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TO
THE LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volumes V—VII, 1933

(22nd August to 21st September, 1933)

SIXTH SESSION
OF THE
FOURTH LEGISLATIVE ASSEMBLY,
1933



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CORRIGENDA.

In the Legislative Assembly Debates,
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(1) Vol. V, No. 2, dated the 23rd
August, 1933, page 154, line 20, for
“secure” read “censure”.

(2) Vol. V, No. 5, dated the 29th
August, 1933, page 342, last line, for
“Goferment” read “Government”.

(3) Vol. V, No. 9, dated the 4th
September, 1933—

(i) page 760, line 14, for “Seven—
one five years” read “Seven—
one over five years”.

(ii) page 767, in the subject-head-
ing to starred question
No. 586, for “on” read “of”.

(iii) page 787, line 21, for the
words “one of the two two
persons” read “one of the
two persons”.

(iv) page 788, for the subject-
heading to the Statement
laid on the table in answer to
starred question No. 838, sub-
stitute “Disability Pension
to Discharged Military
Men”.

(v) page 788, from the subject-
heading to the Statement
laid on the table in answer
to starred question No. 931,
delete the words “the Royal
Army Medical Corps and”.

(vi) page 796, line 3, for “*426.
(a) to (k)” read “*246. (a) to
(k)”.

(vii) page 810, line 9, for “War
Research” read “War Re-
serves”.

(viii) page 872, line 5, for
“Halzais” read “Halimzais”.

(4) Vol. VI, No. 2, dated the 6th
September, 1933, pages 1055-77, in the
subject-headings to the Cotton Textile
Industry Protection (Amendment) Bill,
for “Amendment” read “Second
Amendment”.

(5) Vol. VI, No. 4, dated the 8th
September, 1933, page 1220, line 10,
for “Muhammadan” read
“Muhammad”.

(6) Vol. VI, No. 7, dated the 12th
September, 1933—

(i) page 1366, line 3 from the
bottom, for “regert” read
“regret”.

(ii) page 1409, line 20, for “dis-
gested” read “digested”.

(iii) page 1424, line 2, for “risk”
read “risky”.

(iv) page 1431, lines 19 and 20,
for “Mr. K. C. Neogy.....
resumed the Chair.]” read
“Mr. K. C. Neogy (Dacca
Division: Non-Muhammadan
Rural): We all welcome it.”

(7) Vol. VI, No. 8, dated the 13th
September, 1933—

(i) page 1483, line 18, for “direct-
ly” read “direct”.

(ii) page 1484, last line, for
“No. 99” read “No. 78”.

(8) Vol. VII, No. 3, dated the 18th
September, 1933, page 1754, lines 9
and 10, for “high-handness” read
“high-handedness”.

(9) Vol. VII, No. 4, dated the 20th
September, 1933, page 1822, in the
subject-heading to starred question
No. 1022, for “Non-Hindus” read
“Non-Muslims”.

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— raised by Mr. D. K. Lahiri (Chandhury) during the discussion of the motion to refer the Indian States (Protection) Bill to Select Committee, whether the proposed measure was not *ultra vires* of the Indian Legislature on the ground that its jurisdiction was not only confined to India, but also extended to parts which were beyond British India, as set forth in clause 2. 1078.

— raised by Mr. K. C. Neogy as to what kind of amendments (restricted or of a general character) can be moved to the motion of a mover of a Bill for eliciting public opinion by circulation. 209-30.

— raised by Mr. T. N. Ramakrishna Reddi as to whether two separate and independent things can be coupled in one and the same motion in connection with the discussion of the report of the Public Accounts Committee, as the first part of the motion in the particular case is with regard to the consideration of the Report of the Public Accounts Committee of 1930-31, and the second part is a demand for grant of a certain expenditure. 1913.

— raised by the Honourable Sir George Schuster as to whether an Honourable Member may reply to a debate on a motion which the House has already passed. 1541.

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- Payment of — on insurance policies from the Provident Fund by Railway employees. 765.
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Khan Bahadur Sarfaraz Hussain Khan. 54-55.

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Remarks by — in reply to the point of order raised by Mr. D. K. Lahiri Chaudhury, during the discussion of the motion to refer the Indian States (Protection) Bill to Select Committee: Clause 2 of the Bill defines the persons intended to be protected by the Bill, but as the actual act of protection will take place within the British Indian territory the Bill is not *ultra vires* of the Indian Legislature. 1079.

Remarks by — in reply to a point of order raised by Mr. T. N. Ramakrishna Reddi: The usual parliamentary practice, when a motion to take into consideration the Public Accounts Committee Report is made, is that no question is put after discussion and the motion, that the Report of the Public Accounts Committee be taken into consideration, is simply made with a view to giving an opportunity to the House to have a full and thorough discussion on the points arising within the Report of the Public Accounts Committee and no question is put. The question relating to excess grant has been coupled with the first part in the particular case on which the point of order has been raised, because it arises out of the Report with which the first part deals, and so no question will be put relating to the first part. The only question that will be put will be that the Assembly do approve the excess expenditure. 1913-14.

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Suggestion by — that in order to get a complete answer from Government and for the convenience of every one concerned, it would be an excellent practice if Honourable Members, who refer the attention of Government to a particular newspaper article, always make it a practice to send a copy of that article to the Government along with the question. 1100-01.

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Position of compositors and binders after the amalgamation of the East Indian and Eastern Bengal Railway —. 1346-47.

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Purchase of certain machines by the East Indian Railway —. 1342-43.

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- Grievances of the travelling public on the Assam Bengal Railway. 1164-69.
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- Raising of duty on foreign cotton imports. 566-79.
- Release of Mr. Gandhi, Mufti Kifaetullah and other political prisoners. 566.
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- Question *re* —
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- in certain grades in the Posts and Telegraphs Department. 1852-53.
- of officials having thirty years' service in Postal Circle offices. 1029.
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- Expenditure on the Chamber of Princes from the Indian —. 190-01.
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- Question *re* prohibition of the importation into India of Trotsky's History of the Russian —. 95.

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- Fees charged for operations performed in the —, Simla, on the dependants of Government servants. 353-54.

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- Bad condition of — in India. 767-68.
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- Question *re* allegations against the Superintendent of Post Offices, —. 1382-83.

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- Question *re* preparation of — programme of Railways. 618-19.

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— for determination of seniority of the subordinate staff on the East Indian Railway. 1457.
— for recognition of Government servants' organisations. 1370.
— for recruitment and training of subordinate staff on the East Indian Railway. 1751-52.

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- for recruitment of Indians to the Indian Army Veterinary Corps. 364-65.
 - for suing Government for breach of trust in respect of service conditions, etc. 1658.
 - governing departmental enquiries on State Railways. 1458.
 - of examination for recruitment to the superior commercial and transportation services. 1676.
 - of hospitals under the administration of the Government of India. 356.
- Resolution *re* amendment of — relating to the constitution of the Committee on Public Accounts. 1896-97.

RULE BOOKS—

Question *re* supply of — to the East Indian Railway employees. 19.

RULER(S)—

Question *re* transfer of the control of the Badrinath Temple to the — of the Tehri Estate. 1032-34.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE SIR SHAN-MUKHAM CHETTY)—

Bill(s)—

As Standing Orders are silent on the point as to what kind of amendments (restricted or of a general character) can be moved to the motion of a Mover of a Bill for eliciting public opinion by circulation, it is for the Chair to decide what amendments to such motions would be in order. 210.

Even though one particular clause of a — may be *ultra vires* of the Legislature, that does not make the whole — *ultra vires*. 1188.

Even though the provisions of a new amending — may be inconsistent with any or all of the provisions of any Statute of the Indian Legislature, that will not make it *ultra vires*. 707.

It is not within the jurisdiction of the Indian Legislature to make a law for the conduct of a subject of an Indian State for an offence committed within the jurisdiction of that State. 1085.
The Legislative Assembly has no power to enact any — for punishing offences committed by non-British Indian subjects outside the territory of British India. 1221.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE SIR SHAN-MUKHAM CHETTY)—contd.

Bill(s)—contd.

The mere fact, that in a — before the House there is one clause on which there is doubt with regard to the jurisdiction of the Indian Legislature, need not debar the House from discussing the —. 1089.

The powers of the Indian Legislature are defined in the Govt. of India Act, and not in the Queen's Proclamation, and if an Honourable Member wants to draw the attention of the Chair to the fact that a certain — is *ultra vires* of the Indian Legislature he must draw attention to the relevant portion of the Government of India Act and not to the Queen's Proclamation. 994.

When a Honourable Member, at the time when another Honourable Member is making a motion in connection with a —, wants to raise a point of order, he shall do so after the Honourable Member, making the motion has finished his speech. 993.

While replying to a debate, Honourable Members cannot attempt to traverse the whole ground again in detail. 411-12.

Closure—

So far as closing of a debate is concerned, the Chair, even without the application of a closure motion, can always put the question, when the Chair is satisfied that there has been a full and fair debate. Therefore, applying that principle, the Chair does not think that it is bound to put the closure to a division, when only one or two Honourable Members want a division. 1819.

Indian Medical Council Bill—

If the Law Member of the Government of India is a Member of the House when the motion to refer a Bill to Select Committee is made and even if, in the meantime, the personnel of Office is changed, there is no necessity to make a specific motion that the new incumbent of the Office be nominated to the Select Committee. 55.

Joint Committee—

This House can only recommend to the Council of State that a Joint Committee be set up, and this House has no power to restrict the right of the Council of State to determine the composition of that Committee. 1508.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE SIR SHAN-MUKHAM CHETTY)—contd.

Joint or Select Committee—

A Committee of this House, whether a Joint Committee or a Select Committee, is set up by a motion of this House, and every Honourable Member, whoever he is, has got the right to sit on that Committee, if he is elected to that Committee, and no Resolution of this House, can debar an individual from sitting on a Committee like that. 1508.

Jurisdiction of the House—

This House cannot have jurisdiction over acts committed by Indian State subjects in an Indian State. 1088.

Miscellaneous—

A matter which is appealable must be considered as *sub judice* and, as such, cannot be discussed in the House. 1120.

An Honourable Member who makes a maiden speech must be given a patient hearing and not be interrupted. 383.

Honourable Members cannot criticise the action of His Excellency the Viceroy. 997.

It is no defamation to call a person a "Bombay Man". 1068.

No question can be asked in this House with regard to a foreign territory. 683.

The jurisdiction of the Indian Legislature is covered by the provisions of the Government of India Act which is in force for the time being. 1086.

Motion for Adjournment—

So far as the House is concerned, especially in the matter of a —, neither the Chair nor the House will take notice of any private correspondence that takes place between one Honourable Member and any Member of Government. 555.

The answer to a question by itself cannot be sufficient ground for moving the adjournment of the House unless the subject-matter of the question itself conforms to the rules and regulations relating to the adjournment motion. 783.

The policy of the Local Government or the Central Government, in administering an ordinary law of the land, is not a matter of urgency within the meaning of the rules, and as such, the — *re* forfeiture by Government of the *Free Press Journal* deposit is not in order. 1120.

RULING(S) BY MR. PRESIDENT (THE HONOURABLE SIR SHAN- MUKHAM CHETTY)—contd.

Motion for Adjournment—contd.

Though generally the policy of the Government, in relation to a particular matter cannot be considered to be one of recent occurrence, occasions may arise when the policy and attitude of Government may become a matter of urgent public importance. 1391.

Point(s) of Order—

A Member of the Executive Council of the Governor General, who is not a Member of the Legislative Assembly and who exercises his right of addressing the Assembly on any occasion, has also the right of raising any — during the debate in which he takes part. 1692-93.

There cannot be a — when the division is on. 1227.

When the Chair has asked for an explanation from an Honourable Member, no — ought to be raised until that explanation has been given. 1088.

Question(s)—

Discussion cannot take place on a —. 255.

When an Honourable Member for the Government plainly states that he is not prepared to disclose the stages passed through by the Government in considering a proposal, it is no use for an Honourable Member pressing for the information by supplementary —. 88.

Reply to a debate—

Honourable Members will not be in order in replying to a debate on a motion which the House has already passed. 1544.

Untouchability Abolition Bill—

Whatever might have been said in the Queen's Proclamation, it is not a part of the written or unwritten law of Great Britain and Ireland, and, therefore, it is not covered by section 65 (2) of the Government of India Act. The — is, therefore, *intra vires* of the Indian Legislature. 995.

RUSSIAN REVOLUTION—

Question *re* prohibition of the importation into India of Trotsky's History of the —. 95.

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SADIQ HASAN, SHAIKH—

Hedjaz Pilgrims (*Muallims*) Bill—

Motion to recommit to Select Committee. 1653-54, 1697, 1708.

SADIQ HASAN, SHAIKH—contd.

Indian Railways (Amendment) Bill—
Motions to consider, to re-circulate and to recommit to Select Committee. 316-18.

Motion for Adjournment *re* aerial bombardment on Kotkai in the Trans-Frontier. 551, 868-69.

Question *re*—

Appointment of certain Ticket Collectors as Special Ticket Examiners in the Lahore Division of the North Western Railway. 513-14.

Bombardment of certain villages of independent tribes on the North-West Frontier by British aeroplanes. 738.

Censorship of cinematograph films. 737-38.

Cost of the Delhi Conspiracy Case. 767.

Cost of the Meerut Conspiracy Case. 766-67.

Districts in the Punjab where people are allowed to keep swords. 516.

Examination for recruitment to the Indian Army Service Corps. 764-65.

Extensions given to officials with thirty years' service in the Punjab Postal Circle Office. 1111-12.

Organization and control of travelling ticket examiners on the North-Western Railway. 1111.

Payment of *premia* on insurance policies from the Provident Fund by Railway employees. 765.

Provision of certain necessities to Kalanaur, District Gurdaspur. 1036-37.

Reduction of the grade of Head Special Ticket Examiner at Ferozepore, North-Western Railway. 1111.

Release of persons detained in jails for indefinite periods. 1455.

Representations to Government of Mr. Aziz Hindi, a State Prisoner. 1455.

Selection of special class apprentices for the Superior Revenue Establishment of State Railways. 1112.

Ticket checking schemes on the North Western Railway. 1110.

Transfer of certain State Prisoners from Muzaffargarh Jail to some other jail. 515-16.

Unemployment in India. 608-09.

Question (Supplementary) *re*—

Air bombardment on the tribal area of the North-West Frontier. 680.

Allegations against the police in Calcutta and Bombay. 1741.

SAFEGUARDING OF INDUSTRIES ACT—

See "Act(s)".

SAFEGUARDING OF INDUSTRIES, BILL—

See "Bill(s)".

SAHARANPUR—

Question *re* vacancies of postmen, etc., in the — and Dehra Dun Head Post Offices and their sub-offices. 1665.

SALARY (IES)—

Question *re*—

Amount spent on the — and allowances of the officers under the Calcutta Port Trust. 547, 1766.

Demotion and reduction in — of the industrial staff in the Eastern Bengal Railway Press. 1346.

Grant of enhanced — to Hindu Assistant Surgeons with English qualifications. 1285.

Irregularities in charging — of the subordinates on the East Indian Railway. 1752.

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— drawn by the non-gazetted staff of the Central Publication Branch. 369-70.

— of East Indian Railway employees on the transfer of that Railway from Company-management. 1611.

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Question *re* realisation of subscription of members of service organisations through the — of the staff. 1372.

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Question *re* prevention of the sale of bad — to the public. 538.

SALT ADDITIONAL IMPORT DUTY (EXTENDING) BILL—

See "Bill(s)".

SALT INDUSTRY COMMITTEE—

Election of Members to the —. 1293-94, 1692.

SAMPLES—

Question *re* testing of — of enamel navy green by the Government Test House, Alipore. 1053.

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SANT SINGH, SARDAR—

Code of Criminal Procedure (Amendment) Bill—

Motions to refer to Select Committee. 388, 406-13.

Motion for Adjournment *re*—

Facilities given to Mahatma Gandhi in jail. 151, 155-57.

Reservation of appointments for minority communities. 37-38.

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Question *re*—

Abolition of the cadre of Travelling Ticket Examiners on the North Western Railway. 731, 732.

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Change of timings of the Army Headquarters special train or of office hours of Government offices in Simla. 1470.

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Confirmation of one Mr. Bashir Ahmad Akhgar in the Office of the Deputy Accountant General, Posts and Telegraphs, Delhi. 377.

Construction of a bridge on a canal between Moghalpura and Lahore on the North Western Railway. 1008-10.

Crew system on the North Western Railway. 729-30.

Denial of certain concessions to Travelling Ticket Examiners on the North Western Railway. 733.

Employment of Sikhs in the Office of the Deputy Accountant General Posts and Telegraphs, Delhi. 376-77.

Enlistment of 'Y' Cadets. 428-30.

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- Examination for recruitment of new hands in the Wireless Telegraph Department. 524-26.
- Grant of house rent to clerks unwilling to occupy Summer Hill quarters. 1469-70.
- Group system of ticket checking on the North Western Railway. 732.
- Horse-breeding in the Jhelum Canal Colonies. 518-19, 522-24.
- Import and export of certain commodities since the ratification of the Ottawa Pact. 245-51.
- Management of the Hindu Refreshment Room at Lahore Railway station. 1010-13.
- Memorial submitted by Assistant Way Inspectors, North Western Railway, for modification in their condition of service. 1013-14.
- Nomination of the Members of the Legislative Assembly to the Joint Parliamentary Committee. 191-93.
- Non-adoption of the Mody Ward Scheme of ticket checking on the North Western Railway. 734.
- North Western Railway Divisional Personnel Officers' Conference. 731.
- Organisation and control of the Travelling Ticket Examiners on the North Western Railway. 729, 730-31, 732-33.
- Paints used by the Eastern Bengal Railway for painting their wagon. 1052.
- Promotion of guards to the Assistant Station Masters' cadre in the Delhi Division of the North Western Railway. 526-27.
- Provision of a club for Indian clerks living in Summer Hill quarters. 1467.
- Provision of facilities for free conveyance to the civilian clerks living in Summer Hill quarters. 1468-69, 1470.
- Qualifications of chargemen in the carriage and wagon shops, North Western Railway, Moghalpura. 946.
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- Recruitment of Sikhs in the Income-tax Department, Punjab and North-West Frontier Province. 507-08.
- Recruitment of Sikhs in the office of the Income-tax Commissioner, Punjab and North-West Frontier Province. 507.
- Recruitment to the Subordinate Accounts Service. 375-76.
- Reduction of Travelling Ticket Examiners on the North Western Railway. 733.
- Returns of the co-operative societies in India. 526.
- Special and Travelling Ticket Examiners on the North Western Railway. 731.
- Suits instituted by Government for the declaration of their proprietary rights in respect of certain sites and bungalows in the Rawalpindi Cantonment. 1470-71.
- Supervisor of Records of the Office of the Deputy Accountant General, Posts and Telegraphs, Delhi. 377.
- Suspension and discharge of certain chargemen in the carriage and wagon shops, Moghalpura, North Western Railway. 946-47.
- Three decipherable currency notes of the Lahore Circle. 1010.
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- Allegations against certain sergeants during the Congress Session in Calcutta. 184-85.
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- Certain alterations in the 'D' type orthodox quarters in New Delhi. 1841.
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- Representation of Muslims in the services under the control of the Government of India. 439.
- Representations made by Dr. Bhupal Singh and Mr. Satish Pakrashi, prisoners in the Andamans. 1601.
- State Prisoners in custody. 5.
- Suspension of the Civil Disobedience Movement. 92.
- SARDA, DIWAN BAHADUR HARBILAS—**
- Ajmer-Merwara Juveniles Smoking Bill—
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- Expressions of regret on the deaths of Sir Zulfikar Ali Khan and —. 50-55.
- SARMA, MR. R. S.—**
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- Expressions of regret on the assassination of Mr. Burge, District Magistrate of Midnapore. 779.
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- Alleged scurrilous article in the *Daily Gazette* re Mahatma Gandhi. 1422, 1423-24.
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- Alleged attack on Mahatma Gandhi by the *Daily Gazette* of Karachi. 1272.
- Communal composition of the gazetted staff under the direct control of the Director General of Posts and Telegraphs. 638.
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- Certain — in operation in Japan. 277.
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