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(OFFICIAL REPORT)
VOLUMES I—IV, 1933
(1st February to 12th April, 1933)
FIFTH SESSION
OF THE
FOURTH LEGISLATIVE ASSEMBLY,
1933



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CORRIGENDA.

In the Legislative Assembly Debates,
Delhi Session, 1933—

(1) Vol. I, No. 2, dated the 2nd February, 1933, pages 105 to 112, in the first lines of starred questions Nos. 80, 81, 82, 83, 84, 85, 86, 87 and 88, for “*Nawab Naharsingji Ishwarsingji” read “*Mr. M. Maswood Ahmad (on behalf of Nawab Naharsingji Ishwarsingji)”.

(2) Vol. I, No. 11, dated the 20th February, 1933, page 804, line 12, for the word “three” read “two”.

(3) Vol. I, No. 12, dated the 21st February, 1933, page 919, in the first line of starred question No. 425, for “*Seth Haji Abdoola Haroon” read “*Mr. M. Maswood Ahmad (on behalf of Seth Haji Abdoola Haroon)”.

(4) Vol. II, No. 3, dated the 25th February, 1933, page 1192, line 15, for “communalism” read “Nationalism”.

(5) Vol. II, No. 9, dated the 6th March, 1933, page 1586, in the subject-heading to starred question No. 652, for the words “Subordinate Service Examination” read “Subordinate Accounts Service Examination”.

(6) Vol. II, No. 12, dated the 9th March, 1933—

(i) page 1822, line 24, after “Mr. Deputy President” insert “I”.

(ii) page 1853, line 8 from the bottom for “Edgar Allan Pae” read “Edgar Allan Poe”.

(7) Vol. III, No. 2, dated the 14th March, 1933, page 2057, line 5 from the bottom, for “you been” read “you have been”.

(8) Vol. III, No. 4, dated the 16th March, 1933, page 2185, line 20, for the word “any” read “and”.

(9) Vol. III, No. 6, dated the 21st March, 1933, page 2321, line 4 from the bottom, for “spectable” read “spectacle”.

In the Legislative Assembly Debates,
Delhi Session, 1933—*contd.*

(10) Vol. III, No. 8, dated the 23rd March, 1933, page 2473, line 16, for “alopted” read “adopted”.

(11) Vol. IV, No. 1, dated the 31st March, 1933, page 2970, line 7 from the bottom, for the word “roled” read “rolled”.

(12) Vol. IV, No. 2, dated the 1st April, 1933, page 3043, last line, for “constructing” read “construing”.

(13) Vol. IV, No. 5, dated the 7th April, 1933, page 3267—

(i) Insert the words “The motion was adopted.” after the division list.

(ii) Delete the seventh line from the bottom containing the words “The motion was adopted.”

(14) Vol. IV, No. 6, dated the 8th April, 1933—

(i) page 3328, line 14, for “mustajib” read “mustahib”.

(ii) page 3328, line 21, for “Syyads” read “Saiyads”.

(iii) page 3333, first line, for the word “it” read “is”.

(iv) page 3363, line 17, for “and” read “any”.

(15) Vol. IV, No. 7, dated the 10th April, 1933—

(i) page 3425, line 14, for “anaamtaaaa” read “anaamta”.

(ii) page 3443, line 2, for the words “there were four” read “there are four”.

(iii) page 3445, line 8, for the word “lost” read “last”.

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THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume I, 1933

(1st February to 21st February, 1933)

FIFTH SESSION
OF THE
FOURTH LEGISLATIVE ASSEMBLY,
1933



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Deputy President :

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MR. ABDUL MATIN CHAUDHURY, M.L.A. (From 22nd March, 1933.)

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THE LEGISLATIVE ASSEMBLY DEBATES (Official Report)

Volume II, 1933

(23rd February to 10th March, 1933)

FIFTH SESSION OF THE FOURTH LEGISLATIVE ASSEMBLY, 1933



SIMLA
GOVERNMENT OF INDIA PRESS
1933

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THE LEGISLATIVE ASSEMBLY DEBATES (Official Report)

Volume III, 1933

(13th March to 30th March, 1933)

FIFTH SESSION OF THE FOURTH LEGISLATIVE ASSEMBLY, 1933



SIMLA
GOVERNMENT OF INDIA PRESS
1933
11

Legislative Assembly.

President :

THE HONOURABLE SIR IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E. (Upto 7th March, 1933.)

THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY. (From 14th March, 1933.)

Deputy President :

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MR. ABDUL MATIN CHAUDHURY, M.L.A. (From 22nd March, 1933.)

Panel of Chairmen :

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SIR LESLIE HUDSON, Kt., M.L.A.

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CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Public Petitions :

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THE
LEGISLATIVE ASSEMBLY DEBATES
(OFFICIAL REPORT)

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FOURTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1933



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1933

Legislative Assembly.

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— of Muslim landholders of Bihar and Orissa in the legislatures. 213-14.

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Question re disarming of the Sikhs of the — at Kirkee. 120-21.

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— for promotion of clerks in the Government of India Press, New Delhi. 2894.

— for recruitment and training of subordinate staff on the East Indian Railway. 2489-93.

— regarding possession of arms and swords. 111-12.

RULING(S) BY MR. CHAIRMAN (SIR HARI SINGH GOUR)—**Bill(s)—**

After a motion for consideration or reference of a — to a Select Committee is made, the matter passes out of the hands of the Chair and of the Mover of the — and it is then a matter entirely in the hands of the House. 1255.

Cut Motion—

A purely economy cut cannot be converted into a vote of censure. 1082.

RULING(S) BY MR. CHAIRMAN (SIR HARI SINGH GOUR)—contd.**Cut Motion—**

On a purely economy cut, Honourable Members have to give reasons only for effecting economy and not to give vent to specific grievances. 1064, 1065.

Demands for Supplementary Grants—

An Honourable Member can go on reading Demands for Grants page after page as introductory to or explanatory of his speech. 1303.

During the voting on Supplementary Grants questions of principle should not be raised and Honourable Members should strictly confine themselves to observations arising out of the specific sum of the Supplementary Grant. 1326.

Honourable Members have very limited scope of discussion on Demands for Supplementary Grants and, therefore, questions of policy cannot be discussed under these heads. 1334.

In voting on Supplementary Grants questions which strictly relate to the Supplementary Demands can be debated, but the general question of policy or any matter extraneous to the demand cannot be raised. 1311.

Miscellaneous—

An Honourable Member is entitled to reinforce his argument by reading quotations and there is no limit to the length of the quotation that he may read. 1194.

If an Honourable Member is going to withdraw his motion, a long speech is out of place. 1080.

It is in the discretion of the Chair to permit reading out quotations if they are not unduly long. 1308.

It is perfectly open to an Honourable Member to read a speech or extract and say that those are his views in the same sense that he reads a written speech. There is no standing order that precludes an Honourable Member from reading out extracts, but it must be left to his good sense. 1276.

The Chair is precluded from considering any authority for a Resolution to be moved by another Honourable Member, which is not in writing, under Standing Orders. 1406.

RULING(S) BY MR. CHAIRMAN (SIR HARI SINGH GOUR)—concl'd.

Question(s)—

It is the privilege of the House to waive the Standing Order by unanimous consensus of opinion and utilise the — hour for the discussion of any other subject. 1051.

RULING(S) BY MR. DEPUTY PRESIDENT (MR. R. K. SHANMUKHAM CHETTY)—

Bill(s)—

Select Committee—

Honourable Members should restrict themselves to the general principles of the Bill at the — stage. 627.

Honourable Members should speak in general terms when the reference of a — to a Select Committee is under discussion and reserve their detailed remarks for a later stage. 509.

Cut Motion(s)—

The fact that a Government Member pleases to give a wider answer to a particular Member will not preclude another Member from moving his —. 1872.

Miscellaneous—

Honourable Members cannot impute wrong motives to other Members. 699.

Honourable Members cannot indulge in any attacks on the Indian Princes. 1793.

It is in order to include the name of a Member, who has not taken the oath of allegiance, in the list of members for the Select Committee, but he would not be entitled to sit on that Committee unless he has taken the oath of allegiance before them. 283.

No Honourable Member can leave the House when the Chair remains standing. 1919.

While it will be permissible for an Honourable Member to read out reasonable quotations from a publication, — the practice of simply reading out the publication as part of a speech ought to be seriously deprecated. 1886.

RULING(S) BY MR. DEPUTY PRESIDENT (MR. R. K. SHANMUKHAM CHETTY)—cont'd.

Personal explanation(s)—

Honourable Members are entitled to give a —, but not an exposition of what they said in their speech. 534.

Question(s)—

An Honourable Member must ask a specific — and not make detailed explanations. 294.

If a part of the Army in India has been sent to any place outside British India, and since the Army in India is paid for by the Indian exchequer, it is quite in order for any Honourable Member to ask the —, "at whose request were such troops sent". 1735.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY)—

Act(s)—

It is not open to any Honourable Member of the Legislative Assembly to question the validity of the enactment of a Local Legislature. 3129-30.

The Legislative Assembly is not a competent body to discuss whether a particular — passed by a Local Legislature is *ultra vires* or *intra vires* of that Legislature. 3127.

Amendments to Acts—

The fact that a Bill seeks to make certain amendments in an Act does not lay open the entire Act for the consideration of the House. 2185.

Bill(s)—

All amendments to a Bill must be within its scope which is to be sought not in the Statement of Objects and Reasons, but either in the Title or in the Preamble. 2161.

Even if it is the intention of the Government to take away a power conferred on the High Courts under the Government of India Act, it will not be competent for the House to take that away. The Chair cannot allow a clause which gives scope for the misunderstanding that it seeks to take away certain powers vested in the High Courts under the Government of India Act. 3154.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY)—cont'd.

Bill(s)—

Even though the subject matter of a proposed legislation in the Legislative Assembly may affect any provincial legislation, so long as the sanction of His Excellency the Governor General has been obtained for the introduction of that legislation, it will be perfectly within the competence of the Legislative Assembly to proceed with that legislation. 2529-30.

Honourable Members are at perfect liberty to discuss the sections of a local Act so far as they are relevant to the — under discussion. 3135.

No other Member except the Member in charge of a — can make further motions after its introduction. 3045-46.

Very strong reasons would be required to cut short the discussion of a — in the middle and then go on to another. 2446.

While the scope of a Bill is to be sought in its Title and Preamble, these are not to be construed as an exhaustive catalogue of the purposes of the Bill. The Title and the Preamble give the purpose of the substance of it, but it is not necessary that ancillary or consequential matters should be referred to in the Title and the Preamble of a Bill. So long as sections of a Bill are ancillary or consequential to the original purpose of a Bill, those provisions of a Bill will be in order. 2727-28.

Circulation—

On a motion for circulation, Honourable Members cannot go into the details of a —. 2510.

Select Committee—

In order to include the name of a particular Member in a Select Committee, the consent of that Member is necessary. 3624.

No amount of undertaking on the part of any Honourable Member of Government as to the scope of a Bill can bind the decisions of the Chairman of the Select Committee. 3622.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY)—cont'd.

Bill(s)—

Select Committee—

The decision during the discussions on the floor of the House as to whether particular amendments or remarks are within the scope of a Bill is entirely vested in the Chair and, similarly, in the proceedings of a Select Committee, it is entirely within the discretion of the Chairman of the Select Committee, whoever he might be, to decide, when a question arises in the Select Committee, whether that question is within the scope of the Bill or not. 3622.

When Bills are referred to a Select Committee, it is open to any member of that Committee to move in the Select Committee amendments which are within the scope of the Bill. 3622.

While it is permissible for Honourable Members to ascertain from Government what their attitude with regard to a particular point would be in the Select Committee, it is not open to any Honourable Member on the Treasury Bench to say on the floor of the House what is within the scope of the Bill. 3622.

Closure—

Honourable Members have got perfect liberty to apply the — motion at any stage they like, but it is for the Chair to decide whether it will be accepted or not, and the Chair, in deciding whether it will be accepted or not, always takes into consideration the fact whether there has been a fair debate on the question before the House. 3432-33.

When a motion is made that the question be now put, it is for the Chair to decide whether it will agree to accept the closure or not. But it should be made perfectly clear that when the Chair agrees to accept a closure motion, the Chair does not thereby close the debate. It only gives an opportunity to the House itself to decide whether it will proceed with the debate or close the debate. The only circumstance in which the Chair will not accept a closure is when the Chair is convinced that the right of minorities has been suppressed and that there has not been a fair debate. 2516.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY)—contd.

Miscellaneous—

Every Honourable Member has his own defects of speech, and every Member must be allowed to read or speak according to his capacity. 2933.

Honourable Members should not make any reference to the press gallery or to the visitors' gallery. 2320.

It is open to the House to revise its decision at any stage. 2579.

Members of the Executive Council of the Governor General who are not Members of the Legislative Assembly have no right to address the House in their individual capacities, but only as Government's spokesmen. 2516-17.

There is nothing unparliamentary in the expression that a Member of the House exploits a certain situation. 3051.

Unless there is any substantial volume of opinion or an infringement of the rights of other Honourable Members, an Honourable Member may be allowed to make some variation in the order of the agenda paper provided the items concerned stand in the name of that particular Honourable Member. 141.

Point of Order—

When a — is being raised, there cannot be a — on that. 2526.

Question(s)—

An Honourable Member is at liberty to withdraw his — at any time. 2993.

If an Honourable Member who has sent — is not in a position to be present in his seat to ask his —, he must authorise some other Honourable Member in writing to do so, and the authorisation must be sent to the President. In the absence of such authorisation, these — will be treated as unstarred — and the answers will be incorporated in the proceedings. 2979.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY)—concl.

Reports of Select Committees—

The rights and privileges of non-official Members are not encroached upon by a formal presentation of the Report of a Select Committee on an official Bill on a day set apart for the transaction of non-official business. 3043-44.

Rule(s)—

No —, inconsistent with the provisions of the Government of India Act, can override the provisions of the Act itself. 2529.

RUNNING ROOM—

Question re want of a Hindu cook in the North Western Railway guards — at New Delhi. 3038.

RUPEE TENDER—

See "Tender(s)."

RYAN, SIR THOMAS—

Indian Finance Bill—

Consideration of Schedule I. 2383, 2386, 2392, 2393-94, 2401, 2402.

Motion to reduce Demand for—

"Indian Posts and Telegraphs Department (including Working Expenses) re—

Equitable apportionment of revenue between postal and telegraph branches. 1896.

Grant of special allowance to the postal subordinates employed in the Wynad-Malabar. 1875.

Grievances of ex-approved candidates in the Calcutta General Post Office. 1898-99.

Policy of Indian Posts and Telegraphs Department. 1886-94.

Position of the Indian Posts and Telegraphs Department in Bengal Assam Circle. 1869-73.

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SADIQ HASAN, SHAIKH—

Indian Finance Bill—

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