sir George Rainy, would be perfectly ready to take Diwan Chaman Lall or Pandit Malaviya into his room and show them certain papers, but he is not in a position to place those papers before the House as they contain many other matters.

Mr. T. Prakasam (East Godavari and West Godavari cum Kistna: Non-Muhammadan Rural): May I know if my Honourable friend has seen them?

Sir Darcy Lindsay: No, I have not seen them.

Mr. M. S. Aney: How does the Honourable Member know that they contain many other matters?

Sir Darcy Lindsay: I think it is only common supposition that they do. If my Honourable friend knows that they do not, he is entitled to speak.

Now, Sir, if it came to a question whether we should vote for Munshi Iswar Saran's 20 per cent. all round or Pandit Malaviya's amendment, and India could not do without this protection, I might even be inclined to vote with my Honourable friend Munshi Iswar Saran. I say that honestly. I am out to protect the Indian Mills, (Hear, hear.) give them all the help I can and I am absolutely convinced that on Panditji's proposal the Indian mills will not get that protection. It is on those lines, Sir, that I strongly oppose his amendment.

Now, Sir, there was a small personal matter that I would like, with your permission, to refer to. My Honourable friend, Mr. Neogy, the other day stated that thumbs were cut in Bengal by the ancestors of Sir Darcy Lindsay. I was always under the impression that we came from a common ancestry and if my ancestors cut thumbs in Bengal, equally so did my Honourable friend Mr. Neogy's ancestors. But I will bring it home a little more closely to Mr. Neogy. I have here, Sir, an extract from a newspaper, the *Pioneer*, of June, 1922, which deals with the subject. It gives particulars of an extract from a book written by Romesh Dutt, "The Economic History of British India":

"Dealing with the state of Bengal after the Battle of Plassey, Mr. Dutt says:

"While the inland trade of Bengal was thus dis-organised by the Company's servants and their agents in every important district, the methods by which they secured the manufacturers to themselves were equally oppressive. These are fully described by William Bolts, an English merchant, who saw things with his own eyes."

Here follows a statement by William Bolts to the effect that weavers were compelled to weave cloth for the servants of the Company and their agents at oppressively low prices, which concludes:

"And the winders of raw silk, called Nagodas, have been treated with such injustice, that instances have been known of their cutting off their thumbs to prevent their being forced to wind silk."

I therefore venture to suggest to my Honourable friend that it was possible his nearer ancestors than mine did cut off thumbs.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): What a compliment to your ancestors!

Sir Darcy Lindsay: Now I do not wish to detain the House any longer. But again I wish to state definitely that we are in support of this measure because we think it is for the real good of the mill industry in India and the people of India who, I hope, in a very few years time, will be able to receive from their national mills supplies of goods at a lower rate than is now being given to them. It is a matter of vital importance to India that we are today considering, and I do earnestly beseech the House to give it their gravest consideration and support the Bill as amended by Mr. Shanmukham Chetty.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

The Honourable Sir Bhupendra Nath Mitra (Leader of the House): Sir, in the statement which you made in this House this morning, you made the suggestion that the Government of India should, even at this stage, reconsider their position in regard to the statement made by my Honourable colleague, Sir George Rainy, when he moved for the consideration of this Bill. Before my Honourable colleague made that statement, the position had been very carefully considered by the Government of India, who had given considerable thought and examination to the various amendments to which my Honourable colleague referred in the course of that speech. As a result of that careful consideration, the Government of India decided to accept one of the amendments, namely, that put forward by my Honourable friend, Mr. Shanmukham Chetty. That itself shows, Sir, that they had a very open mind while they were examining the various amendments which had been placed before them in the course of certain informal discussions. Having come to that decision, I think it was only fair to this House that Government should make its position clear to the House and my Honourable colleague, who is well-known for his frankness and honesty of purpose, did not hesitate for a moment to place the House in full possession of the attitude of the Government of India. The Government of India see no reason to depart from the attitude which they have adopted in the matter, after the fullest consideration of the merits of the various amendments which were placed before them, and it is with the greatest regret therefore that I am unable to inform the House that the Government of India can in any way recede from that position.

Mr. President: Is there any Honourable Member who wishes to speak?

(Both the Honourable Sir George Rainy and Pandit Hirday Nath Kunzru rose in their places.)

Mr. President: Pandit Hirday Nath Kunzru.

Pandit Hirday Nath Kunzru: Perhaps, Sir, the Honourable the Commerce Member, wants to put a question. If my Honourable friend wishes to put a question, I am prepared to give way to him.

The Honourable Sir George Rainy: No, Sir, I did not hear you when you called upon the Honourable Member. That was my difficulty.

Pandit Hirday Nath Kunzru: Sir, the speech of my Honourable friend, Mr. Jinnah, came as a surprise to me this morning. He told us, however, that there was still a ray of hope inasmuch as he proposed to move an amendment of his own. After the speech which he delivered at an earlier stage, I was at a loss to understand what that amendment could be. But now the reply given by my Honourable friend, Sir Bhupendra Nath Mitra, the Leader of the House, must have made it plain to everybody that Government are determined to stick to the decision which they announced to the House when this Bill first came before it. I think I heard my Honourable friend, Mr. Jinnah, say that he would move his proposition

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only in case Government gave an undertaking that they would not drop this Bill if an amendment which was not wholly acceptable to them was carried. I take it, therefore, that he is not prepared to put any new proposal before the House at this stage.

Mr. M. A. Jinnah: I think, Sir, I have made my position in this House clear more than once. We have said that we are not satisfied with the Bill as it is presented to us, including the acceptance of Mr. Chetty's amendment. But if you would ask me what I would like, that is a different matter altogether. Therefore, we are not supporting the Bill, but we shall be obliged to prevent this Bill being wrecked. If the Honourable Member wants to know what the amendment was that I wanted to move, I will inform him privately. Even if he wants to know on the floor of the House, I am quite prepared to tell him.

Pandit Hirday Nath Kunzru: Sir, I am not actuated by any idle curiosity. My Honourable friend's proposal roused a great deal of interest in the House because we hoped that it might lead to some practical results. Since he is not going to move it, its exact terms are not a matter of any consequence whatsoever. I should be sorry, Sir, to misrepresent the position of my Honourable friend, Mr. Jinnah. I know what he said when this Bill first came before the House. It is perfectly true that he stated then that he was not in favour of the Bill, as placed before this House by the Government. He was not particularly enamoured of the proposal of Imperial Preference, but in the circumstances in which the House stood, he thought he had only two alternatives before him, either to accept whatever was given by Government—and it was in that connection that he used the phrase, "Beggars cannot be choosers"—or to go without it altogether.

Mr. M. A. Jinnah: I used the phrase, "Beggars cannot be choosers" in answer to an interruption. "Do you justify that interpretation of the convention?" was the question put to me by my friend Mr. Prakasam. I said, "There is the convention. Beggars cannot be choosers".

Pandit Hirday Nath Kunzru: I am prepared to accept the explanation given by my Honourable friend, but the position remains just as it was. From his own practical point of view he says to us, "We have to accept this Bill because we are in the position of beggars before Government, and beggars cannot be choosers".

Mr. M. A. Jinnah: I didn't say that.

Pandit Hirday Nath Kunzru: It comes practically to the same thing, although my Honourable friend does not expressly say that. I say, Sir, that, in view of the very disappointing announcement made to us by my Honourable friend, Sir Bhupendra Nath Mitra, Pandit Madan Mohan Malaviya's amendment holds the field. But before I discuss that amendment, I should just like to say a word with regard to what has fallen from Sir Bhupendra Nath Mitra.

Sir, in order that the fiscal autonomy convention may be a reality, it is necessary that this House should be given an opportunity of expressing its opinion and that the Government should be prepared to be influenced by it at some stage or other. The greatest difficulty in the

way of the convention becoming a reality is that Honourable Members opposite have to consult the Secretary of State before they place their proposals before the House. Now, Honourable Members opposite have been at great pains to explain to us what the procedure followed by Government on these occasions usually is. They have told us . . .

Mr. President: The Treasury Benches are not usually addressed as the Honourable Members opposite.

Pandit Hirday Nath Kunzru: I am talking, Sir, to the Honourable Members occupying the Front Bench opposite. The Secretary of State has to be consulted previously with regard to any proposals that might be placed before this House. Now, our friends the Members on the Treasury Benches have told us that the Secretary of State desired to place no limitation whatsoever on them with regard to any proposals that might commend themselves to their judgment. But when correspondence was going on between them and the Secretary of State and they expressed the opinion that they could not accept any proposal extending the protective duty to British goods, I take it that they had the approval of the Secretary of State for the attitude they took up. To that extent, then, they are bound by the negotiations that proceeded between them and the Secretary of State. I think my Honourable friend, Sir George Rainy, informed the House that at no stage could there be what we might term a constitutional vacuum. The Government of India would be subject either to the control of this House or to the control of the Secretary of State at every stage. If there was agreement between this House and the Government of India, the Secretary of State would not interfere. In case . . .

The Honourable Sir George Rainy: I want to make a very small correction, Sir. At the stage when the Government of India were first formulating their proposals, I said that at that stage the decision entirely lay with them.

Pandit Hirday Nath Kunzru: I am speaking entirely of that stage, because it was at that stage that the Government of India informed the Secretary of State that they themselves were not prepared to accept any proposal made by the Legislature with the object of imposing a 5 per cent. protective duty on British goods, in common with goods coming from other countries than the United Kingdom. The moment, Sir, they expressed that opinion, and the Secretary of State approved of it, they passed under the control of the Secretary of State. It becomes obvious then that such proposals as have been placed before this House by Government have virtually received the approval of His Majesty's Government, and that the Government of India cannot now depart from them without obtaining their approval. If this version is correct, Sir,—and I do not see how it can be seriously challenged—I do submit that the fiscal convention is far from being a reality. His Majesty's Government, when allowing the Government of India to place their proposals before this House, ought, I think, if they desired the fiscal convention to be regarded as a reality, to have told them that they would await any expression of opinion by the Indian Legislature. But if, without waiting for it, they approved of the attitude of the Government of India, they undertook responsibility for the proposals of the Government, and the scheme, that has been placed before us, is therefore the result of mutual

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consultation between the Government of India and His Majesty's Government. I submit, Sir, once more, in view of these facts, that the convention has ceased to be a reality and that in effect, if not in so many words, the occupants of the Treasury Benches have told us that they cannot depart from the attitude which they took up in the beginning because it has been approved of by the Secretary of State and because it cannot be changed without his approval.

Sir, in these circumstances it is a futile task to place any arguments before Honourable Members opposite, but as a great Englishman once observed, there is a certain vanity in all of us which makes us think that, although we cannot outvote our opponents we can still out-argue them.

Sir, it is a matter within the knowledge of the House—it has been repeatedly stated during the last four or five days—that the proposals actually placed before us by Government are neither those which were asked for by the millowners, nor those which commended themselves to their judgment in the beginning. Now, my friend, Sir George Schuster, in the speech which he delivered on a previous occasion in connection with this Bill, has laid bare before us the workings of the minds of the Government of India. He said that the proposals which the Government made to the Secretary of State, namely, a 15 per cent. revenue duty with a minimum protective duty of a $3\frac{1}{2}$ annas per pound on plain grey goods did not amount to a closing of the subject on their part. He said it was not a final decision arrived at by the Government of India. I think it will be pertinent, Sir, to place before the House the exact words used by the Honourable Member on the 13th of March. He said:

"I do not want to dispute the correctness of what the Honourable Pandit said, for it is true in a sense to say that our original proposal did include a proposal for $3\frac{1}{2}$ annas a pound minimum duty on all plain grey goods, but to say that alone is not to tell the whole of the story. Let me try to make clear what I mean. When we were in the early stages of considering what special protective measures we should introduce,—and I am now trying to inform the House exactly what has passed through our minds—we did very definitely consider something on the lines of the proposal which we are now putting forward, because when we came to examine the position in a practical way and to consider how we could effect the discrimination which we were seeking for, we found that, in actual fact, a distinction between British goods and non-British goods did fit in very nearly with the needs of the situation. Now,—again, trying to be perfectly frank with the House—I will say that, in our preliminary discussions on this matter, we, I may say, rather 'shied off' this proposal, not because we did not think it was the right thing, but because we were influenced just then by the very considerations which the Honourable Pandit has mentioned in his speech. We felt that, at the present stage, it might be liable to political misunderstanding."

Now, Sir, in view of these statements, the dispute between us and the Honourable Members opposite becomes a purely verbal one. Whether the proposals submitted in the first instance by the Government of India to the Secretary of State were those that they approved of wholly or partially does not matter in the least degree. All that I ask the House to consider is that, at some stage or other, and for some reasons or other, the Government of India came to the conclusion that a revenue duty of 15 per cent. and an additional protective duty of $3\frac{1}{2}$ annas per pound on plain grey goods would meet the needs of the situation. And what does the proposal of my Honourable friend, Pandit Madan Mohan Malaviya, come to. Both Pandit Madan Mohan Malaviya and Mr. Birla have told the House that, although the language of Pandit Madan Mohan Malaviya's

amendment might be different from that of the first part of Mr. Chetty's amendment, yet the two mean the same thing inasmuch as a duty of $3\frac{1}{2}$ annas per pound on goods not made of coarse counts would not amount to more than a 15 per cent. *ad valorem* duty. In fact Pandit Malaviya's amendment will give more to millowners than Government's first proposal as it protects dhotis and coloured goods made from coarse counts, in addition to plain grey goods. Why is it then, Sir, that the Government of India are adopting this attitude of obstinacy? This is something which requires explanation.

I might leave the matter here, but I should like the House to consider some figures to understand why, as I conceive, the Government of India came to the conclusion that the proposal originally submitted by them to the Secretary of State would meet the needs of the situation, whether permanently or temporarily. I shall, Sir, refer to the note which has been circulated to Honourable Members by the Honourable Sir George Rainy. There are three categories of goods which we are concerned with.

Now, the first is long-cloth and shirtings. The figures contained in Sir George Rainy's note show that the Japanese imports are increasing fast. In 1928-29 the imports from the United Kingdom amounted to 48 million yards, and those from Japan to 191 million yards, and the Indian production was 564 million yards. Now, let us compare with these figures those relating to the first six months of the year 1929, that is, April to September. The imports in the first six months from England amounted to 12 million yards, those from Japan to 149 million yards and the Indian production to 314 million yards. If the latter part of the year 1928 fulfilled the promise of the first half, the Japanese imports must have amounted to about 300 million yards in 1929, as compared with 191 million yards in 1928-29. There is therefore here a clear case for imposing a duty on this kind of goods.

Let us now proceed to another class of goods classified as dhotis. Now, here the imports from the United Kingdom in 1928-29 amounted to 454 million yards, and those from Japan to 35 million yards, while the Indian production amounted to about 564 million yards. In the first six months of 1929, the imports from the United Kingdom were 205 million yards, those from Japan were 24 million yards and those from India 342 million yards. Now, the imports from the United Kingdom showed a fall and those from Japan some increase, but at the same time there was no drop in the production of goods in India. I should like the House in this connection also to note a remark made by Mr. Hardy in his Report on this subject. Referring to the figures which I have placed before the House, he said: "It is clear that the import trade is making no headway against local production, and that only the strikes of 1928, which caused a drop of 82 million yards in the figures for Bombay Island, have checked this steady advance. The restriction on forward purchases for the Calcutta market in 1928-29 seriously affected the Lancashire trade, and the figures for the first half of the current year suggest that Japan is going ahead at the expense of Lancashire". It is clear then that, so far as the trade in dhotis is concerned, it was more the Lancashire trade that was affected by Japanese competition than the Indian production.

[Pandit Hirday Nath Kunzru.]

Now, I turn to the third class of goods, known as coloured goods. Here again I will first give to the House the figures for 1928-29. The imports from the United Kingdom amounted to 335 million yards and those from Japan to 110 million yards, and the Indian production amounted to 487 million yards. Now, let us compare these with the figures for the first six months of 1929. The imports from the United Kingdom have fallen to 48 million yards. The imports from Japan which were 110 million yards in 1928-29 were 78 million yards in the first six months of 1929. If the progress continued at the same rate, throughout the year then in the year 1929, the Japanese imports must have amounted to 156 million yards, and the Indian production which was 487 million yards in 1928-29, came to 257 million yards in the first six months of 1929. Here again it is obvious that the competition is more with the United Kingdom goods than with Indian goods, but fairness requires that I should, on this subject, also quote the remarks of Mr. Hardy in his Report. He tells us that both India and England are affected by Japanese imports of coloured goods. He thinks that the competition is keenest in regard to two descriptions of goods which he specifies as drills and jeans and stripped *suris* and *susis*. This is what he says with regard to the first description of goods, namely, drills and jeans, after pointing out that the Japanese goods come into competition with Indian goods:

"Their first appearance in the printed drill trade was in 1926-27, and such has been their success that imports of printed drills from the United Kingdom fell from 20 million yards in 1927-28 to 11 in 1928-29 and 3 in the first half of 1929-30."

With regard to the second class of goods mentioned by me, he says:

"The coarser printed shirtings are sufficiently new to the Indian."

Mr. President: Whom is the Honourable Member going to convince by these arguments?

Pandit Hirday Nath Kunzru: I wish to place these figures before the House.

Mr. President: What is the good?

Pandit Hirday Nath Kunzru: The good is this, Sir, that I want to make it clear to the House that the Government of India themselves, on the basis of the figures before them, thought that the first proposal made by them to the Secretary of State would satisfy the immediate needs. That is my point. I mention this particularly because my Honourable friend, Mr. Jinnah, said that Pandit Madan Mohan Malaviya's amendment would not give adequate protection to the Indian industry.

Mr. M. A. Jinnah: I still maintain that position.

Pandit Hirday Nath Kunzru: Sir, I cannot change his opinion

Mr. M. A. Jinnah: And I go further and say that, because the Government at one time made that proposal, it does not prevent me from saying that the Government also were perfectly wrong.

Pandit Hirday Nath Kunzru: Sir, the Honourable Members opposite and my Honourable friend, Mr. Jinnah, are working together.

Mr. M. A. Jinnah: I think, Sir, it is very improper on the part of the Honourable Member to make that statement. I do not think he has understood what I have said.

Pandit Hirday Nath Kunzru: I have understood every word of what my Honourable friend, Mr. Jinnah, said.

Mr. M. A. Jinnah: Then what is the insinuation you make?

Pandit Hirday Nath Kunzru: There is no insinuation; it is a plain statement of fact. I have not impugned my Honourable friend's political morality, but he cannot browbeat me into silence and prevent me from expressing my own opinions on this subject.

Mr. T. Prakasam: It is only fair that the Honourable Mr. Jinnah should be given the opportunity to say exactly what he has to say in the matter. He was telling us, Sir, that he would go further.

Mr. President: Is that a point of order?

Mr. M. A. Jinnah: I think the Honourable Member has not quite understood me. I say I am not satisfied with the Government proposal nor am I satisfied with the proposal of Pandit Madan Mohan Malaviya. I want to go further.

Pandit Hirday Nath Kunzru: Sir, in spite of the temper shown by my Honourable friend, I will not be led into making any statement against his general political conduct. I did not mean to suggest that he had previously entered into a pact with the Government to support this proposal. All that I am concerned with is that, on the present occasion, he is supporting the Government proposals. And if I can show to him what was the basis on which the original proposals of the Government were founded, I hope that my Honourable friend, as a reasonable man, will change his opinion and see his way to supporting Pandit Madan Mohan Malaviya's amendment. In view of this, perhaps you will allow me to complete the sentence that I was quoting from Mr. Hardy's Report.

With regard to the second class of goods that I mentioned earlier, Mr. Hardy said in his Report:

"The coarser printed shirtings are sufficiently new to the Indian market not to have effected the local output seriously yet, but they are evidently being successful and constitute a definite danger."

He dealt, I suppose, more with the future when he wrote this sentence than with the immediate present. The Government were influenced by political considerations, and thought more of the immediate present than of the future, and in those circumstances made that proposal which has been repeatedly discussed in this House. I think I may fairly claim from the figures that I have placed before the House, that the Government thought that the plain grey goods made from coarser counts needed immediate protection. As regards other goods, they thought that the danger was not so great, that the Japanese goods came into competition with the British goods also, and that therefore they should put forward no proposal which would leave them open to the charge that it was made ostensibly in the interests of India, but really to give protection to Lancashire as against Japan. Now, Sir, if this is their position, or if this was their position, as shown by the figures contained in Sir George Rainy's speech, I should like to know what objection they have to accepting the amendment proposed by Pandit Madan Mohan Malaviya. My Honourable friend, Mr. Birla, stated to the House some days ago that, in his opinion, even the protection proposed by Government would not suffice.

Mr. President: I am somewhat surprised that the Honourable Member is still labouring to convince Government.

Pandit Hirday Nath Kunzru: Sir, I am not so great a simpleton as to imagine that any words used by me can change the resolution of Government. But I do still hope that there may be some Honourable Members amongst ourselves who may believe, in view of the facts that are being placed before them, that if we accept the amendment of Pandit Madan Mohan Malaviya, the mill industry would not be placed in any serious danger. The mill industry would require more protection in any case, whether Pandit Madan Mohan Malaviya's amendment is accepted or that of Government. If that is so, why not accept this proposal and leave us free, a year hence, when the constitutional changes that my Honourable friend Sir George Schuster referred to in his budget speech had come about, to deal with the situation as we ourselves thought best. Sir, I will labour this point no more. I will only say, before passing to any other point, that this is a matter which requires a serious reply from Government. The figures that I have placed before them are those taken by them from Mr. Hardy's Report and circulated to Honourable Members.

Sir, my Honourable friends Sir George Schuster and Sir George Rainy laid great stress on the interests of the consumer, when defending the actual proposals embodied in their Bill. That argument has been dealt with by more than one speaker, and I do not propose to repeat a single word of what has been stated already. I should only like to discuss it in relation to two concrete matters. My Honourable friend, Sir George Schuster, has already imposed taxation on us amounting to about 5 crores. If he had put a heavier duty on Lancashire goods than he has done, it cannot be said that he would have injured the interests of the consumer. The consumer would certainly have lost, but his loss would have been the gain of the State. But what is the position now if prices rise? My Honourable friend Sir Darcy Lindsay contended that prices would not rise. I doubt, Sir, whether there is anybody who can say confidently, at this stage, that prices would remain at their present level. Besides, the representatives of Lancashire, so far as Reuter's cablegrams have informed us, themselves look upon the five per cent. Imperial Preference as some compensation for an increase in the revenue duty from 11 per cent. to 15 per cent. Now, how can this Imperial Preference be regarded as a compensation, unless they feel that the exclusion of non-British goods and the absence of any competition in regard to goods made from finer counts, would enable them to raise the prices of these goods? They would have a practical monopoly in these finer goods. Japan might not have been importing into India large quantities of goods of finer classes. But there was the possibility, that, seeing that there was no outlet for coarser goods, it might turn its attention to finer goods and thus come into more serious competition than has been the case hitherto with British goods. What will happen if prices rise? If they rise to the full extent of five per cent., then, as Sir George Rainy has told us, the consumer would suffer to the extent of two crores, and in whose pockets do these two crores go? Will they be utilised by the State for the benefit of the people whom they are taxing? No, they go into the pockets of private capitalists. Take another instance, that of cotton. I have discussed this question with some of my Honourable friends who are conversant with this matter. If the duties imposed by Government prove effective, we may take it that the Japanese imports into this country will cease. That may have an effect on the purchase of raw cotton by Japan. In that case, the price of cotton may fall.

Here again the agriculturist who produces raw cotton suffers. (Hear, hear.) If we can say to him that his sufferings would benefit the State, there would be some justification for the acceptance of the Government's proposals. But how can we accept the proposal made by the Government and impose an additional burden on the agriculturists at the present time in the interests of foreign capitalists? I think, Sir, even the interests of the consumer, adequately considered, should have led Government to impose an all round protective duty of five per cent.

Sir, His Majesty's Government, as is well known, have been trying for some time to induce the countries which are Members of the League of Nations to enter into a tariff pact. Their object is that there should be a tariff truce, and that tariff walls should be pulled down. Recently the President of the Board of Trade announced, in the House of Commons, that a convention had been signed as well as a protocol regarding future negotiations for reducing trade barriers. Sir, if this is the policy of His Majesty's Government, are they morally entitled to enforce or approve of a tariff in India which gives them an advantage against non-Indian goods? If they are seriously desirous of prevailing upon the nations concerned, not to raise tariff barriers, is it not their incumbent duty to make it plain to them, in the most incontrovertible manner, that they at any rate, do not propose to raise tariff barriers directly or indirectly to their own advantage and to hit the trade of a friendly country. If, however, they do not take up this moral stand, their efforts at the cessation of tariff wars are doomed to failure. It is, Sir, taking the question in a large sense, a moral question. His Majesty's Government cannot profess one thing and take their stand in practice on another thing. I hope that, if the Government of India themselves attach any importance to the moral aspect of this question, they will still consider the advisability of accepting Pandit Malaviya's amendment and press it on the attention of the Secretary of State.

Mr. President: I congratulate the Honourable Member.

Pandit Hirday Nath Kunzru: I do not see what you and we together can do at this stage. Both you and we are working the constitution as it is.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, in this connection, will you permit me to rise to a point of order, partly a point of order and partly a point of procedure, and partly to request the Chair to help the House against the coercive tactics of Government. May I point out to the Chair that there is a third amendment which has not yet been moved, and which seeks to impose a duty of 20 per cent., without discrimination and which has the support of the Nationalist Party, the support of my Honourable friend Mr. Jinnah and the Independent Party, the support of Sir Darcy Lindsay and Members of the European Group, and also the support of a large number of unattached Members of this House. May I, Sir, appeal to you, that instead of confining this debate to these two amendments, you may allow this other amendment also to be moved and discussed and that it should be voted upon first. If that amendment is carried, as it is bound to be carried because everybody wants it—the millowners also want it—and if the Government still want to pursue their coercive tactics, they can then take the Bill to the Council of State and bring it back to this House in

[Mr. Jehangir K. Munshi.]

the form they insist on; and then the difficulty with which my Honourable friend Mr. Jinnah and his party and I myself and other Members are faced will disappear. We shall record our opinion that the mill industry should be afforded adequate protection by the imposition of a uniform duty of 20 per cent. If, in spite of this, Government insist on the proposals embodied in Mr. Chetty's amendment, they can take the help of the Council of State. But for our part we shall be recording our preference for a uniform duty of 20 per cent.

Mr. President: But what is the Honourable Member's suggestion?

Mr. Jehangir K. Munshi: My suggestion is that this particular amendment may be discussed and put to the vote first.

Mr. President: Which amendment?

Mr. Jehangir K. Munshi: I refer to the amendment of Munshi Iswar Saran* which has also been welcomed by Sir Darcy Lindsay.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): A similar amendment stands in my name as well as in the names of others.

Mr. President: If the Honourable Member is so sure that other parties are going to support that amendment, in spite of the attitude taken by Government, I would certainly accept his suggestion.

Mr. Jehangir K. Munshi: We have heard it said on the floor of this House by the spokesmen of the different parties.

Mr. President: Then, the Honourable Member has not heard properly.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): I propose to address the House after my Honourable friend Pandit Hirday Nath Kunzru has finished, as to what my party thinks about this amendment.

Mr. President: I hope the Honourable Member, Pandit Hirday Nath Kunzru, will now conclude his observations.

Pandit Hirday Nath Kunzru: It only remains for me, Sir, to say a few words.

Mr. President: Is the Honourable Member still going to continue this farce of a debate?

Pandit Hirday Nath Kunzru: If we choose to come here, I cannot see, Sir, how we can set at naught the ordinary procedure of the House and try to convince the Members of this House who differ from us in any other way. Sir, my Honourable friend, Sir George Schuster, in his budget speech, asked us to bear in mind the value of a friendly attitude that we might assume towards His Majesty's Government. I appreciate the significance of those words, but I do not congratulate him on having used them at this stage. It is well known that we are in a dependent condition and that speaking . . .

* "In sub-clause (f) of clause 2, in the proposed Item No. 156A, the words 'not of British manufacture' occurring in the second column be omitted."

Mr. President: I do not want to give any more hints to the Honourable Member.

Pandit Hirday Nath Kunzru: Speaking in a constitutional sense, our rights can be achieved only through His Majesty's Government and Parliament. Does the Honourable Sir George Schuster mean to tell us that, unless we are prepared to make concessions of a far-reaching character and to agree to things which, in our clear judgment, we should not accept, then we should not expect these great changes that India desires. If that is his meaning, then that would be an additional argument for strongly supporting Pandit Malaviya's amendment. His proposal postulates political equality between the various parts of the Empire. When that equality has been achieved, it might be considered by India in the way it likes and as suits her best interests; but so long as India remains in her present position, so long as she is in her present dependent condition, she cannot even think of the proposal that has been placed before the House by the Honourable Members opposite.

Sir Purshotamdas Thakurdas: Sir, I will be very brief, and perhaps I would not have spoken at all but for the fact that my party desire that, before these amendments are voted upon, the position of this party should be again made clear before this House. I feel that we, on this side of the House, regret as much as anybody else on this side of the House, the decision of Government, as put before the House by the Honourable the Leader of the House immediately after we met. And if I may say one word in passing before I proceed further, I hope my Honourable friend, Pandit Kunzru, will understand it in the correct spirit if I say that the Members on these Benches regret the remark which he made regarding my Honourable friend Mr. Jinnah, the Leader of this party.

Mr. President: He meant nothing. If there was any feeling that the Honourable Member meant anything, I would certainly ask him to withdraw it.

Pandit Hirday Nath Kunzru: I made it perfectly plain that I did not wish to bring any political charge against Mr. Jinnah and Mr. Jinnah himself fully accepted that.

Sir Purshotamdas Thakurdas: I was going to say that myself. The Honourable Pandit did make it clear that he meant no insinuation. But bearing in mind that my Honourable friend himself many times agrees with Government in less compelling circumstances, in this case in which my Honourable friend Mr. Jinnah and most of those who are sitting behind us do, I think that he might have spared us even those remarks which necessitated my Honourable friend Mr. Jinnah getting up and saying what he did. I am quite sure that Pandit Kunzru did not mean anything more than simply saying that we support Government, but Pandit Kunzru himself very often agrees with Government more than we do.

Pandit Hirday Nath Kunzru: Can you give any instance of that?

Sir Purshotamdas Thakurdas: Surely my Honourable friend does not always and invariably differ from Government? He may agree with Government in the best of cases.

Pandit Hirday Nath Kunzru: Only when they are right, and not more than you do.

Sir Purshotamdas Thakurdas: We ourselves have made our position clear, and I say that, when the atmosphere is tense, as it happens to be in this case, my party wishes that even what little he did say were not mentioned.

Now regarding the merits of my friend Pandit Malaviya's amendment, and the reason why this party cannot support his amendment. Sir, the Leader of my party, Mr. Jinnah, has made our position clear, but he made that clear before the Government statement, or rather the announcement of their final decision, was made on the floor of the House. I feel, Sir, that I ought, at the request of my party, to make the position of my party further clear if I can make it clearer than Mr. Jinnah has made it. Everybody in this House is agreed that the cotton textile industry of India should have the maximum protection that can be available to that industry by the Legislature and Government. There is no difference of opinion as regards that, and the question then is, what are the alternatives before the House. There are two alternatives. I will not go into the 4 per cent. revenue duty, which is in force today. The first alternative is that Government propose to give $3\frac{1}{2}$ annas minimum on grey goods plus 5 per cent. on non-British goods. I will call that A. The second one is my Honourable friend Pandit Malaviya's amendment, which I will call B, which is, $3\frac{1}{2}$ annas minimum on all goods not confined merely to grey goods and on all goods not confined merely to non-British. Now, Sir, the whole question to be considered is, having agreed on the main thing, subject to any preference which I will tackle in a second, the main thing that weighs with my party is, which of the two propositions gives the industry at this juncture—which is admitted by all to be a very critical juncture—the utmost protection. Undoubtedly, on mere figures, if there was no Imperial Preference or protection simultaneously to British industries involved in this, I have not the least doubt that the Honourable Pandit will agree that what Government suggest gives the greater protection.

Mr. T. Prakasam: Sir, may I interrupt my Honourable friend and ask him to tell this House whether his party would be agreeable to have a 20 per cent. duty all round, as suggested in the amendment of Munshi Iswar Saran?

Sir Purshotamdas Thakurdas: If my Honourable friend had waited a little, he would have heard that from myself. The whole question is whether the $3\frac{1}{2}$ annas minimum on all goods ensures more protection than $3\frac{1}{2}$ annas on grey goods plus 5 per cent. on non-British goods.

Mr. T. Prakasam: Unnecessary if you agree to that.

Sir Purshotamdas Thakurdas: The question then arises, is the 5 per cent. duty on non-British goods, plus $3\frac{1}{2}$ annas minimum on grey goods, free from any faults?

Pandit Madan Mohan Malaviya: On all grey goods.

Sir Purshotamdas Thakurdas: Yes, on all grey goods. And we have from these Benches clearly said, in the course of the debate, that we say that the main fault with it is that it makes protection available to

the British industry simultaneously with the Indian industry. None of us has tried to conceal it, nor have we overlooked it. What we feel is, is there any option? And the statement of the Honourable the Leader of the House, on behalf of Government, has made it abundantly clear that there is no option to this House, unless it wishes to wreck this Bill, but to agree with Government.

My Honourable friend Mr. Prakasam says, would we agree to a total of 20 per cent. on all piece-goods, plus a $3\frac{1}{2}$ annas minimum? Sir, I do not know what amendment my Honourable friend, Mr. Jinnah, would have moved if the Government statement had been otherwise than it has been. But I have not the least doubt that, even Mr. Jinnah could not have disagreed from it, and I think I can say, on behalf of the other Members of my party, that we would have voted for it if Government had said that they were prepared to accept whatever amendment was passed by this side of the House; for this reason, that the millowners of India—not restricted to Bombay, for it has been brought out rather too much, but the millowners of Madras, Calcutta, Cawnpore, Ahmedabad and all other places—when they were brought together at Delhi less than three months back, all recommended that the minimum protection with which they could stand at this particular juncture was 20 per cent., plus $3\frac{1}{2}$ annas per pound minimum. Therefore, if the best interests of the industry are to be consulted, this is what should be made available to us, and it is very likely that, if the statement of the Leader of the House had been otherwise than what it was, perhaps Mr. Jinnah might have moved an amendment in that direction. But in view of what the statement has been, and in the peculiar circumstances in which this House has been placed, and in the peculiar circumstances of the constitution of India—which we may not like and in fact I like it least of all—what is it that we can do in order to save the industry? And my party has come to the conclusion that, in all these circumstances, and with our protest regarding the protection to the British industry part, which we dislike equally, discretion is the better part of valour, and we propose therefore not to wreck the Bill. We have no option but to oppose Pandit Malaviya's amendment.

Pandit Madan Mohan Malaviya: May I ask whether my Honourable friend will tell the House whether the amount of protection which my amendment will secure to the Bombay industry will not be a great help to the industry, whether it should not be regarded as sufficient under the circumstances, and whether, if my amendment is accepted, the amount of protection it gives is not on the whole better in the interests of Bombay itself than accepting it with the preference to the United Kingdom goods which the Government propose?

Sir Purshotamdas Thakurdas: I think that question can more adequately be replied by my Honourable friend, Mr. Mody, who speaks officially for the mills of Bombay, and I do not think that I am in a position to give him a categorical answer.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): I did not intend . . .

Pandit Madan Mohan Malaviya: We should like to have the opinion of Sir Purshotamdas Thakurdas, because the country is entitled to know whether, in his considered judgment, with his knowledge of the industry, he disputes the correctness of my proposition, that my amendment secures,

[Pandit Madan Mohan Malaviya.]

on the whole, greater advantage and greater protection to the industry in Bombay than the proposals of the Government, with preference to the United Kingdom goods, which will work to the destruction of the Bombay industry in the long run.

Mr. H. P. Mody: Sir,

Pandit Madan Mohan Malaviya: I need not trouble my Honourable friend. I wanted the Honourable Member, Sir Purshotamdas Thakurdas, to reply.

Mr. H. P. Mody: I fully intended to accept the advice which you tendered to the House this morning that, in view of the very acrimonious and lengthy debate which had taken place on every single issue arising out of the proposals which are now before the House, Members would be well advised if they did not further prolong the debate. But, Sir, the Honourable the Leader of the Opposition wishes to know categorically from me as well as

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): On a point of order, Sir. The question has been asked by the Leader of the Opposition to Sir Purshotamdas Thakurdas, apparently on the ground that he is not a millowner, and he is in a position to advise the House dispassionately. That question should therefore be answered by him and not by Mr. Mody, who is identified with the issue.

Sir Purshotamdas Thakurdas: I very much appreciate the compliment. But I am afraid I must disappoint my friend, for this reason, that I can act only on the information which I have received here, and the information which I have received from my Chamber till now—and which has not been of a meagre character, I may tell the house—justifies my giving a reply in the negative to what the Honourable the Leader of the Opposition has put to me. But I thought that Mr. Mody, with his expert knowledge of the subject, would be able to give a more detailed reply.

The Honourable Sir George Rainy: It will not be necessary, Mr. President, I think, that I should speak at any great length as regards the amendments. But I should like to begin with what was said by the Honourable the Leader of the Opposition when he complained that I did not, in winding up the debate on the consideration stage, reply fully to the arguments of my Honourable friend, Mr. Birla. Well, Mr. President, I spoke for 50 minutes on that occasion, and at that stage it seemed to me that, since an opportunity would naturally arise of replying to Mr. Birla in connection with the amendment, it seemed to me right that I should reserve most of what I had to say on the subject till then. My Honourable friend's view is that, if the proposals of the Bill become law, British manufacturers will be able to take full advantage of the difference between the 15 per cent. duty and the 20 per cent. duty, at any rate in the class of non-competitive goods, and that the result will be to put a sum, which he estimates to be about 2½ crores annually, in the pockets of the British manufacturers. Now, the whole question is this. Is it likely, is it indeed possible, that the British manufacturer could actually do that? I have given full weight to the quotation which the Honourable Mr. Birla made from the Report of the Fiscal Commission on that subject, but my own belief is quite clear that the conditions are such that that result, or any result at all resembling it, is extremely improbable. Take the case of bleached goods. Ninety-five per cent. of the total imports into India come from the United Kingdom,

and the imports from Japan are only about 1 per cent. Under those conditions, I think it is reasonable to suppose that the price of bleached goods must be fixed at present by the competition between the British manufacturers themselves—it is not the case that the Lancashire manufacturers constitute a combine or trust at present; on the contrary there is a great deal of competition between them—and I could hardly believe it possible that the imposition of an additional 5 per cent. against non-British goods could operate—seeing that the imports from other countries amount to only 5 per cent. of the total—could operate to increase the price by anything like the full extent of the difference on the duty, or indeed in this case to increase it at all.

Now, take the case of the dhotis. On the figures of 1928-29, the British percentage of the imports is 93 per cent. It is true that here the imports from Japan, although still comparatively small, are increasing rapidly. But I think it must still be true that, in the main, the price of dhotis, where they are of a quality, which does not enter into competition with dhotis made in India, must be fixed by internal competition between the British manufacturers.

Take the coloured goods. The percentage there is quite different. Not only from Japan but from other countries, proportionately there is a much larger import of coloured goods than in the other classes. But British goods still constitute 68 per cent. of the total, and if the prices are examined—I had some figures worked out, and I find that, whereas something like 86 million yards of the Japanese coloured goods would probably be subject to the specific minimum duty owing to their low price—and that is something like four-fifths of the total imports of coloured goods from Japan—in the case of the British goods, it is only about 17 million yards—which is about 5 per cent. of the imports—and the inference I wish to draw is that the British goods are of much finer quality than the great bulk of the coloured goods imported from Japan. Therefore, in the case of these finer goods, there is a very great preponderance of British imports, and the prices again will be determined by competition amongst the British manufacturers.

Several speakers have referred to the figures which I gave in the note which was circulated to Members of this House. The most significant thing about these figures, to my mind, was the very clear evidence they supplied of how the cotton industry had been able to grow steadily and, as compared with any other industry in India, rapidly, against the British industry, notwithstanding the fact that, at no time has it had the advantage of more than 11 per cent. duty by way of actual protection. I think Honourable Members on the other side altogether understate the extent to which the increase of the duty to 15 per cent. is likely to restrict the market in India for British goods, and by restricting the market, to intensify the competition. That, I think, is an aspect of the case which deserves the very full consideration of this House. But I will say a little more than that. If the scheme in the Bill had actually the effect suggested, namely, that it did not keep down the burden on the consumer, but did place, at the expense of the consumer, a large sum of money in the possession of manufacturers in the United Kingdom, that would be entirely and absolutely contrary to the intentions of Government, and we recognise, Mr. President, that this is a matter which, in the interests of India, ought to be kept under observation. What we are prepared to do, is to maintain, to the best of our ability, a continuous record of the prices of piece-goods

[Sir George Rainy.]

during the next year, and if the Bill becomes law, then at the end of the year when the new duties have been in operation for that period, to put an officer on special duty to inquire into this particular question as to what has been the effect of the duties upon the prices of cotton piece-goods.

Diwan Chaman Lall: Do I take it, Sir, if I may be permitted to interrupt the Honourable Member, that he means that, after a year's operation of this particular measure, Government will take steps to find out to what extent the burden on the consumer has increased?

The Honourable Sir George Rainy: No, Sir, not necessarily to revise the measure, but at any rate to investigate, not the question of what is happening in Bombay as regard manufacturing costs, but as to how the prices of imported piece-goods have been affected.

Diwan Chaman Lall: With what object?

The Honourable Sir George Rainy: We would be prepared to lay the Report of the special officer on the table of the House so as to give the House an opportunity for discussion.

Diwan Chaman Lall: I want to be particularly clear about the Honourable Member's suggestion. Would Government be prepared to bring in a measure amending this particular Bill?

The Honourable Sir George Rainy: If it were found that the effect of the measure was such as has been apprehended by Mr. Birla, that is, if it could be shown clearly that very large sums of money at the expense of the consumer were passing into the hands of manufacturers abroad, then Government would have to reconsider the matter. Now, Sir, I should like to refer briefly to another aspect of the case which has been rather casually touched upon by one or two speakers and was referred to at greater length by my Honourable friend, Sir Zulfikar Ali Khan, namely, the effect of the proposals in the Bill, or indeed of the proposals in my Honourable friend the Pandit's amendment, on the interests of the cotton grower. Undoubtedly this is one of the interests which the Government of India have to keep in mind and to safeguard as far as they can. Apprehension has been expressed lest the effect of the proposals in the Bill might be to restrict the purchases of Indian cotton, and by a reduction of competition, to lead to the Indian cotton grower getting a lower price. Well, Sir, we have made an attempt to calculate so far as Japan is concerned, how much of the Indian cotton that goes into Japan comes back into India in the form of piece-goods; and the best calculation we can make suggests that the percentage of the Indian cotton that comes back as piece-goods from Japan could not possibly be put higher than 15 per cent., and may be a good deal lower.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): What is the percentage of Indian cotton consumed in England and coming back to India as manufactured goods?

The Honourable Sir George Rainy: What I was saying was that the percentage of Indian cotton exported to Japan which returns to India in the form of piece-goods was about 15 per cent. of the exports to Japan. My point is, Sir, that it is not only for the supply of the Indian market that Japan requires to import Indian cotton; the great bulk of the Indian

cotton that Japan uses is used for other markets. She has her own domestic market, there is the China market and there is the market in the Levant and East Africa, and these markets of course are not affected by the duty. Therefore I think that the apprehensions expressed as to the danger to the Indian cotton grower are perhaps a little inclined to be exaggerated. Nevertheless it is a matter which, as I have said, Government have a duty to safeguard, and when we place an officer on special duty at the end of the year, I think he might very well be deputed also to consider the effect upon the demand for raw cotton and the price received by the cultivator of raw cotton. Now this brings us back to the amendment of the Honourable the Pandit. This proposal that Government has put forward for a 3½ annas specific minimum duty on plain grey goods is put forward as a temporary expedient to provide a temporary shelter for the industry, especially in Bombay, so as to give it time to reorganise itself. But I am by no means sure that it is likely to form a permanent part of such tariff arrangements as the Tariff Board may recommend some 2½ or 2¾ years from now. For there is always a danger that, if in a case like this you make the coarse goods relatively dear by a heavy duty, you might affect the Indian cotton grower unfavourably in so far as the demand was transferred to the finer goods rather than the coarser goods, and for that reason I am averse to any extension of the 3½ annas minimum duty to any class of goods except the plain greys, where it has got a definite temporary purpose to serve. I would ask the House to take that also into consideration. My Honourable friend Mr. Hardy this morning explained very clearly and lucidly to the House the administrative difficulties which in the view of Government make the plan of a 3½ annas minimum duty applicable to all classes of piece-goods practically unworkable. It would, we fear, lead to a congestion of trade, which would be found intolerable by the business community generally, and would operate in a very harsh way against those engaged in the trade. I am not going over the same ground again, but in addition I would say that the best consideration I have been able to give to the Honourable the Pandit's amendment has convinced me that his proposal is open to serious objections as compared with the plan in the Bill. So far as I have been able to anticipate the probable effect of his amendment, if it were to be incorporated in the law, I am afraid, it would be to a large extent to impose a high rate of duty where protection was not required, and to admit at a lower rate of duty a considerable amount of competitive goods which, under the Bill as it stands, would be subject to a duty of 20 per cent. That would be so at the present level of prices. But of course if prices were to rise—and we cannot anticipate that the present very low price of raw cotton and the consequent very low price of cotton piece-goods will continue throughout the three-year period—if there were an appreciable rise in the price, the difference to the industry between the proposals in the Bill and the proposals in the Honourable Pandit's amendment might become very large indeed, because as prices rose, a larger and larger quantity of goods would cease to be subject to the 3½ per cent. specific duty and would be subject only to the 15 per cent. duty, whereas under the Bill they would continue to be subject—I am speaking of non-British goods—to the 20 per cent. duty.

Now, Sir, my friend Diwan Chaman Lall cross-questioned me this morning to some extent about the Anglo-Japanese Convention. I can only

[Sir George Rainy.]

say that I am afraid he has discovered a mare's nest. As I said this morning, when a treaty is made in the name of His Majesty the King Emperor, goods produced in any part of His Dominions are not described as goods of foreign origin. There is no question at all about that. We have kept our hands entirely free in this respect, and as I said this morning, there is not in existence any commercial agreement or treaty which limits India's freedom to grant preferential rates of duty to other parts of the British Empire if she sees fit.

Now, Sir, I promised that I would not be long, and I trust I shall be able to keep that promise. I am not going over the ground I have already covered at any length in earlier speeches, but I will again say to this House that, after giving my unbiassed judgment to all the various schemes and expedients that have been put forward, and after listening carefully to all that Honourable Members have said, I remain of the opinion with which I started, that the proposals in the Bill come nearer to providing for the needs of the situation than any other that can be devised. I recognise the heavy responsibility that rests upon us who sit on the Treasury Benches when we have to come to a decision as to what proposals we shall put forward as being the best in our judgment in the interests of India. I recognise that our proposals should be subject to scrutiny, should be closely examined, and that Members of this House who disagree with us may naturally view with suspicion all our proceedings. I am not going to argue about all that. But whether I am believed or whether I am not, I am going to repeat what has already been said, that the proposals in the form in which they appear in the Bill originated in the Government of India and originated nowhere else and are supported by the Government of India because they believe that they are the best proposals they can make in the interests of India and for no other reason.

Mr. President: Having regard to the attitude of the Government I have decided, in the circumstances of this Bill which are so obvious to Honourable Members, to put the questions, but I should like to make one observation. I made a certain suggestion to the Government, and they did not accept it. The threat held out by the Honourable the Commerce Member to the House, therefore, remains unwithdrawn, and I desire, in that view, to place on record that any decision that the Assembly might finally reach on this important question will not be by the free vote of this House on merits.

Now, I shall put Pandit Malaviya's amendment first.

Maulvi Mohammad Shafee Daoodi (Tirhoot Division: Muhanumadan): Sir, before you put this amendment to the vote, I would like to raise a point of order, and it is this. Now that the stage of voting has been reached, I want that no Honourable Member who has got any personal interest in the subject matter of the Bill should be allowed to vote. This is a Bill for protecting the cotton industries of India, and there are several Honourable Members in this House who own an interest in the industry, either as Directors or as Agents.

Mr. President: I have already placed on record that any decision which the Assembly might reach on this Bill will not be by the free vote of this House. It is therefore not necessary to go into the question raised by the Honourable Member.

Mr. President: The question is that:

"In sub-clause (1) of clause 2, for the proposed Item No. 156A the following be substituted:

'156A Cotton piece-goods A *valorem* . 15 per cent. or 3½ annas per pound, whichever is higher'."

The Assembly divided:

AYES—44.

Acharya, Mr. M. K.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Ghuznavi, Mr. A. H.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Jayakar, Mr. M. R.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Kunzru, Pandit Hirday Nath.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Malaviva, Pandit Krishna Kant.
Malaviva, Pandit Madan Mohan.

Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji Chaudhury.
Moonje, Dr. B. S.
Mukerjee, Mr. Saradindu.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Mr. T. R.
Prakasam, Mr. T.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Suhrawardy, Dr. A.
Talatuley, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

NOES—60.

Abdul Aziz, Khan Bahadur Mian.
Abdul Matin Chaudhury, Maulvi.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Ayyar, Sir C. P. Ramaswami.
Bajpai, Mr. R. S.
Banarji, Mr. Rajnarayan.
Bawn, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Dalal, Dr. R. D.
Drake, Mr. J. C. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazantar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Hyder, Dr. L. K.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur, Sardar.
Jehangir, Sir Cowasji.
Jinnah, Mr. M. A.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Ryan, Mr. T.
Sahi, Mr. Ram Prashad Narayan.
Sarfaraz Hussain Khan, Khan Bahadur.
Sarma, Mr. R. S.
Schuster, the Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Slater, Mr. S. H.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad, Dr.
Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: Order, order.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, can an absent Member's amendment be put to the vote?

Mr. President: The question is:

"That the amendment of Mr. Shanmukham Chetty be adopted, viz.:

'In sub-clause (1) of clause 2, for the proposed Item No. 156A the following be substituted:

" 156A. Cotton piece-goods (other than fents of not more than nine yards in length)—

(a) plain grey, that is, not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings;

(i) of British manufacture . . . *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher.

(ii) not of British manufacture . . . *Ad valorem* . . . 20 per cent. or 3½ annas per pound, whichever is higher.

(b) others—

(i) of British manufacture . . . *Ad valorem* . . . 15 per cent.

(ii) not of British manufacture . . . *Ad valorem* . . . 20 per cent."

The Assembly divided:

AYES—62.

Abdul Aziz, Khan Bahadur Mian.
Abdul Matin Chaudhury, Maulvi.
Abdul Qaiyum, Nawab Sir Sahibzada.
Ahmed, Mr. K.
Alexander, Mr. W.
Ayyar, Sir C. P. Ramaswami.
Bajpai, Mr. R. S.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Bhuto, Mr. W. W. Illahibakhsh.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Dalal, Dr. R. D.
Drake, Mr. J. C. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Hyder, Dr. L. K.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur Sardar.
Jehangir, Sir Cowasji.

Jinnah, Mr. M. A.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Munshi, Mr. Jehangir K.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Ryan, Mr. T.
Sahi, Mr. Ram Prashad Narayan.
Sarfaraz Hussain Khan, Khan Bahadur.
Sarma, Mr. R. S.
Schuster, the Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Slater, Mr. S. H.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad Dr.
Zulfiqar Ali Khan, Sir.

NOES—42.

Acharya, Mr. M. K.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Ghuznavi, Mr. A. H.
Jayakar, Mr. M. R.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Kunzru, Pandit Hirday Nath.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Malaviya, Pandit Madan Mohan.
Mitra, Mr. S. C.

Mohammad Ismail Khan, Haji Chaudhury.
Moonje, Dr. B. S.
Mukerjee, Mr. Saradindu.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Mr. T. R.
Prakasam, Mr. T.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Suhrawardy, Dr. A.
Talatuley, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

The motion was adopted.

Mr. President: If no Honourable Member wishes to move any amendment to clause 2, I shall put the clause.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I have an amendment* on clause 2.

Mr. President: That amendment is now out of the way in view of the decision reached by the House.

Mr. B. Das: Sir, I wish to move my amendment which runs as follows:

"In sub-clause (1) of clause 2, in the proposed Item No. 156A the words 'not of British manufacture' occurring in the second column be omitted."

Mr. President: Does this amendment still hold the field in view of the decision just reached?

The Honourable Sir George Rainy: I submit that, after the decision just reached by the House on Mr. Chetty's amendment, this amendment would be inconsistent with that decision. In fact, the amendment would have to be redrafted before it could have any effect. The omission of the words 'not of British manufacture' in the clause as it originally stood would have the effect desired by the Honourable Member, but if it is omitted from the clause as it stands after the adoption of Mr. Chetty's amendment, it would become meaningless altogether.

*In sub-clause (1) of clause 2, for the proposed Item No. 156A the following be substituted:

" 156A Cotton piece-goods—

(a) plain grey, that is, not bleached or dyed in the piece, including bordered grey dhotis, if imported in pieces headings (British or non-British). *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher.

(b) others—

(i) of British manufacture . . . *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher.
(ii) not of British manufacture . . . *Ad valorem* . . . 20 per cent."

NOES—49.

Mr. President: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr. President: The question is:

"That clause 3 stand part of the Bill."

Mr. Das.

Mr. B. Das: Sir, I beg to move:

"That clause 3 be omitted."

Sir, I have very few words to say. I only want to define my position in one sentence and place it before the House. I only want that the handloom weavers should be protected. Now that the millowners have sold the country and have got what they want, let the millowners stand by and afford some protection to the six lakhs of handloom weavers in the country. If the clause is allowed to stand as it is, it will work great hardship for three years more to the handloom weavers. May I remind the Honourable Muslim Members, who are so much supporting the Government in this scheme of Imperial Preference, that the majority of the handloom weavers are Mussalmans? The Cotton Yarn Protection Act of 1927 reduced the daily wages of the handloom weavers and you are placing them again at that disadvantage. If you want to reduce their bread, do it by all means with your conscience in your soul!

Mr. President: The question is:

"That clause 3 be omitted."

(Mr. B. Das demanded a division.)

Mr. President: I do not think your party wants a division.

Mr. B. Das: I do not think there is any decision of the party not to vote.

Mr. President: The question is:

"That clause 3 be omitted."

The Assembly divided:

AYES—35.

Abdul Matin Chaudhury, Maulvi.
Acharya, Mr. M. K.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lal, Diwan.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Ghuznavi, Mr. A. H.
Gulab Singh, Sardar.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Lahiri Chaudhury, Mr. D. K.
Malaviya, Pandit Krishna Kant

Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji
Chaudhury.
Mukerjee, Mr. Saradindu.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Mr. T. R.
Prakasam, Mr. T.
Rang Behari Lal, Lala.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Suhrawardy, Dr. A.
Talatulev, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Ayyar, Sir C. P. Ramaswami.
Bajpai, Mr. R. S.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Dalal, Dr. R. D.
Drake, Mr. J. C. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Jehangir, Sir Cowasji.

Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Munshi, Mr. Jehangir K.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rau, Mr. H. Shankar.
Ryan, Mr. T.
Sahi, Mr. Ram Prashad Narayan.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move:

"That for clause 3 the following be substituted, namely:

3. (1) In Item No. 44 of the Second Schedule to the Indian Tariff Act, 1894, after the figure and words "5 per cent." the figure and words "or 1½ annas per pound, whichever is higher" shall be added.

(2) The amendment made by this section shall have effect only up to the 31st day of March, 1933."

Sir, this amendment is a formal one, and is necessary by reason of the fact that the Cotton Yarn Amendment Act of 1927 expires today, and if the clause stood as it is in the Bill, it would be referring to a dead Act. Sir, I move.

Mr. President (to Mr. M. K. Acharya): Does the Honourable Member wish to move an amendment to this amendment?

Mr. M. K. Acharya: It is a very small amendment, Sir.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muham-
madan): Sir, I have an amendment to the same effect.

Mr. President: Mr. Dutta's amendment is the same as Mr. Acharya's.

Rai Bahadur S. C. Dutta: Sir, I move that:

"In sub-clause (2) of the proposed amendment by the Honourable Sir Brojendra Mitter to clause 3 of the Bill, for the figures '1933' the figures '1931' be substituted."

[Rai Bahadur S. C. Dutta.]

I only want to draw attention to this fact that in the Statement of Objects and Reasons, it is stated that the object of the original amendment to the Tariff Bill that was made in 1927 was protection as against Japan. It is now admitted in the Statement of Objects and Reasons that that unfair competition with Japan has ceased to exist, but it is added that the import of yarn from China has increased, and that, until lately, labour conditions in China were also unfair, but that:

"Information has very recently been received that on the 16th January, 1930, a law was promulgated in China which prohibits child labour and the night work of women, and limits the hours of work generally, but no evidence is forthcoming to show that any steps have been taken to make this law effective."

If this be the condition, then I submit that an extension of this duty for a further one year is all that is necessary, because we do not know what will happen, and it cannot be said that the conditions in China would not improve, and that the law will not be enforced. If that law in China, which was recently made, be enforced, then there would be admittedly no reason for this specific duty. I therefore think it should be confined to one year.

Mr. President: The original question was:

"That for clause 3 the following be substituted, namely:

- '3. (1) In Item No. 44 of the Second Schedule to the Indian Tariff Act, 1894, after the figure and words "5 per cent." Amendment of the Second the figure and words "or 1½ annas per Schedule, Act VIII of 1894. pound, whichever is higher" shall be added.
- (2) The amendment made by this section shall have effect only up to the 31st day of March, 1933'."

Since which the following amendment has been moved:

"That in sub-clause (2) of the proposed amendment by the Honourable Sir Brojendra Mitter to clause 3 of the Bill for the figures '1933' the figures '1931' be substituted."

The question is that that amendment be made.

The motion was negatived.

Mr. President: The question is:

"That for clause 3 the following be substituted, namely:

- '3. (1) In Item No. 44 of the Second Schedule to the Indian Tariff Act, 1894, after the figure and words "5 per cent." Amendment of the Second the figure and words "or 1½ annas per Schedule, Act VIII of 1894. pound, whichever is higher" shall be added.
- (2) The amendment made by this section shall have effect only up to the 31st day of March, 1933'."

The motion was adopted.

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

Clause 1 was added to the Bill.

Mr. President: The question is:

"That this be the Title and Preamble of the Bill."

The Honourable Sir Brojendra Mitter: Sir I beg to move:

"That in the long title the words and figures 'and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927', be omitted."

The motion was adopted.

The Honourable Sir Brojendra Mitter: Sir, I beg to move:

"That in the Preamble, the words and figures 'to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927', be omitted."

The motion was adopted.

The Title and Preamble, as amended, were added to the Bill.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir I move that the Bill, as amended, be passed.

Pandit Madan Mohan Malaviya: Sir, I rise to offer once more, and for the last time, my opposition to the Bill which is before the House. It is not necessary, Sir, to take up the time of the House in expressing that opposition. Arguments have been exhausted, but they have been lost upon the Government. I have been a Member of the Imperial Legislative Council and of the Legislative Assembly for twenty years, excepting the period of the first Assembly, and I have never known the Government adopt a more unreasonable attitude than they have adopted on this occasion. I feel, Sir, that while we have tried to work the constitution, even though it is defective and unsatisfactory, the performance of the Government today in connection with this Bill has carried us to the utmost limit. The action of the Government in disregarding the fiscal autonomy convention, and in not thankfully acting on the opinion with which you helped them today, has shown, Sir, that it is not only no use staying here to discuss the third reading of the Bill, but that we shall be guilty of not emphasising our protest to the utmost extent we can by continuing to take part in any further discussion. The voting has shown that those who think that they have won have lost. Sixty votes were recorded for the Government on the first motion. Twenty six among them were officials, paid servants of the Government. If you eliminate 26, only 34 Members voted against my amendment. On the other hand forty-four non-official Members have recorded their votes for it. On the second voting too, of the 62 votes recorded for Mr. Chetty's amendment, eliminating 26 officials, there were only 36 in favour of it while there were still 42 votes of non-official Members recorded against that amendment. Those who think that the Government have won, may flatter themselves with that belief, but they have actually lost. Those on this side, who have lost by the counting here, have gained; of those who have voted for the Government proposal, many have done so under a sense of coercion and the country will know that this Bill has not been passed by the free vote of the Assembly. (Hear, hear, and applause.) I consider, Sir, that, at this time when the country is passing through a very serious crisis, when there is a good deal of suffering throughout the country, when from all directions we hear stories, sad tales of the sufferings which the people are undergoing, the action of the Government in imposing this heavy burden upon the consumer is utterly unjustified. I still hope that there is some authority which might help the Government to avoid walking in the path of evil. But I do not know whether that hope will be realised

[Pandit Madan Mohan Malaviya.]

or not. And we feel, Sir, that having made our strongest protest, having done all that we could by way of argument to convince the Government of the injustice of their proposal after having done all that we could to record our strong conviction that the Government are acting wrongly. I feel, Sir, that it would be a sin on my part to continue to take any further part in the discussions over this Bill. We therefore retire and leave it to the Government and its supporters to pass the Bill.

(The Members of the Nationalist Party accordingly left the Chamber.)

Mr. President: The question is:

"That the Bill be passed."

Diwan Chaman Lall: I wish to say just one word. I want to clear the position that I have taken up in this matter.

Mr. President: If every Honourable Member wishes to clear his position

Diwan Chaman Lall: I am only exercising my right to speak.

Mr. President: If the Honourable Member wants to exercise his right, I cannot prevent him.

Diwan Chaman Lall: All that I wish to submit is this. I have from the beginning held that the House, constituted as it is to-day, has no right to impose this additional burden upon the consumer in the manner in which this House has arrogated to itself the right to do so. I wish to state categorically that the votes some of us, who do not believe in protection, have given on Pandit Madan Mohan Malaviya's amendment, were for the definite purpose of making an attempt to wreck this Bill. We have not succeeded in doing that and I and my party endorse every word that Pandit Madan Mohan Malaviya has uttered. We will follow the lead that he has given and we have therefore decided to take no further part in the proceedings as far as this Bill is concerned.

(The Honourable Member with Members of the New Swaraj Party then left the Chamber.)

Mr. President: The question is:

"That the Bill be passed."

The motion was adopted.

THE SILVER (EXCISE DUTY) BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the Bill to provide for the imposition and collection of an excise duty on silver be taken into consideration."

This House is already aware of the purpose and genesis of this Bill, which is clearly explained in the Statement of Objects and Reasons. I therefore feel that no explanation from me is required.

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Schuster: I move that the Bill be passed.

Mr. President: The question is:

"That the Bill be passed."

Mr. W. S. Lamb (Burma: European): Sir, you seem very anxious, and Honourable Members too are anxious, to adjourn now. But I think it is right that I should occupy some few minutes at least to speak up for the producers of silver in Burma, who produce 99 per cent. of the silver made in India. Sir, this Bill gives evidence of what might be described as premature birth, and that is hardly surprising, considering that it was conceived and evolved during the period when my Honourable friend, the Finance Member, was in this House doing all he could to apprehend what Honourable Members had to say about his Budget. As for the Bill itself as I am not a drafter or a lawyer, I cannot say whether it is any better than the Marriage Amendment Bill, to which our Honourable friend, Sir Hari Singh Gour, took considerable exception. But where I think you find evidence that the Bill has not been sufficiently considered, as it should have been, is in the Statement of Objects and Reasons. Sir, in the Statement of Objects and Reasons, you will find it is said:

"If this proposal is accepted, the effect will be to raise the internal price of silver, which will give a corresponding bounty to local producers of silver on so much of their output as is sold in India."

Now, Sir, I suggest to the House that there is, in that remark, evidence that the proposition has not been so carefully considered as it should have been, for, if the Honourable the Finance Member, or his Department, had only taken cognisance of the fact that a good deal of silver was produced in India, they would have discovered that this Company, to which they refer, has sold every single ounce of its production of silver in India, no doubt to the very considerable benefit of trade and commerce in India. Now I venture to suggest that, if the Honourable the Finance Member had been aware of this fact, he would have considered whether this Company, from whom he proposes to take Rs. 18 lakhs, was entitled to special consideration. I do not ask for what Honourable Members might call protection; all I want for this Company is a square deal.

Now, Sir, the situation is such as India has never seen before. We have the spectacle of the Government of India, with large stocks of silver which they are desirous of selling, and selling it in a market which they control, possibly to the loss of the indigenous producer. If Honourable Members remember the history of the silver duty, on a previous occasion when there was a duty, the production of silver in India was negligible; now it is no longer negligible. At the same time, it is not of such a large quantity that, being sold in India, it can have any real effect upon the price in India. We are aware, I think, that during last year the Government of India sold some 30 million ounces of silver. Now we have the declaration of the Honourable the Finance Member that their policy will be to make future sales in India—it may be 30 million ounces, it may

[Mr. W. S. Lamb.]

be 40 million ounces, I am not very well acquainted with these matters, but as they had a big sale last year of 30 million ounces, one may assume that they are going to sell very considerable quantities in years to come. Well, I suggest, Sir, that there is no certainty that this Company which will be called upon to pay this 4 annas per ounce, which comes to Rs. 18 lakhs, to the Government of India—there does not appear to be any certainty that the Company will, in the selling price, secure the full amount. Here we have the Government of India with stocks which they are selling, stocks of course upon which they have not got to pay this 4 annas, and there seems at least to be a possibility—I do not know to what extent with the limited knowledge I have, I cannot put it more strongly than that—but I believe there certainly is the possibility that the price the Company secure will fall short of the London price plus 4 annas. It may occur to the Honourable the Finance Member and to the Finance Department to say that, if the Company is meeting a loss in India, they can of course go and sell elsewhere; but as I have pointed out, here is a Company which has up to the present sold every ounce of its production of silver in India; it is a Company established in India, registered in India with rupee capital, a Company which pays many lakhs yearly in the shape of royalty to the Provincial Government, which makes great purchases locally, and pays large sums in wages, income-tax, royalty and other things such as police. During the last completed year the Company paid thus well over Rs. 2 crores. Therefore I suggest to this House and to the Honourable the Finance Member that this is truly an Indian Company and that it will be quite unfair and improper to suggest that, "If you are not satisfied with things as they are in India, you ought to go elsewhere". It seems to me that they are entitled to that much consideration that they should be held to be entitled to continue to sell their production of silver in India. As I have said, Sir, I am not suggesting, at this minute, that they require protection; possibly in the years to come that is a question which may have to be considered, for they have lost money, I may say, in the three months to the end of December 1929, they had sold silver at an average of 22d.; the price now is 19d.; each penny of fall in the price of silver means a difference in the Company's revenues of £30,000. If you put it in annas, a fall of one anna in revenue means Rs. 6 lakhs. It is not only silver that is depressed; all other metals are depressed, and naturally the silver market and other markets, being in the condition they are now, naturally the Company view with very considerable, if not grave, concern, this imposition of an additional Rs. 18 lakhs to add to the royalties, income-tax and super-tax.

Sir, I trust that I have the sympathy of the House, and I desire to have from the Honourable the Finance Member a clear statement of his appreciation of the situation of this Company. That is, I should like from him a promise that, after reviewing the situation and the course of the market for silver in India during the first year he will consider with sympathy, real sympathy, any representations which the Burma Corporation may feel it proper to submit to him.

The Honourable Sir George Schuster: Sir, I think my Honourable friend is under some confusion on this matter, in regarding this duty as representing a burden of Rs. 18 lakhs on the company; rather I should say

the Rs. 18 lakhs, if a sufficient quantity of silver is produced by the Company and sold in India, will be paid by the consumer, just in the same way as the import duty falls on the consumer. The main point is brought out if one looks at the other alternative, that is to say, if we did not impose this silver excise duty, we should be conferring upon that Company a very substantial bonus. Whether the amount of that bonus would be exactly equivalent to the amount of the duty is a matter for experience to show, but at present the evidence before us is that the internal price of silver has improved practically to the extent of the duty. I am afraid, Sir, I can offer my Honourable friend no more than sympathy. I do not feel that at present he has established any case for special treatment, but if real hardship could be demonstrated or a case made out for an inquiry by the Tariff Board, then of course it would always be open to him to put up a proposal to the Government. But at present, Sir, I have no option but to proceed with the Bill and to ask this House to pass the Bill.

Mr. President: The question is:

"That the Bill be passed."

The motion was adopted.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill further to amend the Indian Companies Act, 1913, for certain purposes, as reported by the Select Committee, be taken into consideration. Sir, I explained the object of this Bill pretty fully at the time when I moved its reference to Select Committee. The Bill has come back from the Committee with certain minor amendments in drafting, but with no changes of substantial importance. In these circumstances, Sir, I do not think I need take up the time of the House by making a long speech in making this motion.

Mr. President: The question I have to put is:

"That the Bill further to amend the Indian Companies Act . . ."

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, I want to make a few observations on the Bill

Mr. President: Has he any amendment to move?

Mr. Vidya Sagar Pandya: I have an amendment, but I now want to speak on the Bill itself. I will take half an hour.

Mr. President: Take one hour if you please.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): When the Honourable the Leader of the Opposition and his Party walked out, they said that they did not want to take any further part in the Tariff Bill, but they did not say that they did not want to take any part in the other Bills

Mr. President: They can come in; I have no objection.

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LEGISLATIVE ASSEMBLY.

[31ST MAR. 1930.]

Mr. Muhammad Yamin Khan: I find there are certain amendments . .

Mr. President: Any matter that is controversial will be postponed.

Mr. Muhammad Yamin Khan: There is Mr. Aney's amendment* on this Bill.

Mr. President: I understand Sir Hugh Cocke is going to move a similar amendment. Am I right?

Mr. Muhammad Yamin Khan: But the House will be deprived of the views of the Members who have withdrawn from the House.

Mr. President: Order, order; I can't help it.

Mr. Vidya Sagar Pandya: Sir, first of all, let me express my thanks . .

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I espy two strangers in the House—I mean on the Nationalist Benches. I do not know whether it is in order for my Honourable friend, Sir Cowasji Jehangir and Sir C. P. Ramaswami Ayyar to continue to sit on the Nationalist Benches after the Nationalist Party has walked out of the Chamber. (Laughter.)

Mr. President: They are the seats allotted to the Honourable gentlemen by the Chair.

Mr. Vidya Sagar Pandya: Sir, let me express my thanks to the Honourable the Commerce Member for having brought in this Bill at this Session. His original idea was to circulate the Bill for public opinion, and if he had done so, it would have taken a much longer time, and much valuable time would have been lost for bringing this very useful reform into practice. As such, the thanks of the accountancy profession and the auditors in India are due to the Honourable Sir George Rainy for having brought up this Bill at this Session. My only regret is that, instead of bringing the Bill at the beginning of the Session, when it would have received better attention, it has been brought at the fag end of the Session, and especially at a time when almost all Members on one side of the House are absent. Now, to proceed further, I may say the Indian Companies Act was passed in 1913, but the subject of forming an autonomous body of Chartered Accountants in India has been delayed so long. Originally it was intended that this matter should be brought up much earlier, but now it is hoped that, when the Bill becomes an Act, action will be taken early enough after it is passed, and that no undue delay will take place in drafting the rules and setting up the machinery to work out the details, and that when the draft rules are framed, the Government will not depart from the original good intentions to make the scheme a success and bear in the mind the views of the Indian Societies of Accountants and Auditors in India and of other public commercial bodies who have been consulted in the matter.

Then, Sir, the measure is said to be to prepare way for advance towards the ideal system of an autonomous Association of Accountants as stated

*"That for the second proviso to sub-clause (1) of clause 3 the following be substituted:

"Provided further that any person residing in India on the date of the commencement of this Act who immediately before such date was entitled to be appointed and to act as an auditor of companies throughout British India shall, subject to the provisions of this Act and the rules made thereunder, be eligible for enrolment on the Register of Accountants referred to in sub-section (24) of section 144 of the Indian Companies Act, 1913."

in the Statement of Objects and Reasons. I hope the Government of India will not lose sight of it. In the case of similar other professional Associations, such as Medicine, Law, Engineering, etc., they do not admit any persons other than those who belong to the profession in forming a Board. In this instance also, though I realise the difficulties of the Honourable Sir George Rainy in the matter, I hope Government will not lose sight of this point, but progressively introduce more and more Members on All-India and Local Accountancy Boards elected out of the registered accountants and auditors within the near future, to convert it entirely into an Indian institution of Chartered Accountants and Auditors.

Now, Sir, regarding the clauses of the Bill, I have received certain telegrams and representations from several Societies of Accountants in Bombay, Lahore, Madras, and the Southern India Chamber of Commerce. I shall not weary the House with any long quotations, but I will read out only a few of them. At an informal meeting of Accountants practising in Lahore, held on Wednesday the 5th March, the Bill was considered with the following results:

- (1) The Bill was approved in general terms, and it was noted specially that the ultimate aim was an autonomous Association of Accountants in India.
- (2) Exception was taken to the provisions of section 2A (e). Primarily it was considered that the Indian Accountancy Board should include no persons other than those who would be eligible for registration under the Bill, but if this suggestion be not acceptable, as an alternative, it was considered that the period for which any persons not eligible for registration under the Bill should be appointed to, and remain members of, the Board, should be limited to the first term of the Board's existence.

Then I come, Sir, to the Resolution passed at the meeting, held on the 15th instant, of the Society of Auditors in Madras, who considered the Report of the Select Committee, and they state thus:

"(1) That this society is of opinion that the proposed proviso to section 2 (2) (b) of the amending Bill, 'Provided that nothing contained in such rules shall preclude any person from being granted a certificate merely by reason that he does not practise as a public accountant' be dropped as the Indian Accountancy Board alone when constituted will be in a better position to consider this question if there should be any distinction between practising and non-practising accountants and the proviso if enacted would preclude the consideration of this question by that Board."

"(2) That this Society is of opinion that, in the interests of the profession generally, there should not be two classes of auditors and therefore persons holding restricted certificates should also be brought on the said register and under the same control."

Then comes a telegram from the Restricted Certificate Holders from Madras, who wire as follows:

"Auditors holding restricted certificates are now leading practitioners in several provinces. Please press their claims in Assembly for equal privileges with Government Diploma Holders."

Then comes a telegram from the Southern India Chamber of Commerce, Madras:

"Companies Bill considered. Non-practising Accountants to be covered by rules and omitted in statute. Discrimination against registered Auditors to be omitted."

This is the reason, Sir, why I have tabled an amendment, and on that I shall speak later on.

[Mr. Vidya Sagar Pandya.]

For the present, I may say that I am glad that some of the suggestions made by the Indian Society of Accountants and Auditors, Bombay, have been adopted by the Select Committee, but the restricted Accountants have not been allowed to be enrolled on the Register of Accountants as urged by them as well as by other bodies.

The Society of Indian Accountants and Auditors urge the following points for the consideration of Government: (1) Under the Bill the Governor General in Council will grant recognition as heretofore to the members of such non-Indian bodies of accountants and auditors as he chooses, and thus enable them to act as auditors of companies throughout British India. This recognition has been given for the last more than fifteen years to six British bodies of professional accountants, and it may safely be presumed that it will be given once again to these bodies under the new Act. Thus, the members of those bodies enjoy certain rights and privileges in India under Indian laws which they do not seem to enjoy at present in the same way in the other parts of the British Empire or elsewhere and do not enjoy even in the United Kingdom by reason of their membership of such recognised Societies. It is not at all objected that members of any reputable non-Indian body of professional accountants and auditors may enjoy in India the privileges enjoyed by the other members of the accountancy profession in the country. If, however, recognition is to be granted to these bodies, or any other body of accountants under the new Act, then it is incontrovertible, that Government should first insist, that these non-Indian bodies of accountants, who seek recognition in India, shall not once again pass over, under some excuses, the just and reasonable claims of Indian students and Indian accountants and auditors, trained and qualified in India, for getting due reciprocity of treatment and recognition and proper educational facilities as are being given by these bodies to the nationals of the other parts of the British Empire. With this end in view it is suggested that an unequivocal assurance be given by the Government on the floor of the House now, when the Bill has come up for discussion before it, that the Governor General in Council shall grant recognition only to the members of such reputable bodies of accountants and auditors as would give due reciprocity of treatment and recognition, and proper educational facilities to Indian students and Indian accountants and auditors trained and qualified in India as far as the same can possibly be given under their Acts, charters, articles, rules, bye-laws, etc. It will be admitted that such a demand for reciprocity of treatment is quite fair and reasonable.

The second point is this. Under the Bill in question, the names of those persons who at present are eligible to act as auditors of companies throughout or any part of British India, will be enrolled on the proposed register of Accountants when it is first opened, and auditors' certificates will be issued to them as laid down in the Bill. As to the future, however, it is quite necessary that entrance to the accountancy profession in India should be given only to those who pass the test prescribed by the Governor General in Council, or who have obtained a qualification which has been formally recognised by the Governor General in Council, or who have obtained a qualification which has been formally recognised by the Governor General in Council under the rules to be framed by him as equivalent to the prescribed test. Government have, however, been given a hint in the draft scheme which they have prepared and on which they invited public opinion some time ago that the proposed Indian Accountancy Board shall be free to admit any person they like to the profession in future, even though he

may not have passed the prescribed test, or may not have obtained a qualification which is recognised by the Governor General in Council as equivalent to the prescribed test. It can be easily understood that such a procedure may lend itself to many undesirable results which may have an adverse effect on the efficiency, status and morale of the accountancy profession in India. Moreover, in the interests of the public, it is quite desirable that those whose names will be enrolled on the proposed Register of Accountants should be persons who have passed some recognised professional tests of a high standard which would enable them to discharge their onerous duties as auditors with confidence and in the best interests of the public and their clients. Nobody can have a reasonable objection if an aspirant to the profession has passed a test which is publicly recognised in India by the Governor General in Council under the rules to be framed by him. What is strongly opposed by the Accountancy profession is that the proposed Indian Accountancy Board should have any unrestricted power in its hands which would leave it free under the patronage of the Governor General in Council to discriminate individually between persons and persons who may desire to enter the profession. It is for these reasons that an assurance should be given by the Government on the floor of the House now that under the proposed scheme nothing shall be done which would enable an unqualified person or persons with dubious qualifications to enter the accountancy profession in India by the back door.

The third point which is more important is this. The proposed scheme under the Bill in question for the regulation of the profession of accountants and auditors in India is only a transitional one, the goal being the establishment in India of a strong autonomous body of accountants and auditors as they have in the United Kingdom, in the British Dominions, in the United States of America and in other European countries. The arrangements that are in vogue at present for the training of auditors in India came into existence after the commencement of the Indian Companies Act, 1913, and they were meant to be revised after five years' trial. Yet it took approximately fifteen years for the Government of India to do the needful in the matter, and that too in spite of the unanimous report of the External Capital Committee and the persistent demands of the commercial community and the accountancy profession in this direction. If the proposed arrangements under the Bill are to be transitional, and if India is to have its own autonomous body of Chartered Accountants and Auditors at an early date, then it is very necessary that after a period of five years' trial, the whole question of regulating the professional of accountants and auditors in India should be re-examined by a representative committee mainly consisting of persons having special knowledge of the profession of public accountants and auditors in India. Hence an assurance should be given by the Government on the floor of the House that after a lapse of five years they would appoint a representative committee to review the whole question.

So much as regards the representations which I have been asked to press in this House in connection with this matter. Now, I would not like to take much time of the House. I have I am afraid already wearied the House by reading long extracts. All I need say is that nothing should be done to give preference to any non-Indian society, or to slacken the control of the Indian Accountancy Board on the members of any non-Indian body of professional accountants, for such laxity will prove fatal to the public interest and undermine the authority of the Indian Accountancy Board to enforce discipline on all auditors without discrimination.

5 P.M.

[Mr. Vidya Sagar Pandya.]

Then, Sir, under the scheme proposed by Government there is the question of representation of the various provinces on the Indian Accountancy Board. I am not quite satisfied with that. I hope Government will give due representation to the various provinces. Under the scheme Bombay and Bengal get too much representation on the Board. Of course we have to realise their importance and take into consideration the number of joint stock companies and other commercial or business concerns that are working in these places. But the representation for Madras and especially for Northern India on the Indian Accountancy Board is very scanty.

Finally, I will say that the majority of members of the All India Accountancy Board and the Local Boards should be Indians who are not under the thumb of any foreign body of accountants. Under the old system of general permission to the members of certain recognised foreign societies, as I had occasion to point out to the Government of Madras, certain undesirable persons, who represented themselves as members of those bodies, were allowed to practise in India. Take for instance the legal profession. Even if a man has qualified himself as a barrister, he has to enrol himself in the High Court, but there is no such thing in the case of the members of these recognised non-Indian societies, with the result that, in Madras, we came across one or two instances in which certain Europeans passed off as members of the societies and there was no power reserved in the Indian Companies Act to prevent them from practising in India. When they were asked to produce the certificates of membership they said they had lost the original certificates, and in spite of their failure to produce credentials, they were allowed to practise, with the result that the bodies in England could not, owing to distance, take any disciplinary action against such persons practising as auditors in India. At the same time, Government had not retained any powers in their hands to disqualify them from practising. The Government could not take any disciplinary action against these persons simply because they were members of those bodies and they were thus free to practise though it was possible for the Government to take action against the other persons and they did take action against those who were given certificates by the Local Governments. In the case of the Members who belong to these non-Indian recognised societies the Government had absolutely no control. I hope, in framing the rules, the Government will at least now bear in mind that nothing is done which will give any undue prominence to any members of non-Indian societies who are practising in India. With these remarks I once more thank the Honourable Sir George Rainy for his having brought up the Bill for the consideration of the House in the present Session and not sending it for circulation for public opinion.

The Honourable Sir George Rainy (Member for Commerce and Railways): I wish to say only two sentences. I thank the Honourable Member for what he has said about myself, but the real thanks are due to Sir Charles Innes rather than to me, because it was in his time that most of the spade-work was done. The Honourable Member has asked me to give him, on the floor of the House, a number of assurances. I am afraid the only assurance I can give him is that everything that he has said will be fully considered at the time when we are framing the rules. I cannot do more than that, because I am bound, if the scheme of the Bill is accepted by the House, to act mainly on the advice of the Accountancy Board, and I cannot now give pledges that would tie my hands as regards

the future. I have, however, no reason to apprehend that the Accountancy Board will give the Government of India advice which the Honourable Member would not consider to be a good advice.

Mr. President: The question is:

"That the Bill further to amend the Indian Companies Act, 1913, for certain purposes, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: The question is:

"That clause 3 stand part of the Bill."

Sir Hugh Cocke (Bombay: European): Sir, there are two amendments on the paper in connection with this clause, Mr. Aney being called away and Mr. Vidya Sagar Pandya does not desire to move his amendment.

Mr. Vidya Sagar Pandya: May I just interrupt my Honourable friend. I had a talk with the Honourable Mr. Aney, and he said he would withdraw his amendment, and he would be very glad to allow me to move my amendment, which is more comprehensive. I hope my friend, Sir Hugh Cocke, will permit me to move my amendment.

***Sir Hugh Cocke:** It is not for me to prevent the Honourable Member, but my amendment is an amendment which has been drawn up in consultation with Government and is supposed to include his. I therefore propose, with your permission, Sir, to move it. It runs as follows:

"For the second proviso to sub-clause (1) of clause 3, the following be substituted:

"Provided further that any person who—

(a) was entitled immediately before the commencement of this Act by reason of any such certificate or declaration to be appointed and to act as an auditor of companies throughout British India, and (b) has at any time, after he became so entitled and before the commencement of this Act, resided in India,

shall, if he possesses such qualifications as to good character and on payment of such fee as may be prescribed under clause (b) of sub-section (24) of section 144 of the Indian Companies Act, 1913, be entitled to be enrolled on the Register of Accountants referred to in that sub-section."

The alteration between the proviso in the Bill, as inserted by the Select Committee, and this proviso is mainly verbal and I do not wish to say any more.

Mr. Vidya Sagar Pandya: Sir, we have not got a copy of the amendment moved by Sir Hugh Cocke.

(The Honourable Member was supplied with a copy.)

Mr. President: Does any Honourable Member wish to speak on this amendment?

(No Honourable Member rose to speak.)

The Honourable Sir George Rainy: I would suggest, Mr. President, that if Mr. Vidya Sagar Pandya is going to move his amendment, it might be perhaps convenient to have it moved so that we may have one discussion on both the amendments.

Mr. President: I was waiting to see if he would like to move his amendment.

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LEGISLATIVE ASSEMBLY.

[31ST MAR. 1930.]

Mr. Vidya Sagar Pandya: Sir, I beg to move my amendment which runs as follows:

"For the second proviso to sub-clause (1) of clause 3 the following be substituted: 'Provided further that any person residing or practising in India on the date of the commencement of this Act who immediately before such date was entitled to be appointed and to act as an auditor of companies throughout British India or within a province in British India shall, on payment of any fee prescribed under clause (b) of sub-section (24) of section 144 of the Indian Companies Act, 1913, be eligible for enrolment on the Register of Accountants referred to in that sub-section.'"

Now, Sir, in pressing my amendment, I have to bring to your notice that a representation has been made on this matter to the Government by the Society of Accountants and Auditors of Bombay. I will only read a small portion of it, which pertains to my amendment. It runs thus:

"It is however felt that the newly inserted proviso is so worded that not only that all those auditors who are already qualified for the profession in India shall be enrolled on the proposed Register of Accountants when it is first opened, but even such persons who at the date of the commencement of the proposed Act cannot be auditors of public limited companies in India but who on some future date may become members of some non-Indian bodies of accountants (over which the Indian Legislatures or Government have no control whatever) shall *ipso facto* be entitled to enrolment on the proposed Register of Accountants on the ground that persons of their class were entitled in the past under a declaration made by the Governor General in Council in 1914 to act as auditors of companies throughout British India. It is also doubtful whether owing to the present wording of the proposed proviso the name of any miscreant who happens to be a member of a recognised non-Indian body of professional accountants can be refused by the proposed Indian Accountancy Board for enrolment on the proposed Register of Accountants in spite of his professional misdemeanour, or owing to any substantial reason in the interests of the public. In short, the proviso in question as at present worded is likely to put the members of some non-Indian (British and other) bodies of accountants out of the effective control of the Government of India or the proposed Indian Accountancy Board. Surely that would amount to the negation of the fundamental principle of the Bill which seeks to bring all auditors under the direct and effective disciplinary control of the Governor General in Council and the proposed Indian Accountancy Board. Under the existing provisions of section 144 (1) of the Indian Companies Act, 1913, the Governor General in Council is authorised to give, withdraw or withhold recognition, at his discretion to any non-Indian institution or association, whereas under the proposed proviso it is sought to establish by the Act itself that all the present and would-be members, including even those yet unborn, of the six non-Indian bodies of accountants that have hitherto been recognised by the Governor General in Council shall have a perpetual statutory right to be enrolled on the Register of Accountants. Such an extraordinary step is without any parallel among the legislative measures so far enacted to regulate the accountancy profession in various countries of the world where foreign bodies of accountants are recognised, if at all, only under the rules or bye-laws framed under the provisions of the relative Acts or charters. In this country too members of institutions or associations of accountants have been recognised so far under the rules framed under the Indian Companies Act, 1913, and it is very desirable in the interests of the public and the profession alike that the same procedure be followed in future whenever necessary. It is not at all objected that the members of a reputable non-Indian body of accountants and auditors may have the same privileges in India as the other members of the accountancy profession who are educated and trained in the country itself. It however appears from the wording of the proviso as if it is sought to create perpetually a vested interest in the accountancy profession in India for all those who are at present, or who may become even in remote future, members of any of the six recognised British and other bodies of professional accountants. The proviso as at present inserted in the Bill is likely to deprive Government and the public in this country of their legitimate right to enforce without any hindrance a high standard of qualification, discipline and conduct on all professional, accountants and auditors in India because it purports to enact that members of certain non-Indian bodies of professional accountants and auditors over which Government or the legislatures in this country have no direct control whatever, shall always be enrolled *ipso facto* on the proposed Register of Accountants. Such an extraordinary provision in the Act is against the ideal of the whole

measure, namely, the creation in India at an early date of an autonomous association of accountants able to assume complete responsibility for the maintenance of the requisite standard of professional qualification, discipline and conduct of its Members'."

Thus, Sir, those persons who at present hold only restricted certificates will go out of it as such, but they should be allowed to enrol on the Register of Accountants just like any other persons at present entitled to act as auditors of companies throughout British India.

The Honourable Sir George Rainy: Sir, I should like to explain as regards the amendment moved by my Honourable friend Sir Hugh Cocke, that, after the submission of the Report of the Select Committee, Mr. Aney, Sir Hugh Cocke and the Society of Accountants which has been mentioned, drew the attention of the Government to the fact that this new proviso to sub-clause (1) of clause 3 of the Bill did not fully carry out its object and that there were certain defects in it. In particular it was pointed out that there was a possible interpretation of the proviso by which any one who might in future become a member of one of the institutions and associations now notified would be entitled to enrolment in the Register of Accountants. That was not at all our intention, and as soon as we realised that that was so, we agreed that steps must be taken to put it right.

The second point is the one mentioned by my Honourable friend, Mr. Vidya Sagar Pandya, namely, that, under the proviso as it stands in the Bill, and as submitted by the Select Committee, a person who held an unrestricted certificate, or who was a member of one of the notified institutions, would be entitled to enrolment on the register, even though he might be considered undesirable on account of his past record, for definite reasons. In that respect also it was thought that steps should be taken to put the matter right.

In the third place, a member of a notified institution would be entitled, under the proviso as it stands, to enrolment, even though he had never been in India at all and that obviously is not the intention of Government. We believe that the proviso, as it has been drafted in the amendment of Sir Hugh Cocke, puts these three matters right, and in so far as it does so, I have no doubt that it will have the support of my Honourable friend Mr. Vidya Sagar Pandya. But in two respects he goes further. I am not quite clear that I understand fully his reasons for one of the changes. Whereas the Select Committee said, "shall be entitled to be enrolled" the words used in his amendment are "shall be eligible for enrolment". I do not know whether anything particular depends upon them, but I have no doubt in my own mind myself that, after a great deal of discussion in the Select Committee, the phrase "entitled to be enrolled" was adopted for definite reasons. Finally the difference between Mr. Pandya's amendment and the amendment of Sir Hugh Cocke is this, that Mr. Pandya wishes that there should be included a provision in the Bill by which those auditors who hold only restricted certificates, that is who can only practise in a particular province and not throughout India, should be eligible for enrolment on the register and for the grant of certificates which would be in force throughout India. I am afraid the Government of India cannot accept that amendment, because the reason why these men hold only restricted certificates at present is that they are not considered to possess the qualifications which, if they are to practise throughout India, they should possess. They will not be debarred from practising altogether.

Mr. Vidya Sagar Pandya: In the scheme which the Government circulated for opinion, it was suggested that all those persons who hold restricted auditors' certificates have their certificates made permanent instead of being renewed periodically.

The Honourable Sir George Rainy: The matter was very fully considered and the decision we arrived at was that, under the Bill, it will be possible to make arrangements for each of the men who hold restricted certificates to continue the work as auditor in the province for which he holds the certificate. We came definitely to the conclusion that it was not right that he should be enrolled in the Register and then granted a certificate which would enable him to practise throughout British India. I am afraid that, on that point, I cannot agree with my Honourable friend. It is for that reason mainly that, while I am quite ready to accept the amendment of my Honourable friend Sir Hugh Cocke, I am afraid I cannot accept the amendment moved by Mr. Vidya Sagar Pandya.

Mr. Vidya Sagar Pandya: May I read that portion of the Government statement in the matter which is relevant to the discussion?

Mr. President: Order, order. The Honourable Member has no right of reply.

Mr. Vidya Sagar Pandya: Only to correct the Honourable Member in what he has said.

Mr. President: The Honourable Member does not need any correction. The question is:

"That for the second proviso to sub-clause (1) of clause 3 the following be substituted:

"Provided further that any person residing or practising in India on the date of the commencement of this Act who immediately before such date was entitled to be appointed and to act as an auditor of companies throughout British India or within a province in British India shall, on payment of any fee prescribed under clause (b) of sub-section (2A) of section 144 of the Indian Companies Act, 1913, be eligible for enrolment on the Register of Accountants referred to in that sub-section."

The motion was negatived.

Mr. President: The question is:

"That for the second proviso to sub-clause (1) of clause 3 the following be substituted:

"Provided further that any person who—

(a) was entitled immediately before the commencement of this Act by reason of any such certificate or declaration to be appointed and to act as an auditor of companies throughout British India, and (b) has at any time, after he became so entitled and before the commencement of this Act, resided in India,

shall, if he possesses such qualifications as to good character and on payment of such fee as may be prescribed under clause (b) of sub-section (2A) of section 144 of the Indian Companies Act, 1913, be entitled to be enrolled on the Register of Accountants referred to in that sub-section."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I beg to move that the Bill, as amended, be passed.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I would like to say a few words even at this late hour. I might inform the Honourable the Commerce Member

Mr. President: Do.

Mr. Fazal Ibrahim Rahimtulla: that when he considers the question of the reconstitution of the Board after nomination, he will consider the question of giving representation to the Bombay Shareholders Association. I had drawn the attention of the Honourable the Commerce Member to this point at the meeting of the Select Committee and now that the Bill is about to be passed, I wish to put it on record that, when Government, after the fixed period to which the Select Committee has agreed, constitute on an elective basis, a certain Central Local Advisory Board, he will consider the question of giving representation to the Bombay Shareholders Association. That is a body which has taken a very keen interest in this question, and I think, Sir, representation to that body would prove useful even from the point of view of Government. We want independent critics, and those who have made a special study. Both these tests will be adequately filled if my suggestion is accepted.

The Honourable Sir George Rainy: I will certainly consider that fully. The facts are not present to my mind at the moment and therefore I cannot say more than that.

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 2, 23, ETC.)

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the amendment made by the Council of State in the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (Amendment of sections 2, 23, etc.) be taken into consideration."

Sir, the amendment made by the Council of State is on a purely technical matter. A certain confusion arose because we had two Bills dealing with the subject of income-tax, both of which set out to amend section 66 of the Indian Income-tax Act, and as the two Bills were originally drafted, the amendments were not mutually conflicting. But in the course of the passage of one of the Bills in this Assembly a slight amendment was made in the amending section, and that made one of the sections inconsistent with the other. That error has now been put right in the Council of State and that is the amendment to which reference is made in my motion. Sir, I move.

Mr. President: I shall read the amendment made in the Council of State:

"For clause 11 of the Bill the following clause was substituted, namely:

11. In sub-section (2) of section 65 of the said Act,—
 (a) after the word and figures "section 32", the words and figures "or of a decision by a Board of Referees under section 33A" shall be inserted; and
 (b) after the words "order" in the second and third places where it occurs, the words "or decision" shall be inserted."

The question is that that amendment be adopted.

The motion was adopted.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 14, 25A, ETC.)

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the amendment made by the Council of State in the Bill further to amend the Indian Income Tax Act, 1922, for certain purposes (Amendment of sections 14, 25A, etc.) be taken into consideration."

The amendment in this case consisted simply in inserting the word "Second" in the title before the word "Amendment" so as to distinguish this Bill from the Bill dealt with in the preceding motion.

Mr. President: I will read the amendment made by the Council of State:

"In clause 1 of the Bill, for the brackets and word '(Amendment)' the brackets and words '(Second Amendment)' were substituted."

The question is that that amendment be adopted.

The motion was adopted.

THE TRANSFER OF PROPERTY (AMENDMENT) SUPPLEMENTARY BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend the Transfer of Property (Amendment) Supplementary Act, 1929, for a certain purpose, as passed by the Council of State, be taken into consideration.

The Bill is designed to rectify an inadvertent error and an inadvertent omission in the Transfer of Property Supplementary Act of 1929, which were not discovered when that measure was before the Legislature in 1929. The Statement of Objects and Reasons explains the error and the omission.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

THE DESTRUCTIVE INSECTS AND PESTS BILL.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I beg to move that the Bill to amend the Destructive Insects and Pests Act, 1914, for a certain purpose, as passed by the Council of State, be taken into consideration.

The necessity for this measure is very fully explained in the Statement of Objects and Reasons and it is unnecessary for me to say more than a very few words. At the time the Destructive Insects and Pests Act, 1914, was passed, the possibility that pests might be introduced into this country by air was naturally not foreseen. The introduction of a regular Air Mail Service has however made this possibility a very real one and in these circumstances it is necessary to close this gap in our defences. The pest that we have particularly in mind is the Mediterranean fruit-fly, which exists not only along the coasts of the Mediterranean, but also in Australia. So India is exposed to attack from two quarters. What it would mean if this pest were once introduced into this country can be illustrated by the experience of the United States of America. The pest has recently been found in Florida, and Congress has had to authorise the expenditure of a sum of no less than 2½ crores of rupees in efforts to eradicate it. Prevention is obviously better than cure, and it is for that reason that this measure has been brought forward.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Sir Frank Noyce: Sir, I beg to move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

RESOLUTION RE PREVENTION OF INDUSTRIAL ACCIDENTS.

Mr. President: I understand the next Resolution standing in the name of the Honourable the Leader of the House will be moved and then he will agree to postpone its further discussion till the next Session.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): If there is any desire to that effect, I am quite willing to do so.

Mr. President: The Honourable Member knows that such a desire cannot be expressed by any one under the conditions in which we are placed. For instance Members like Diwan Chaman Lal and others, who take an interest in it, are not present; and I would suggest to the Honourable Member whether he should merely move his Resolution and then postpone it, so that other Honourable Members may have a chance of giving their views at the next Session.

The Honourable Sir Bhupendra Nath Mitra: I am quite willing to accept that suggestion. But this Resolution was drawn up in consultation with the Standing Advisory Committee on which there is at least one representative of labour. If you will kindly read the Resolution, you will find that it contains a provision that certain things should be done and the matter again brought before the House within 18 months. The more we postpone the passing of the Resolution, the greater will be the delay in taking that action. That is my only point. If anybody had stood up and said that he wanted this discussion to be postponed, I would immediately agree to that. Otherwise Government may be accused of simply postponing the taking of any action.

Mr. President: But Government are postponing it at the suggestion of the Chair.

The Honourable Sir Bhupendra Nath Mitra: If the specific suggestion comes from you, I would not oppose it, because in that case no responsibility would rest with Government. Shall I move it now?

Mr. President: Yes, formally.

The Honourable Sir Bhupendra Nath Mitra: Sir, I beg to move the following Resolution:

"This Assembly, having considered the Recommendation concerning the prevention of industrial accidents and the Recommendation concerning responsibility for the protection of power-driven machinery adopted at the Twelfth Session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the prevention of industrial accidents and that the results of this examination should be placed before this Assembly within eighteen months from this date."

Sir, the Twelfth Session of the International Labour Conference which was held at Geneva in May-June, 1929, adopted *inter alia* the following recommendations:

"(1) Recommendation concerning the prevention of industrial accidents.

(2) Recommendation concerning responsibility for the protection of power driven machinery."

The full text of these recommendations is contained in a White Paper which was circulated among Members of the Legislative Assembly a few days ago. The Recommendation concerning the prevention of industrial accidents covers a very wide field. It is intended to be applicable, not only to mines and industries involving manufacture, but also to agriculture and to all forms of transport. Certain parts of the Recommendation are not entirely suitable to Indian conditions, and they postulate a degree of organisation and education which Indian workers do not at present possess. Some parts of the Recommendation are in accordance with existing legislation, and certain other parts can be given effect to in India without further legislation, but fresh legislation will be necessary if the Recommendation as a whole is to be adopted. The Government of India intend to consult the Provincial Governments in regard to the possibility of giving effect to the Recommendation as a whole, and to place the result of this examination before this Assembly within 18 months from the date on which this Resolution is adopted by the House.

The second Recommendation, namely, that concerning responsibility for the protection of power-driven machinery, requires that it should be prohibited by law to supply or instal any machine intended to be driven by mechanical power, unless it is furnished with the safety appliances required by law for the protection of machines of that type. There are two main difficulties in India in the way of giving effect in full to the principle embodied in this Recommendation. Firstly, because the bulk of the machinery in use in India is imported machinery and it would be impracticable to enact Indian legislation imposing a penalty on a foreign supplier resident abroad. Secondly, many of the safety regulations relating to machinery are framed by Local Governments under the Indian Factories Act and vary to some extent from province to province. Thus, imported machinery, which would comply with the regulations of one province, may be contrary to the regulations of another province. As far as the employer himself is concerned, the occupier or manager of a factory who does not satisfy regulations imposed in respect of machinery installed in his factory is already liable to a penalty under the existing law. It does not therefore appear that any useful purpose would be served in India by the adoption of this Recommendation. Sir, I move:

Mr. President: The Resolution moved is:

"This Assembly, having considered the Recommendation concerning the prevention of industrial accidents and the Recommendation concerning responsibility for the protection of power-driven machinery adopted at the Twelfth Session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the prevention of industrial accidents and that the results of this examination should be placed before this Assembly within eighteen months from this date."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadian Urban): I understand that the further discussion of this is to be adjourned. I move formally that the further discussion on this Resolution be postponed till the next Session.

The motion was adopted.

AMENDMENT OF STANDING ORDERS.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move:

Mr. Jehangir K. Munshi: Sir, may I draw your attention to the fact that there is no quorum?

Mr. President: More than a quorum, I am afraid. Perhaps the mathematics of the Honourable Member are very very defective. There is a quorum for two Houses.

The Honourable Sir Brojendra Mitter: Sir, I beg to move:

"That the amendment to the Standing Orders, as reported by the Select Committee, be taken into consideration."

[Sir Brojendra Mitter.]

Sir, the object of the amendment is to make it possible for more than one Select Committee to sit at the same time and is fully explained in the Report. Sir, I move.

The motion was adopted.

The Honourable Sir Brojendra Mitter: Sir, I beg to move:

"That the amendment to the Standing Orders, as reported by the Select Committee, be passed."

The motion was adopted.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the Report of the Public Accounts Committee on the accounts of 1927-28 be taken into consideration."

Sir, this is a subject in which this Assembly has taken a good deal of interest in the past and I think it is regrettable that there should be such a small attendance now when it is put down for discussion.

Mr. President: There is Sir Cowasji Jehangir, who will move an adjournment.

The Honourable Sir George Schuster: I shall be very pleased to accept that motion.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): I beg to move that the consideration of this subject be postponed to the next Session.

The motion was adopted.

DEMANDS FOR EXCESS GRANTS FOR 1927-28.

GENERAL ADMINISTRATION—MISCELLANEOUS.

The Honourable Sir George Schuster (Finance Member): I beg to move:

"That an excess grant of Rs. 231 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'General Administration—Miscellaneous'."

The motion was adopted.

ADMINISTRATION OF JUSTICE.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 9 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Administration of Justice'."

The motion was adopted.

MISCELLANEOUS ADJUSTMENTS BETWEEN CENTRAL AND PROVINCIAL GOVERNMENTS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 3,431 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Miscellaneous Adjustments between Central and Provincial Governments'."

The motion was adopted.

REFUNDS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,57,481 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Refunds'."

The motion was adopted.

COMMUTED VALUE OF PENSIONS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,06,529 be voted by the Assembly to regularise the expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Commuted Value of Pensions'."

The motion was adopted.

LOANS AND ADVANCES BEARING INTEREST.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 6,12,971 be voted by the Assembly to regularise the expenditure actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Loans and Advances bearing interest'."

The motion was adopted.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 8,08,768 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Indian Posts and Telegraphs Department'."

The motion was adopted.

RAILWAYS.

WORKING EXPENSES—ADMINISTRATION.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 20,93,000 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Working Expenses—Administration'."

The motion was adopted.

APPROPRIATION FROM DEPRECIATION FUND.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 75,11,000 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Appropriation from Depreciation Fund'."

The motion was adopted.

REVENUE—STRATEGIC LINES.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,38,000 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Strategic Lines'."

The motion was adopted.

NEW CONSTRUCTIONS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,44,80,000 be voted by the Assembly to regularise the railway expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'New Constructions'."

The motion was adopted.

OPEN LINE WORKS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 53,45,000 be voted by the Assembly to regularise the railway expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Open Line Works'."

The motion was adopted.

CAPITAL—STRATEGIC LINES.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 50,000 be voted by the Assembly to regularise the railway expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Strategic Lines'."

The motion was adopted.

Mr. President: Does the Honourable the Finance Member want any more grants?

The Honourable Sir George Schuster: No, Sir.

Mr. President: Has the Honourable the Leader of the House any more Government business to carry out?

The Honourable Sir Bhupendra Nath Mitra: No, Sir.

Mr. President: The time has come when I should adjourn the House *sine die*. Before I do so, I should like to shake hands with each Honourable Member of this House. We do not know whether the next Session will be held or not, and even if it is held, we do not know how many of us will be here. Therefore I should like Honourable Members, one by one, to come and shake hands with me.

(Mr. President shook hands with all the Members present.)

The Assembly then adjourned *sine die*.

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