



THE
LEGISLATIVE ASSEMBLY DEBATE

(Official Report)

For Index

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*(29th March to
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(20th February to 8th March, 1935)

FIRST SESSION

OF THE

**FIFTH LEGISLATIVE ASSEMBLY,
1935**



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LEGISLATIVE ASSEMBLY.

Wednesday, 20th February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. A. K. Fuzlul Huq (Bakargunj *cum* Faridpur: Muhammadan Rural): Sir, before you begin the business of the day may I have your leave to bring to your notice the very serious inconvenience from which we on this side of the House have been suffering and which, I submit, needs some redress. I refer to the practice according to which questions are asked and answers are given. I mean no reflection on the Members of the Government on the opposite side when I say that the answers are given in such a low voice that we cannot hear

Mr. President (The Honourable Sir Abdur Rahim): When an answer is given in a way that it cannot be heard, then it is for the Honourable Member to raise the question.

Mr. A. K. Fuzlul Huq: Sir, I was only suggesting that the practice followed in the Provincial Councils should be adopted.

Mr. President (The Honourable Sir Abdur Rahim): That question has been raised and the Chair will give its ruling in due course.

MEMBER SWORN:

Mr. Arthur Eric Tylden-Pattenson, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

Mr. President (The Honourable Sir Abdur Rahim): Question No. 228 standing in the name of Mr. Nageswara Rao was left over. Mr. Satyamurti will perhaps wish to put that question? Mr. Satyamurti.

FAMINE IN THE CEDED DISTRICTS AND CHITTOOR.

228. ***Mr. S. Satyamurti** (on behalf of Mr. K. Nageswara Rao): (a) Are Government aware of the existence of famine in the ceded Districts and Chittoor?

(b) Have Government received any report from the Madras Government about the incidence of famine in those Districts and the relief measures being taken to relieve the distress?

(c) Have the Government of Madras applied to the Government of India for any financial assistance so as to relieve the distress of the famine-ridden masses?

(d) If so, what steps do Government propose to take?

(e) If the reply to part (c) be in the negative, have the Government of Madras applied for any grant from the Government of India out of the Famine Insurance Fund? If so, for what amount?

Mr. G. S. Bajpai: (a) Government are aware of agricultural distress in those areas.

(b) Weekly reports on the agricultural situation in the affected Districts are being received by the Government of India from the Local Government.

(c) No.

(d) The question does not arise.

(e) No.

Mr. S. Satyamurti: May I know if the Government propose to utilise the Famine Insurance Fund, and ask the Local Government to declare a famine in these districts, so that help may be given to these distressed people out of that Fund?

Mr. G. S. Bajpai: Sir, I gather that famine has actually been declared in certain parts of one of the districts, but as regards the Famine Insurance Fund, the Government of India have no control over it. It is for the Government of Madras to apply to the Famine Fund people up here.

Mr. T. S. Avinashilingam Chettiar: Has famine not been declared in any other parts of the district?

Mr. G. S. Bajpai: As far as I know, it has been declared only in parts of the Anantapur district.

Prof. N. G. Ranga: Are Government aware that the Sundur State has issued a public communiqué saying that they are prepared to supply straw and hay free of charge provided there are transport facilities?

Mr. G. S. Bajpai: No, Sir, I have not seen that communiqué.

Prof. N. G. Ranga: Are Government aware that the ryots have applied for railway rebates for the transport of fodder supplied to these famine-ridden districts?

Mr. G. S. Bajpai: I gather that there are standing rules on the subject of the transport of fodder at concession rates in areas where famine prevails, and I assume that the Government of Madras will take the requisite action if they consider that concessions should be given for that purpose.

Prof. N. G. Ranga: Sir, are Government aware that when proper representations have already been made to the Government of Madras, a reply has been given there by the Government of Madras that it is an all-India question?

Mr. G. S. Bajpai: No, Sir, I am not aware of that fact.

Mr. S. Satyamurti: May I know whether, up to this date, the Government of Madras have not applied to the Government of India for any assistance for relieving the famine in these districts?

Mr. G. S. Bajpai: That is the position, Sir. The Government of Madras have not applied to the Government of India for any form of relief whatsoever.

Prof. N. G. Ranga: Do the Government of India propose to grant any rebates in railway freights for the transport of fodder supplied to the famine-ridden districts?

Mr. G. S. Bajpai: Sir, I have explained to my Honourable friend and to the House that there are standing rules on the subject. The initiative rests with the Government of Madras.

The Honourable Sir Joseph Bhoré: May I make it clear to the House, Sir, that I understand that arrangements have already been made for the application of these concession rates.

Mr. S. Satyamurti: May I ask when the Commerce Member understood this?

The Honourable Sir Joseph Bhoré: Within the last two minutes. I was informed by my Honourable friend, Mr. P. R. Rau, who stands behind me.

Prof. N. G. Ranga: Is it not a fact that many of these peasants in these famine-ridden districts have applied for the necessary concessions for the ree manufacture of salt in their respective areas?

The Honourable Sir James Grigg: There are questions on that paper about that later on.

Mr. President (The Honourable Sir Abdur Rahim): Question No. 242 stood over because the Honourable Mr. Satyamurti wanted to ask that question on behalf of Mr. Fuzlul Huq. As Mr. Fuzlul Huq is here, he can, if he likes, put that question now. Mr. Fuzlul Huq.

ADDITIONAL COST INVOLVED IN THE INTRODUCTION OF THE NEW REFORMS.

242. ***Mr. A. K. Fuzlul Huq:** Have Government made any estimate of the additional cost that will be involved in introducing the coming Reforms under the following heads:

- (a) additional burden thrown on the finances of the Government of India, and
- (b) additional burden thrown on the finances of the several Provinces separately?

The Honourable Sir James Grigg: The attention of the Honourable Member is invited to paragraphs 267 to 273 of the Report of the Joint Committee on Indian Constitutional Reform. The details of the additional expenditure of three-quarters of a crore a year at the Centre and the same in the Provinces mentioned in paragraph 267 of the Report are given on pages 21 and 22 of the records of the Committee, dated the 27th July, 1933.

Mr. A. K. Fuzlul Huq: May I put a supplementary question? As regards the Report itself, no facts were given. Will the Honourable Member be pleased to give me some idea as to the expenses likely to be incurred?

The Honourable Sir James Grigg: As I said, Sir, with reference to the second part of the question, all those figures are set out on pages 21 and 22 of the records of the Committee, dated the 27th July, 1933.

Mr. S. Satyamurti: In view of the fact, Sir, that Government estimates always exceed the actuals, when it comes to actual working, may I ask the Honourable the Finance Member what are the bases on which these figures have been arrived at, and may I ask him to give a guarantee to this House that these estimates will not be exceeded?

The Honourable Sir James Grigg: No, Sir, I cannot give any guarantee like that. I should be quite stupid if I did; but the details are set out quite fully in the reference which I have given.

Mr. S. Satyamurti: May I know who supplied these details to the Joint Parliamentary Committee?

The Honourable Sir James Grigg: These details were supplied in a memorandum by the Secretary of State. If he wants to know who prepared that memorandum and supplied those figures, I must ask him to put down a question; I cannot tell him off-hand.

Mr. S. Satyamurti: May I know if the Government of India gave any of these figures to the Secretary of State?

The Honourable Sir James Grigg: I presume they could only have been obtained from the Government of India.

Mr. S. Satyamurti: May I ask if the Honourable Member has any personal knowledge of these estimates having been sent by this Government?

The Honourable Sir James Grigg: None whatever. They were furnished by the Secretary of State to the Committee long before I left England

PRICE OF PETROL.

325. *Sardar Sant Singh: (a) What was the price of petrol in France, Germany, England, Australia, Canada, and the United States of America, on or about the 1st January, 1935?

(b) What was the price of petrol in Lahore, Bombay, Madras, and Calcutta, on or about the 1st January, 1935?

The Honourable Sir Joseph Bhore: (a) and (b). I lay on the table two statements showing the information asked for by the Honourable Member as far as available.

Petrol prices in foreign countries.

	Date to which the rate refers.	Unit of measurement.	Price.	Price per gallon.
				£ s. d.
France (Paris)	End of November, 1934.	(Ex-octroi) per hectolitre in cans of 50 litres.	220 Fr.	0 2 7½
Germany (Berlin)	Do.	Per 100 litres	26.80 RM	0 1 11½
England (London)	2nd January, 1935.	(Petroleum American refined).	..	0 0 9½
Australia	Not available.			
Canada (Toronto)	October, 1934.	Per gallon.	15 Cents	0 0 7½
			Cents.	Per U. S. gallon.
U. S. A. (New York)	3rd January, 1935.	Per barrel Pennsylvania Crude standard grades.	192.212	0 0 2.23 to 0 0 2.46

Petrol prices in Indian cities.

	Period to which the price relates.	Price per gallon.
		Rs. a. p.
Lahore	1st January, 1935.	1 8 0 (Ex-pump).
Bombay	On or about 1st January, 1935.	0 14 0
		0 15 0
Madras	End of December, 1934.	1 5 6 (Ex-pump).
		1 6 6 (In cans).
Calcutta	4th January, 1935.	1 6 6 Petrol Shell in 2-gallon tins.
		1 5 6 Petrol Shell in bulk.
		1 6 6 B. O. C. Petrol packed.
		1 5 6 B. O. C. Petrol in bulk.
		1 3 6 Commercial Spirits in bulk.

COMBINATION OF CERTAIN FIRMS TO KEEP UP THE PRICE OF PETROL.

326. *Sardar Sant Singh: Are Government aware that the Burma Oil Company, Shell Attock Oil Company and other firms dealing in petrol have entered into combination to keep up the price of petrol in India? If so, do Government propose to take any steps to break this combination?

The Honourable Sir Joseph Bhoré: The Honourable Member is referred to the reply given by me to his starred question No. 460 on the 4th September, 1933.

Sardar Sant Singh: May I know if since that reply was given, the Government of India have made any inquiries into the facts concerning all these Companies?

The Honourable Sir Joseph Bhoré: Sir, I have given what information we could and we have not been able to succeed in having any further light thrown upon the matter.

FLUCTUATION IN THE PRICE OF PETROL.

327. ***Sardar Sant Singh:** (a) Is it a fact that the price per gallon of petrol at the port of entry—Bombay or Karachi—is about one anna six pies per gallon?

(b) Are Government aware that the duty and surcharge on petrol amount to ten annas per gallon only?

(c) Is it a fact that petrol is sold by the Burma Oil Company, Shell Attock Oil Company and other firms dealing in petrol at Re. 1-11-6 per gallon?

(d) Are Government aware that these companies reduced the price of petrol when Russian petrol supplies came, and raised the prices when such supplies were exhausted during 1933 and 1934?

The Honourable Sir Joseph Bhoré: (a) No, Sir. The price of petrol in Bombay, *ex-duty* (on or about the 1st January, 1935) was four to five annas per gallon.

(b) Yes.

(c) The price of petrol varies in different cities. In this connection, the Honourable Member is referred to the statement laid on the table in reply to part (b) of his question No. 325.

(d) Government have no reason to doubt the statement of the Honourable Member.

Mr. R. S. Sarma: In view of the wrong impression that is sought to be created by the assumption contained in this question, would Government be pleased to state whether they have seen recent public advertisements in Bombay newspapers by the Western India Oil Company that the economic price of their petrol in Bombay is one rupee and four annas per gallon?

The Honourable Sir Joseph Bhoré: Yes, Sir, I have seen the advertisement referred to.

Mr. R. S. Sarma: Will Government be also pleased to say whether that petrol is exactly the one which my Honourable friend, Sardar Sant Singh, mentions in his question, the cost of which is one anna and six pies per gallon?

The Honourable Sir Joseph Bhoré: I cannot say that. My Honourable friend must ask that question of Sardar Sant Singh.

Sardar Sant Singh: May I ask, Sir, what are the data on which the Government have based their statement that the cost price of petrol at the port of entry *ex-duty* is four to five annas and not one anna and six pies?

The Honourable Sir Joseph Bhoré: That is our general information.

Sardar Sant Singh: Are Government prepared to go into this question and make inquiries? I still persist in saying that the cost price is about one anna and six pies per gallon.

The Honourable Sir Joseph Bhoré: I cannot reject the information upon which my answer has been based. But, as I pointed out just now, a public declaration has been made by the purveyors of the Russian product that the economic price of Russian petrol is one rupee and four annas.

Sardar Sant Singh: May I ask, Sir, why the Government are prepared to accept the public declaration made by an interested Company?

The Honourable Sir Joseph Bhoré: I am not. We have based our estimates—of four to five annas—on other information that has come to us.

Mr. Lalchand Navalrai: With regard to part (a), may I ask, Sir, if the same price prevails at Karachi also, *i.e.*, one anna and six pies?

The Honourable Sir Joseph Bhoré: The general price *ex-duty* is four to five annas.

Mr. Lalchand Navalrai: As there is a difference of opinion on this side at any rate, is the Honourable Member prepared to take any steps to see that there is any such difference?

The Honourable Sir Joseph Bhoré: If my Honourable friend will place before me any information on the point, I shall be most happy to look into it.

Mr. R. S. Sarma: With regard to part (c) of this question, will Government be pleased to state whether it is not a fact that the price of petrol at any port of entry has never been as high as one rupee, annas eleven and pies six per gallon?

Sardar Sant Singh: May I know if the Government of India are prepared to make inquiries from those who deal in oil to find out what is their quotation from the foreign countries with regard to petrol?

The Honourable Sir Joseph Bhoré: If my Honourable friend will supply me the information, I shall be most happy to go into it.

Sardar Sant Singh: Are Government themselves prepared to make inquiries in the matter.

The Honourable Sir Joseph Bhoré: Government have tried to collect all the information that they could possibly collect, and my answer is based upon all the information that they have been able to collect.

APPOINTMENT OF AN INDIAN TO THE POST OF BIO-CHEMIST OF THE INDIAN LAC RESEARCH INSTITUTE.

328. *Sardar Sant Singh: (a) Is it a fact that the contract with the Bio-Chemist of the Indian Lac Research Institute expired on the 31st December, 1934?

(b) Has the post been advertised since? If so, in what papers?

(c) When do the Indian Lac Cess Committee propose to make any appointment to this post?

(d) Do Government propose to consider the claims of Indians in making this appointment?

Mr. G. S. Bajpai: (a) Yes.

(b), (c) and (d). I would refer the Honourable Member to the answer given to part (d) of question No. 255 by Mr. Ram Narayan Singh on the 14th February, 1935.

GRANT OF ALLOWANCES TO ARMY OFFICERS ARRIVING IN INDIA BEFORE THE DATE OF VACANCY.

329. *Sardar Sant Singh: (a) Is it a fact that the Secretary of State for India has sanctioned grant of allowances to army officers required to arrive in India before the date of vacancy? If so, will Government please state why these allowances have been sanctioned?

(b) Are these allowances paid from the Indian revenues?

(c) From what revenues are the unemployment pays, as mentioned in the Appendix added by the Secretary of State to Army Instructions, paid?

Mr. G. R. F. Tottenham: (a) Yes. Senior officers of the British Service and the Indian Army are occasionally required to arrive in India a short while before the appointment which they are going to assume falls vacant, in order that they may have a few days in which to consult with their predecessors before actually taking up the appointment. As this is necessary in the interests of the State, they are granted the allowance referred to to compensate them for the additional expenditure they incur whilst at duty but still on half pay or unemployed pay.

(b) Yes.

(c) The half pay drawn by British Service officers is charged against Imperial Revenues and the unemployed pay drawn by Indian Army officers against Indian Revenues.

Mr. S. Satyamurti: What is the period for which they are paid this allowance?

Mr. G. R. F. Tottenham: There is no definite period, but it never exceeds more than a few days, probably a week at the most.

PERSONS DETAINED UNDER BENGAL REGULATION III OF 1818.

330. *Sardar Sant Singh: (a) How many persons are in detention under the Bengal Regulation III of 1818?

(b) What are their names and what is the period of their detention?
(c) When do Government propose to release them?

The Honourable Sir Henry Craik: (a) and (b). I invite attention to the reply I gave on the 6th February, to Mr. Mohan Lal Saksena's question No. 86.

(c) When their detention is no longer considered necessary in the interest of the public peace.

SECURITY DEMANDED FROM PRESSES, PRINTERS AND PUBLISHERS.

331. *Sardar Sant Singh: (a) Since the coming into force of the Press Act how many Printing Presses, Printers and Publishers have been required to give security?

(b) How many of such Printers and Publishers are Europeans, Anglo-Indians, Hindus, Muslims and Sikhs?

The Honourable Sir Henry Craik: The information is being collected from the Local Governments and will be laid on the table of the House when complete.

ANNUAL COST OF EMPLOYMENT OF TROOPS IN BENGAL TO SUPPRESS THE TERRORIST MOVEMENT.

332. *Sardar Sant Singh: (a) What has been the annual cost of employment of troops in Bengal to suppress the terrorist movement since summer of 1932?

(b) From what revenues, Indian or Bengal Provincial, was this cost met?

(c) Was the Province of Bengal asked to contribute towards such cost?

Mr. G. R. F. Tottenham: (a) and (b). The expenditure debited to Central Revenues was Rs. 20.88 lakhs in 1932-33, Rs. 5.72 lakhs in 1933-34 and Rs. 1.85 lakhs in 1934-35 up to the end of September. In addition a sum of Rs. 75,000 towards the cost of the Chittagong garrison up to the 15th December, 1932, was met by the Bengal Government who also paid certain incidental charges in connection with the acquisition of land, the supply of water, etc.

(c) Yes, to the extent indicated in the reply to parts (a) and (b).

Dr. P. N. Banerjee: May I know, Sir, what was the amount of the incidental charges?

Mr. G. R. F. Tottenham: I have just read them out.

Dr. P. N. Banerjee: I want to know the amount of the incidental charges?

Mr. G. R. F. Tottenham: I could not say that. They were paid by the Bengal Government and I have no information on the subject.

Dr. P. N. Banerjee: Will the Honourable Member make an inquiry?

Mr. G. R. F. Tottenham: Yes.

Prof. N. G. Ranga: How much of this sum has been spent upon white (European) volunteers who volunteered their services to fight this terrorist movement?

Mr. G. R. F. Tottenham: I do not think that question arises out of this question. I should require notice of that anyhow.

Srijut N. C. Bardaloi: May I ask, Sir, whether these troops were mainly brought from the Assam Rifles?

Mr. G. R. F. Tottenham: They came from the United Provinces.

Srijut N. C. Bardaloi: May I know if the majority of them were brought from the Assam Rifles?

Mr. G. R. F. Tottenham: No, Sir. None of them came from the Assam Rifles.

COMMUTATION OF PENSIONS FOR GOVERNMENT SERVANTS.

333. *Sardar Sant Singh: (a) Is it a fact that the table of commutation of pension for Government servants of European descent is more favourable than that of Government servants of Indian descent?

(b) Is the former table based on a rate of interest of $4\frac{1}{2}$ per cent., as the latter is? If not, what rate is it based on?

(c) As the borrowing rate of Government is not more than $3\frac{1}{2}$ per cent. now, when are Government going to revise the Indian table to avoid loss to the Indian commutants?

(d) Have Government already reduced the interest rate for house building advances to $3\frac{1}{2}$ per cent.? If so, why is this rate not recognised for commutation purposes as well?

The Honourable Sir James Grigg: (a) Two tables for commutation of pensions exist—one for application in the case of officers of Asiatic domicile, the other for all other officers; the latter is more favourable than the former.

(b) Both the tables at present in force are based on a rate of interest of $4\frac{1}{2}$ per cent. The difference in the value of the tables is due to the difference in mortality rates applicable to officers of Asiatic domicile and other officers.

(c) The commutation tables are reviewed annually and altered, if necessary, on the basis of the average yield on long dated rupee loans and Indian stock and not with reference to the borrowing rate of Government in any particular year.

(d) The rate of interest to be charged on house-building advances has been fixed at $3\frac{1}{2}$ per cent during the period from the 1st of October, 1934, to the 30th of September, 1935. This rate is not an appropriate rate to adopt for commutation of pensions which in effect is the discounting of future pension payments over long periods.

S. Satyamurti: Will the Honourable Member give an elucidation answer to part (a) of the question? How does the difference in mortality rates make the commutation rates more favourable to Europeans?

The Honourable Sir James Grigg: I assume because they are based on statistical evidence showing that the longevity of Europeans is rather more than that of persons of Asiatic domicile, but anyhow it rests on a statistical basis and is not an effort of the imagination.

Mr. S. Satyamurti: Will the Honourable Member please place the results of this statistical table on the table of the House?

The Honourable Sir James Grigg: I will enquire into that.

Sardar Sant Singh: In the case of Government servants of Indian descent, who live in European style, are Government prepared to revise their rates for commutation?

The Honourable Sir James Grigg: If the Honourable Member will put down a question on the paper, I shall endeavour to answer it; his present question is going a good deal further than the one which is already on the paper.

NOMINATION OF SIKHS FOR APPOINTMENT TO THE SUPERIOR TELEGRAPH AND WIRELESS ENGINEERING SERVICE.

334. *Sardar Sant Singh: (a) Is it a fact that every year, in order to adjust communal inequalities, men belonging to different minority communities are nominated for appointment to the Superior Telegraph and Wireless Engineering Service, as a result of the competitive examination held by the Public Service Commission?

(b) Will Government please state what endeavours have been made by them to give Sikhs their due share in this service ever since this examination has been started?

(c) Is it a fact that no Sikh has been nominated for appointment to this service ever since the examination referred to in part (a) above was started?

(d) With a view to make up the deficiency of Sikh representation in this service, do Government propose to nominate this year some Sikhs as a result of the last competitive examination held by the Public Service Commission? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes.

(b) The claims of the Sikh community were considered with the claims of the other minority communities with due regard to the orders of Government relating to the reservation of vacancies for the redress of communal inequalities.

(c) Yes.

(d) The latest orders of Government on the subject of reservation of vacancies, for the redress of communal inequalities issued in July last, will be rigidly adhered to and Government do not propose to take any special action of the nature suggested by the Honourable Member.

OBSERVANCE OF THE GENEVA CONVENTION RULES ON THE RAJPUTANA MALWA RAILWAY.

335. *Sardar Sant Singh: (a) Will Government please state whether the Geneva Convention Rules are observed on the R. M. (Bombay, Baroda and Central India) Railway?

(b) If so, why is it that at Garhi-Harsaru, Palam, Pataudi Road, etc., stations, the Station Masters and the Assistant Station Masters are made to work twelve hours daily?

(c) Comparing with other Sections of the North Western and other Railways, is it a fact that there is more traffic on the R. M. Railway?

(d) Do Government propose to see that their servants on this Railway have the same conveniences as on other Railways? If so, when? If not, why not?

Mr. P. R. Rau: (a) The Hours of Employment Regulations have not yet been given statutory effect on the Bombay, Baroda and Central India Railway.

(b) Does not arise.

(c) Government have no information readily available as to the relative density of the traffic on individual sections of the various railways, but so far as they are aware, there are sections on the North Western Railway and other railways with more traffic than on the Rajputana-Malwa section of the Bombay, Baroda and Central India Railway.

(d) The question of applying these regulations to the Bombay, Baroda and Central India Railway is still under consideration.

Mr. V. V. Giri: Will the Honourable Member tell this House when this Convention will be introduced on the Bombay, Baroda and Central India Railway?

Mr. P. R. Rau: I am unable to give a definite date, but it is hoped to introduce it in the near future.

Mr. V. V. Giri: Is the Honourable Member aware that this Convention was accepted in 1921 at Geneva?

Mr. P. R. Rau: Government hoped to do something next year to extend the regulations to certain other railways, but the actual decision on the question had to be postponed, because the question was raised before the Governing Body of the International Labour Organisation.

Mr. N. M. Joshi: Are Government aware that at the last meeting of the Governing Body of the International Labour Office, the Government of India came in for some censure for not applying these regulations to all the railways in India?

Mr. P. R. Rau: Not so far as I am aware.

Mr. V. V. Giri: Will Government place on the table of the House the explanation that the Government of India sent to the Governing Body of the International Labour Conference as to why they have not carried out the Conventions?

The Honourable Sir Frank Noyce: I will consider the possibility of doing so.

Mr. N. M. Joshi: May I ask whether the Government of India have received a copy of any resolution passed at the last meeting of the Governing Body of the International Labour Conference?

Mr. P. R. Rau: No, Sir.

Mr. N. M. Joshi: May I ask whether they will place that resolution, when received, on the table of the House?

The Honourable Sir Frank Noyce: My Honourable friend should put down a question on the subject.

PROVISION OF RELIEF MEN ON THE EAST INDIAN RAILWAY.

336. *Sardar Sant Singh: (a) Is it a fact that the East Indian Railway authorities provide a relief man for every seven stations?

(b) Is it a fact that there is no such man on any other State Railway?

(c) Do Government intend to have no discrimination on any State Railways? If so, do they propose to apply the same rules to the North Western and other Railways? If not, why not?

Mr. P. R. Rau: (a) and (b). Government have no information.

(c) Government do not consider that there is any necessity for uniformity in this matter. They must leave these matters of detail to the Railway administrations to decide according to their needs.

Mr. Lalchand Navalrai: Am I to understand from the reply to parts (a) and (b) that the Government have no information, because they have not made enquiries to find out from the subordinates?

Mr. P. R. Rau: They have not made enquiries.

LIENS OF ASSISTANT CONTROLLERS, NORTH WESTERN RAILWAY, ON THEIR QUARTERS IN DELHI.

337. *Sardar Sant Singh: (a) Is it a fact that the Assistant Controllers, North Western Railway, when transferred to Simla, lose lien on their quarters in Delhi?

(b) Is it a fact that on their return to Delhi, they are invariably stranded for want of quarters?

(c) In view of the deficiency of quarters, do Government propose to permit the Assistant Controllers to retain lien on their quarters? If not, why not?

Mr. P. R. Rau: With your permission, Sir, I propose to reply to questions Nos. 337 to 339 together. I understand my Honourable friend is referring to the temporary transfer of Assistant Controllers between Delhi and Simla in connection with the move of the Government of India. Government have no information as to what is the definite period of notice.

given, but have asked the Agent, North Western Railway, to try to arrange to select the men, for transfer, as soon as possible, after the dates of the move of the Government of India have been announced, so that they can have sufficient time to make the necessary arrangements. He has also been requested to examine the other points raised by my Honourable friend and I have no doubt he will see that the staff concerned are not put to unreasonable inconvenience in the matter.

INADEQUATE NOTICE GIVEN TO ASSISTANT CONTROLLERS, NORTH WESTERN RAILWAY, TRANSFERRED TO SIMLA.

†338. *Sardar Sant Singh: (a) Is it a fact that the Assistant Controllers, North Western Railway, transferred to Simla, are given only three days to arrange their affairs at Delhi?

(b) Is it a fact that ordinarily Government give a month's notice of move to the Imperial Secretariat staff?

(c) Do Government propose to give the Assistant Controllers, North Western Railway, the same amount of notice before they are transferred?

COMPENSATION TO ASSISTANT CONTROLLERS, NORTH WESTERN RAILWAY, ON THEIR TRANSFER TO SIMLA.

†339. *Sardar Sant Singh: (a) Is it a fact that the Assistant Controllers, North Western Railway, have to take their bag and baggage with them to and from Simla on transfers?

(b) Are Government aware that loss through breakage or theft of furniture and crockery is likely on account of these frequent moves?

(c) Will Government please state how the North Western Railway compensate these men for their losses or for the upsets in their residential quarters in Delhi?

PROVISION OF A TRAIN IN THE AFTERNOON FOR SAMASTIPUR TO DARBHANGA ON THE BENGAL AND NORTH WESTERN RAILWAY.

340. *Mr. Satva Narayan Sinha: (a) Are Government aware that there was a train running between Samastipur and Darbhanga (on the Bengal and North Western Railway) in the afternoon, i.e., it was timed to start from Samastipur at 3-30 P.M. and reach Laheriasarai at about 5 P.M.?

(b) Are Government aware that the Railway authorities abolished the said train, causing very great inconvenience to the travelling public as there is no train from Samastipur side to Darbhanga between 11 A.M. and 6-30 P.M.?

(c) Are Government aware that the passengers coming from Simaria ghat side, Rosrah and Muzaffernore are stranded at the Samastipur Railway Station for more than three hours?

(d) Do Government propose to ask the Railway authorities concerned to provide one train in the afternoon from Samastipur to Darbhanga, as in the past, to provide facilities and conveniences to the travelling public?

†For answer to this question see answer to question No. 337.

Mr. P. R. Rau: (a) Yes: prior to 1926.

(b) The Agent, Bengal and North Western Railway, states that a new service was introduced at the request of his Local Advisory Committee for Bihar and Orissa, for a train to leave Muzaffarpur after the closing of the Courts. At present, a train leaves Muzaffarpur at 4-42 P.M. passes through Samastipur at about half past six and arrives at Darbhanga at about 8 P.M. There are no reasons to believe that the present time-table causes great inconvenience.

(c) This is so, so far as passengers for Darbhanga arriving at Samastipur by 13-Up from Semaria Ghat, by 107-Up from Rusera Ghat, and by 10-Down from Muzaffarpur are concerned. There are, however, other more suitable connecting trains from Samastipur to Darbhanga for passengers from Semaria Ghat, Rusera Ghat and Muzaffarpur.

(d) The present time-table provides for 7-Up and 7-Down passenger trains between Samastipur and Darbhanga, and the Agent considers that these are more than adequate. My Honourable friend will doubtless appreciate that the provision of suitable passenger train services is eminently a matter that could usefully be discussed at meetings of Local Advisory Committees, and the Agent states that his Advisory Committee take a keen interest in the train service in Tirhoot and every possible effort is made by him to meet their wishes.

CONSIDERATION OF THE CLAIMS OF GUARDS OF THE RAWALPINDI DIVISION WHO FAILED IN THE NIGHT VISION TEST.

341. *Khan Sahib Shaikh Fazl-i-Haq Piracha: (a) What are the functions of the Central Labour Exchange constituted by the North Western Railway administration?

(b) Will Government be pleased to state whether any employment is given by the Railway Department to such Railway Guards as fail in the night vision test?

(c) Is it a fact that the names of certain Railway Guards of Rawalpindi Division who failed in night vision test were registered with the Central Labour Exchange, but they have not been provided any job so far?

(d) Is it a fact that certain Guards of Lahore, Delhi, Multan and Quetta Divisions who failed in the night vision test, have been provided as luggage guards in their respective divisions, and that those of the Rawalpindi Division have not been provided with any such job?

(e) What is the number of registered guards in the Rawalpindi Division who failed in the night vision test and what are their names?

(f) Since how long are they on the waiting list? Are there any vacancies of the Luggage or Road Van Guards on the North Western Railway, Rawalpindi Division, to be filled up?

(g) Do Government propose to consider the claims of the Guards of the Rawalpindi Division who failed in the night vision test and give them appointments at an early date?

(h) Are such Guards when reappointed given their pay for the period of their unemployment also?

Mr. P. R. Rau: I have called for information and will lay a reply on the table of the House in due course.

USED TICKETS COLLECTED AT QADIAN, NORTH WESTERN RAILWAY.

342. *Khan Sahib Shaikh Fazl-i-Haq Piracha: Will Government be pleased to state the total number of used Railway tickets, collected from the passengers at Qadian (North Western Railway) Railway Station, on the 21st and the 22nd October, 1934, and on the corresponding dates of the year 1933?

Mr. P. R. Rau:	1934—21st October	...	...	2,304
	22nd October	...	...	1,635
	1933—21st October	...	...	148
	22nd October	...	...	157

DUTIES AND POWERS, ETC., OF SUPERINTENDENTS IN THE GOVERNMENT OF INDIA DEPARTMENTS.

343. *Rao Bahadur M. C. Rajah: (a) Will Government please state the duties usually performed and the powers exercised by the Superintendents in the various Departments of the Government of India?

(b) What are their scales of pay?

The Honourable Sir Henry Craik: (a) The duties usually performed by the Superintendents in the departments of the Government of India are:

- (1) To superintend the work of a section of the office and to train, help, and advise the assistants and clerks of the section, especially the junior men.
- (2) To regulate the distribution of work in the section.
- (3) To ensure that the disposal of any case is not unnecessarily delayed.
- (4) To dispose of purely routine matters without submission to a higher officer.
- (5) To deal directly with the more difficult cases.
- (6) To see that the cases submitted are in proper order, that is, all relevant papers are put up, and that there is no error or misstatement of fact, and
- (7) To maintain order and discipline in the section.

Superintendents exercise such powers as are necessary for the proper discharge of their duties, but generally speaking, they have no executive powers.

(b) The scale of pay for Superintendents on the old rates of pay is Rs. 600—40—800, while the scale for new entrants is Rs. 500—20—600.

DAMAGE TO CROPS BY THE RECENT FROST.

344. *Pandit Govind Ballabh Pant: (a) Is it a fact that considerable damage has been caused to the standing crops by the recent frost?

(b) Can Government give an estimate of the loss in different provinces?

(c) What measures have been taken, or are under consideration, to relieve ensuing distress?

Mr. G. S. Bajpai: Government have no information beyond what has appeared in the Press, but have made enquiries from the Local Governments and will communicate the result to the House in due course.

Pandit Govind Ballabh Pant: Have the Government of India not received any reports from the Local Governments so far?

Mr. G. S. Bajpai: With the exception of Madras where, as I have already stated, famine prevails in one district, the Government of India have not received reports from other Local Governments.

Prof. N. G. Ranga: Has it not been brought to the notice of the Government of India by my recent questions that there is agricultural distress in Guzerat?

Mr. G. S. Bajpai: If my Honourable friend is in possession of information, I do not know why he asks for information in addition. I have informed my Honourable friend, Pandit Govind Ballabh Pant, that on receipt of his question, we made enquiries from the Local Governments and await replies. As soon as we get the replies, we will communicate them to the House.

NON-REMOVAL OF BAN FROM INSTITUTIONS AND ORGANISATIONS DECLARED UNLAWFUL.

345. *Pandit Govind Ballabh Pant: (a) Will Government be pleased to give a list of the institutions and organisations that were declared unlawful in 1932 and are still subject to ban?

(b) Will Government be pleased to state the reasons for not lifting the ban in each case?

The Honourable Sir Henry Craik: (a) and (b). I would refer the Honourable Member to the answer given by me to Mr. Mohan Lal Saxena's questions Nos. 272 and 273.

Pandit Govind Ballabh Pant: Have any members of these institutions or organisations been convicted for unlawful activities since the Congress withdrawal of the Civil Disobedience Movement?

The Honourable Sir Henry Craik: That is a question which should be addressed to the Local Governments concerned; in any case, I want notice of the question.

Pandit Govind Ballabh Pant: Have the Government of India not called for any reports or any information from the Local Governments regarding these institutions so far?

The Honourable Sir Henry Craik: I made it clear that we had received recent information regarding the institutions, but the Honourable Member's question refers to individual members.

Pandit Govind Ballabh Pant: Have Government seen the rules governing these institutions and bodies?

The Honourable Sir Henry Craik: No, Sir.

Pandit Govind Ballabh Pant: What is objectionable about these institutions? In particular, what are the grounds for not lifting the ban?

The Honourable Sir Henry Craik: I explained that in answer to previous questions.

Pandit Govind Ballabh Pant: Have any members or any persons connected with these institutions been convicted for acts of violence?

The Honourable Sir Henry Craik: There, again, I must ask for notice; I cannot speak about individuals.

Pandit Govind Ballabh Pant: Is there any method by which Government might be disillusioned in this respect?

Mr. S. Satyamurti: May I ask the Honourable the Home Member to state the reasons for not lifting the ban "in each case"? He has never stated them to my knowledge so far, except with regard to two institutions, and I am repeating the question of my Honourable friend, Pandit Pant, and asking the Honourable the Home Member to state the reasons for not lifting the ban in each case.

The Honourable Sir Henry Craik: If the Honourable Member will look at the statements I laid on the table in reply to questions Nos. 272 and 273, he will see the reasons. Generally speaking, the reasons are that the Local Governments are maintaining the ban, because such bodies would, in their opinion, still be a danger to the peace of the country.

Mr. S. Satyamurti: May I know what are the bases or the grounds for the Local Governments' opinion? Have the Government of India made any enquiries, or did they simply accept their opinion, without any further investigation?

The Honourable Sir Henry Craik: The Government of India do not go behind the Local Governments' opinion.

Mr. S. Satyamurti: Have the Local Governments given any reasons for their opinion to the Government of India?

The Honourable Sir Henry Craik: Yes, Sir, they have.

CIVIL DISOBEDIENCE PRISONERS STILL IN PRISON.

346. *Pandit Govind Ballabh Pant: (a) Will Government be pleased to state how many civil disobedience prisoners are still in prison in the various provinces?

(b) What are their names, and what is the remaining period of imprisonment in each case?

The Honourable Sir Henry Craik: (a) and (b). I lay a statement on the table. It is not in the public interest to give the names of these prisoners.

Statement showing the number of Civil Disobedience Prisoners undergoing imprisonment with periods of Sentence in each case.

Province.	Number sentenced.	Date of sentence.	Period of imprisonment.
Madras	One	1-2-32	6 months' rigorous imprisonment plus further sentence on 22nd February, 1932, of 3½ years' rigorous imprisonment.
Bombay	Do.	4-2-32	4 years' R. I. and Rs. 150 fine or 8 months in default.
Do.	Do.	19-2-32	4 years' R. I. and fine of Rs. 250 or 18 months in default.
Do.	One on two charges.	16-4-32 26-7-32	3 years' R. I. and fine of Rs. 500 or 9 months, 28 days in default.
Do.	One on three charges.	28-1-32 11-2-32 12-2-32	Two and half years' R. I. and fine of Rs. 200 or 13 and half months in default.
Do.	Do.	26-1-32 28-1-32 30-1-32	5 years.
Do.	One on two charges.	16-4-32 16-7-32	Three and half years' R. I. and fine of Rs. 500 or 10 months in default.
Do.	Do.	26-9-33 10-4-34	2 years' R. I. and fine of Rs. 165 or 5 months in default.
Do.	Do.	15-11-32 23-12-32	(1) 6 months' R. I. and fine of Rs. 50 or 6 weeks in default. (2) 2 years' R. I.
Do.	Do.	14-2-34 1-6-34	(1) 6 months' R. I. and Rs. 50 fine or 6 weeks in default. (2) 2 years' R. I. and Rs. 50 fine or 3 months in default.
Do.	Two	26-10-33	18 months' R. I. and fine of Rs. 200 or 6 months in default each.
Do.	One on two charges.	31-7-33 13-9-33	18 months' R. I. and Rs. 500 fine or 6 months in default. 6 months' R. I. and Rs. 50 fine or one and half months in default.
Do.	Two	31-7-33	18 months' R. I. and Rs. 500 fine or in default 6 months each.
Do.	One	29-3-33	2 years' R. I. and fine of Rs. 300 or 6 months in default.
Do.	Do.	27-3-33	Ditto ditto.
Do.	Do.	7-4-33	Ditto ditto.
Do.	Do.	24-4-33	2 years' and 3 months R. I. and fine of Rs. 350 or 7 and half months in default.
Do.	Do.	13-4-33	2 years' R. I. and Rs. 300 fine or 6 months in default.
Do.	One on two charges.	25-4-33	(1) 6 months' R. I. (2) 2 years R. I. and fine of Rs. 150 or 3 months in default.
Do.	One	6-11-33	2 years' R. I.
Do.	Do.	17-7-33	Ditto.
Do.	One on two charges.	7-7-33 15-8-33	(1) 2 years. (2) 6 months.

Province.	Number sentenced.	Date of sentence.	Period of imprisonment.
Bombay	One on two charges.	28-6-33	2 years' R. I. and Rs. 50 fine or 6 months in default.
Do.	One on three charges.	1-8-33	2 years' R. I.
Do.	One on two charges.	28-7-33	2 years' R. I.
Do.	Do.	1-8-33	(1) 2 years' R. I.
Do.	Do.	5-9-33	(2) 1 years' R. I.
Do.	Do.	16-9-33	(1) One and half years' R. I.
Do.	Do.	22-8-33	(2) 6 months' R. I. and fine of Rs. 100.
Do.	Do.	8-9-33	(1) 6 months' R. I.
Do.	Do.	9-9-33	(2) 2 years' R. I.
Do.	Do.	11-9-33	(1) 1 years' R. I. 4 months' R. I. (Concurrent).
Do.	Do.	31-8-33	(2) 1 year's R. I. and Rs. 200 fine or 6 months in default.
Do.	Do.	19-9-33	6 months.
*Bengal	Two	17-3-33	2 years (concurrent).
Do.	One	14-2-34	1 year, 9 months' R. I. each (including 3 months' R. I. in each case in default fine of Rs. 50).
Do.	Two	5-3-34	1 year's R. I.
Do.	One	21-4-34	1 year, 6 months' R. I. each.
Do.	One	1-5-33	2 years and 42 days' R. I. (including 42 days' R. I. in default of fine of Rs. 50).
Do.	One on three charges.	17-8-33	3 years' R. I. and Rs. 100 and Rs. 50 fine or in default 3 months' R. I. and 2 months' S. I., respectively.
Do.	One on two charges.	17-8-33	1 year's R. I. and fine Rs. 50 or 2 months in default.
Do.	Do.	3-8-33	1 year's R. I. and fine Rs. 100 or 3 months in default.
Do.	Do.	28-8-33	1 year's R. I. and fine Rs. 100 or 3 months' R. I. in default.
Do.	Do.	7-2-34	1 year's R. I.
Do.	One	25-9-30	1 year's R. I. and Rs. 100 fine or 84 days' R. I. in default.
Do.	Two	25-9-30	20 years' R. I. under Sections 302/34, I. P. Code and 145, 120-B/353, I. P. C.
Do.	Two on two charges.	25-9-30	7 years' R. I. each under Section 302/34 and 145, 120-B/353, I. P. Code and Section 325/147, I. P. Code, respectively.
Do.	One on two charges.	25-9-30	20 years' R. I. each under Sections 302/34 and 143, I. P. Code.
Do.	One on two charges.	27-10-30	6 months' R. I.
Do.	One	25-9-30	20 years' R. I. under Sections 302/34 and 143, I. P. Code and 120-B/353, I. P. Code.
Do.	One	27-10-30	2 years' R. I.
Do.	One	26-4-34	1 year's R. I.
United Provinces	Three	3-2-34	2 years' R. I. and Rs. 200 fine or in default 6 months' R. I. each.

* Two since released in Bengal.

Province.	Number sentenced.	Date of sentence.	Period of imprisonment.
United Provinces	One on two charges.	10-8-33	2 years and 6 months' R. I.
Do.	One	21-3-33	2 years' R. I. and fine of Rs. 100
Punjab	One	20-9-33	2 years' R. I.
Do.	One on three charges.	6-6-32	6 months' R. I. and Rs. 100 fine or half months' R. I. in default.
Do.	One on three charges.	23-6-32	2 years' R. I. and Rs. 200 fine or 6 months' further R. I. in default.
Do.	One	19-11-32	3 months' R. I.
Bihar and Orissa	One	28-4-34	1 year's R. I.
North-West Frontier Province.	Four	4-9-31	5 years' R. I. each.
Do.	One	31-1-34	5 years' R. I. and fine of Rs. 200 or 6 months' R. I.
Do.	Two	21-9-33	3 years' R. I. each.
Do.	One	20-6-33	3 years' R. I. and fine of Rs. 200 or 9 months' R. I.
Do.	Do.	13-1-32	6 years' R. I.
Do.	Do.	13-1-34	3 years' R. I.
Do.	Do.	9-7-34	2 years' R. I.
Do.	Do.	5-10-33	3 years' R. I. and fine of Rs. 100 or 6 months' R. I.
Do.	Do.	20-12-34	2 years' R. I. and fine of Rs. 200 or 6 months' R. I.
Do.	Do.	6-6-32	4 years' R. I.
Do.	Do.	27-11-34	6 months' R. I.
Total	71		

Pandit Govind Ballabh Pant: Why have these prisoners not been released yet?

The Honourable Sir Henry Craik: That is a question which should be addressed to the Local Governments concerned.

Pandit Govind Ballabh Pant: Did not the Honourable Member, in the course of one or two of his speeches in this House, say that if the Civil Disobedience Movement were withdrawn, Government would expedite the release of civil disobedience prisoners?

The Honourable Sir Henry Craik: I think the Honourable Member referring to speeches made by my predecessor.

Pandit Govind Ballabh Pant: I am referring to speeches made by the Honourable the Home Member of the Government of India, whosever it might have been.

The Honourable Sir Henry Craik: Yes, Sir, those speeches were made and the process of release has been expedited.

Pandit Govind Ballabh Pant: Will the Honourable Member be pleased to state how many prisoners convicted for offences connected with the Civil Disobedience Movement have been released before their time during the last two months?

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The Honourable Sir Henry Craik: I cannot say that.

Pandit Govind Ballabh Pant: Is it not a fact that persons convicted of offences connected with that movement are not being released now?

The Honourable Sir Henry Craik: No, Sir; the process of release is still going on. The Honourable Member will see from the statement that there are at present only 69 prisoners left in the whole of India. A few months ago, there were several thousands.

Pandit Govind Ballabh Pant: Is it because no more persons are now courting imprisonment or is it because persons are being let off before their time?

The Honourable Sir Henry Craik: I cannot say definitely, but I think both reasons contribute to it.

DETENUS IN THE DEOLI DETENTION CAMP AND IN THE ANDAMANS.

347. ***Pandit Govind Ballabh Pant:** (a) Will Government be pleased to state the names of "detenus", and state how many and which of them are at present located in the Deoli camp?

(b) Are there any detenus in the Andamans? If so, who?

The Honourable Sir Henry Craik: I invite attention to my reply to Mr. Mohan Lal Saksena's question No. 86 on the 6th February, 1935.

Mr. D. K. Lahiri Chaudhry: Is there any detenu in a solitary cell in the Deoli jail?

The Honourable Sir Henry Craik: Not as far as I know.

Pandit Govind Ballabh Pant: Have any prisoners been released from the Deoli jail during the last two months?

The Honourable Sir Henry Craik: Yes, Sir.

Pandit Govind Ballabh Pant: How many?

The Honourable Sir Henry Craik: I must correct myself. Certain prisoners have been transferred back to Bengal.

Pandit Govind Ballabh Pant: Have any been released during the last two months?

The Honourable Sir Henry Craik: I do not know, Sir.

SALARIES AND ALLOWANCES, ETC., OF INDIAN AND BRITISH SOLDIERS IN INDIA.

348. ***Pandit Govind Ballabh Pant:** (a) Will Government be pleased to lay on the table a statement showing the comparative emoluments, including salaries and allowances, etc., of Indian and British soldiers in India?

(b) What is the total number of officers holding King's Commissions in the Indian and British forces in India and how many of them are Indians in active command?

Mr. G. R. F. Tottenham: (a) The pay and allowances of the British private soldier amount at present to about Rs. 850 per annum, while those of the Indian sepoy amount to about Rs. 285. These figures include, besides basic pay, messing, kit and clothing allowances and proficiency and deferred pay.

(b) The total number of officers holding the King's Commission in the Army in India (other than medical and veterinary officers) is 5,773, and the number of Indians on the active list other than Medical is 195.

Pandit Govind Ballabh Pant: Is the cost of maintaining one British soldier equal to that of maintaining three Indian soldiers?

Mr. G. R. F. Tottenham: The Honourable Member's mathematical calculation appears to be correct.

Pandit Govind Ballabh Pant: Will Government devise measures to replace British soldiers by Indian soldiers?

Mr. G. R. F. Tottenham: That, Sir, is a very large question which I can hardly be expected to answer in reply to a supplementary question in this House. If the Honourable Member wishes to raise the whole question of the number of British soldiers in this country, the procedure of the House is open to him, and I would ask him to bring a Resolution on the subject.

Pandit Govind Ballabh Pant: Is the British army including British soldiers maintained here as a counterpoise to the Indian army consisting of Indian soldiers?

Mr. G. R. F. Tottenham: That, Sir, does not arise out of this question, and it also asks me for an expression of opinion.

Pandit Govind Ballabh Pant: How long will the army of occupation be retained intact in this country?

Mr. G. R. F. Tottenham: I do not quite know what the Honourable Member means by the army of occupation. In any case, I could not give him an answer to that question.

Mr. S. Satyamurti: May I know what are the reasons for a British soldier, who costs three or four times the Indian soldier, being kept here? What are the military, economic, or State reasons as to why Government spend so much money on British soldiers, when they can get four Indian soldiers for every British soldier?

Mr. G. R. F. Tottenham: Those who are at present responsible for the defence of India consider that it is necessary to maintain a certain number of British soldiers in this country. Those are the reasons.

Mr. S. Satyamurti: What are the grounds on which they consider it so necessary?

Mr. President (The Honourable Sir Abdur Rahim): Next question. The Chair thinks the House had a sufficient number of supplementaries on this.

Pandit Govind Ballabh Pant: Does the defence of India mean the defence of Indians in India or the defence of non-Indians in India?

(No answer.)

ARTICLES FOR USE OF THE ARMY IMPORTED FROM ABROAD.

349. *Pandit Govind Ballabh Pant: Will Government be pleased to state the quantity and value of articles of all sorts and classes imported for the use of the Army from abroad and also mention the countries from which the same were imported during the last financial year?

Mr. G. R. F. Tottenham: The value of the stores imported is given in the "Report on the work of the India Store Department, London", a copy of which is in the Library. It would involve an excessive amount of work to prepare a statement showing the precise quantity of each item.

Information is not available as to the countries of origin of the various articles, but the report shows that more than 90 per cent. of all the articles obtained through the Department were of British manufacture. Owing to the character of the more important items the percentage is probably much higher in the case of military stores. I also invite attention to the reply given on the 11th February, 1935, to Mr. Asaf Ali's starred question No. 119.

Pandit Govind Ballabh Pant: Are not the purchases of military stores made through the Stores Purchase Department?

Mr. G. R. F. Tottenham: Those stores that have to be obtained in England are obtained through the India Store Department in London.

Pandit Govind Ballabh Pant: Have the Army Department no relations whatsoever with the Stores Purchase Department of the Government of India?

Mr. G. R. F. Tottenham: Yes, Sir, they have large relations with the Stores Department for purchases in India.

Pandit Govind Ballabh Pant: Are the articles that are purchased from abroad acquired through the Stores Purchase Department of the Government of India?

Mr. G. R. F. Tottenham: No, Sir, at least not to any great extent. The stores that are required from abroad are monthly purchased through the India Store Department in London.

GOODS PURCHASED FOR THE MILITARY DEPARTMENT THROUGH THE INDIA STORES DEPARTMENT.

350. *Pandit Govind Ballabh Pant: Will Government state the value and particulars of goods purchased for the Military Department through the Indian Stores Department?

The Honourable Sir Frank Noyce: The attention of the Honourable Member is invited to the annual Administration Reports of the India Stores Department, copies of which are available in the Library of the House.

Sir Cowasji Jehangir: May I ask the Honourable Member whether the Army Department are making any further efforts to meet their own requirements in India or are the Stores Department making efforts to meet their demands in India?

The Honourable Sir Frank Noyce: Certainly, Sir; I take it, my Honourable friend is referring to stores purchase generally.

Sir Cowasji Jehangir: No, purchases for the Military Department.

Mr. G. R. F. Tottenham: I have already explained, in answer to a question of Mr. Asaf Ali, the other day, that the requirements for the Army are now almost exclusively obtained and manufactured in this country. I think the total percentage is 89 per cent. That is a very considerable increase over what was the case 20 or 30 years ago.

Mr. S. Satyamurti: Is it 89 per cent. of value or of goods?

Mr. G. R. F. Tottenham: Of all stores required for the Army, i.e. lethal stores, ammunition, clothing, equipment and everything else.

Mr. S. Satyamurti: Is it 89 per cent. of the value of goods purchased or 89 per cent. of the bulk?

Mr. G. R. F. Tottenham: It is 89 per cent. of the value, Sir.

Pandit Govind Ballabh Pant: Are the goods required for the civil departments of the Government of India from abroad purchased through the Stores Purchase Department?

Mr. President (The Honourable Sir Abdur Rahim): That question does not arise.

Pandit Govind Ballabh Pant: I want the Stores Purchase Department to make efforts in order that they may be able to purchase the military stores themselves from abroad.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's question relates to the Military Department.

Pandit Govind Ballabh Pant: And that is exactly what I am driving at. Does the Stores Purchase Department acquire goods from abroad for the various departments of the Government of India other than the Military Department?

Mr. President (The Honourable Sir Abdur Rahim): The question relates to the Military Department only.

Pandit Govind Ballabh Pant: Then the question is, why does it not do for the Military Department what it does for the others?

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow that question.

TARIFF BOARD REPORT ON THE GLASS INDUSTRY.

351. ***Pandit Govind Ballabh Pant:** (a) When was the report regarding the glass industry submitted by the Tariff Board to the Government of India?

(b) Had it been published?

(c) Have Government completed their examination and published their conclusions?

(d) Is it a fact that the United Provinces Glass Works, Ltd., Bahjoi, is the only concern engaged in the manufacture of Window Glass in India?

(e) Are Government aware that the said company has been put to considerable loss in this manufacture of window glass every year during the last six years?

(f) Is it a fact that the imports of window panes and plate glass in India from Japan have increased by more than 500 per cent. during the last four years?

(g) Have Government received any representation in this connection from the United Provinces Glass Works, Ltd.? If so, what orders have Government passed on it?

The Honourable Sir Joseph Bhoré: (a) The Report was submitted in March, 1932.

(b) and (c). No, Sir.

(d) Yes, Sir.

(e) Government have received representations to that effect.

(f) Yes, Sir.

(g) A representation has recently been received from the United Provinces Glass Works, Ltd., and the matter is receiving the consideration of the Government of India.

Mr. B. Das: Are Government contemplating to give protection against Japanese dumping by applying the Safeguarding of Industries Act to this particular industry?

The Honourable Sir Joseph Bhoré: I would like to explain that position and the position in regard to the glass industry, and it is this: only one section represented by the window-glass industry—a single factory in India—has made a representation. No other section, to my recollection, of the glass industry has made any representation, and they seem to be quite satisfied with the revised duties which were imposed last year.

Mr. B. Das: Is it not a fact that the price of window-glass that was imported from Japan two years ago was Rs. 8-6-0 and now it is Rs. 5-4-0, and, therefore, the sheet-glass industry particularly requires protection against Japanese dumping?

The Honourable Sir Joseph Bhoré: I cannot say exactly what has been the fall in price, but there has been some considerable fall in prices recently.

Pandit Govind Ballabh Pant: Is it a fact that there is only one factory engaged in the manufacture of sheet or window-glass in this country?

The Honourable Sir Joseph Bhoré: I think that is so.

Pandit Govind Ballabh Pant: Is it also a fact that three other factories had to close down because of Japanese competition?

The Honourable Sir Joseph Bhoré: Not that I know of.

Mr. Sami Vencatachalam Chetty: What were the recommendations made by the Tariff Board in respect of this industry?

The Honourable Sir Joseph Bhoré: My Honourable friend must wait until the report is published.

Prof. N. G. Ranga: When do Government propose to publish the report?

The Honourable Sir Joseph Bhoré: As soon as we have completed the consideration of this last representation that has been received.

Prof. N. G. Ranga: Will that also take three years?

The Honourable Sir Joseph Bhoré: My Honourable friend is pessimistic.

Mr. Mohan Lal Saksena: Does the Honourable Member mean to suggest that if the representation had not been received, the report would have been published by now?

The Honourable Sir Joseph Bhoré: I have not followed my Honourable friend: but if I understood him correctly, I should say certainly not.

Mr. Mohan Lal Saksena: Does the Honourable Member mean to suggest that if the representation had not been received, the report would have been published by now?

The Honourable Sir Joseph Bhoré: No; not necessarily.

Pandit Govind Ballabh Pant: Do Government realise that delay in the matter of extension of protection is aggravating the difficulties of the company every day?

The Honourable Sir Joseph Bhoré: I think it is a fact that this company is suffering certain hardships.

Mr. S. Satyamurti: May I know why Government took three years to pass orders on a Tariff Board Report, in the case of a small industry like this?

The Honourable Sir Joseph Bhoré: If my Honourable friend will wait until the conclusions of the Government of India have been formulated, he will find that there are very good reasons indeed for the delay.

Prof. N. G. Ranga: What conclusions will Government come to on the decision of this House on the Resolution on this subject?

The Honourable Sir Frank Noyce: The House has not yet reached a conclusion on this subject.

Pandit Govind Ballabh Pant: When do Government expect to reach their final decision in this matter? It has already been pending before them for more than three years?

The Honourable Sir Joseph Bhoré: I have already given an answer; if my Honourable friend will wait until the conclusions of the Government have been formulated, he will find that there have been very good reasons for the delay: I hope there will not be any great further delay.

Sir Cowasji Jehangir: Does the Honourable Member realise that these delays not only cause considerable dissatisfaction, but do a great deal of harm to the industries in India, and will the Honourable Member further explain whether this delay is due to a lack of staff in his Department?

The Honourable Sir Joseph Bhoré: No; the delay is due to other causes which, as I say, he will understand when he is apprised of the conclusions of the Government of India in this respect.

Sir Cowasji Jehangir: Does the Honourable Member realise that we do know sometimes the causes of these delays, but we still do not understand the lengths of the delays: we have had cases like this before.

The Honourable Sir Joseph Bhoré: I am afraid he does not know the cause in this particular case.

Pandit Govind Ballabh Pant: Will Government grant a bounty to the company for the period that they have taken in considering this matter?

The Honourable Sir Joseph Bhoré: No.

Pandit Govind Ballabh Pant: Will the Honourable Member leave it for his successor or decide it himself?

The Honourable Sir Joseph Bhoré: I cannot say.

Mr. M. A. Jinnah: May I ask a question? Will the Honourable Member tell us even now when the propitious moment will come when we shall know the decision of the Government and see the report of the Tariff Board?

The Honourable Sir Joseph Bhoré: I hope it will not be very long.

Mr. S. Satyamurti: What does "very long" mean?

CIRCULAR ABOUT THE IMPOSITION OF PENALTIES ON GOVERNMENT SERVANTS WHOSE DEPENDENTS TAKE PART IN POLITICAL ACTIVITIES.

352. ***Dr. Bhagavan Das:** Will Government please state:

- (a) whether they have issued a circular to the effect that certain pains and penalties would be imposed on Government servants and pensioners whose dependents were found taking part in political activities adverse to the present system of Government;
- (b) whether they have received any information of such cases, and if so, whether they will place the information on the table of this House; and
- (c) whether they have instituted any enquiries as to the cause why the dependents of Government servants and pensioners themselves, felt impelled to take part in such activities; and if so, what the result of such enquiries was?

The Honourable Sir Henry Craik: (a) Government have issued no such circular, but, in their Home Department notification, dated the February 15, 1934, which appeared in the Gazette of India, dated the 17th February, 1934, they announced an amendment made by the Secretary of State in the Government Servants' Conduct Rules which included a provision forbidding a Government servant to permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established in India. The Government of India have also made a similar amendment in the Government Servants' Conduct Rules which apply to Government Servants under their control and have suggested that Local Governments should issue similar rules for Government servants under their control.

(b) The rule to which I have just referred was made as a result of a representation made by the Government of Bengal in which specific instances were given of Government servants permitting their dependents to take part in activities of the kind mentioned in the rule. I am not prepared to give information of these specific cases.

(c) The answer is in the negative.

Sardar Sant Singh: May I know if the Government of India subscribe to the principle that the sins of the sons are to be visited on the heads of the fathers?

The Honourable Sir Henry Craik: That is a matter of human experience.

Mr. S. Satyamurti: May I know what are the reasons which prompted the Government to pass this rule, and what they mean by "dependents"? Do they mean to say that the wives and children of Government servants are bond-slaves to this Government?

The Honourable Sir Henry Craik: As I have stated, the rule was made as the result of a representation submitted by the Bengal Government, which gave certain specific instances of Government servants permitting their dependents to take part in activities of the kind mentioned in the rule.

Dr. Bhagavan Das: May I ask in how many cases did Government find that the dependents of Government servants were taking part in activities adverse to the present system of Government?

The Honourable Sir Henry Craik: I cannot say how many cases without notice.

Dr. Bhagavan Das: Is it not necessary that there should have been a very large number of cases to justify such a change in the existing rules?

The Honourable Sir Henry Craik: There were certain specific cases given by the Government of Bengal: how many I cannot say.

Dr. Bhagavan Das: Have Government searched their heart and made sure that it is no serious fault of their own, no serious defect in their own conduct of affairs, which is the cause of all this discontent in the minds of the dependents of their dependents?

The Honourable Sir Henry Craik: That question seems to me to contain arguments.

Mr. President (The Honourable Sir Abdur Rahim): It also contains an insinuation.

Dr. Bhagavan Das: I wish to submit that I am not questioning in the spirit of attack and defence at all: I am questioning in the spirit of the doctor who wants to lay his finger on the sore part and to find out what the root cause of the disease is.

Mr. President (The Honourable Sir Abdur Rahim): Only the form of the question was not in accordance with the rules.

Dr. Bhagavan Das: Will some more experienced Honourable colleague of mine put it in proper form?

Mr. N. M. Joshi: May I ask, Sir, how the Government of India expect the parents to coerce their children not to take part in politics? Do they expect them to starve their children?

The Honourable Sir Henry Craik: They expect them to exercise parental control.

Mr. N. M. Joshi: What is the meaning of parental control?

The Honourable Sir Henry Craik: The Honourable Member ought to know.

Mr. B. Das: Do Government propose to consider the introduction of similar rules for stopping pensions of rebels like Sir Reginald Craddock, Sir Michael O'Dwyer, General Dyer and others?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Munshi Iswar Saran: Did Government receive representations from any other Provincial Government besides the Bengal Government?

The Honourable Sir Henry Craik: I have already explained that the rule was made in consequence of the representations from the Government of Bengal. Whether other such representations have been received from other Local Governments, I cannot say for certain,—I do not remember seeing any myself.

Sardar Sant Singh: May I know if there is any case on record where the parent was convicted of abetment of the offence committed by his dependent?

The Honourable Sir Henry Craik: I am not aware, Sir.

Pandit Govind Ballabh Pant: Is it a fact, Sir, that the son of Mr. Baldwin, the leader of the Conservative Party, is a radical socialist?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. S. Satyamurti: May I know what is meant by the term "dependent"? If a wife holds a different political opinion, will she have to be divorced?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

PUBLIC SERVANTS RECEIVING SALARIES FROM GOVERNMENT.

353. *Dr. Bhagavan Das: (a) Will Government please state the total number of public servants of all kinds directly receiving salaries from Government?

(b) Will Government please state the lowest and the highest single salaries paid to public servants?

(c) Will Government please state the fixed sumptuary allowances, if any, paid to the Governor General, the Governors, and the other heads of provinces and departments of State?

(d) Will Government please state the highest amount of annual income on which income-tax was paid in India, in the year ended 31st March, 1934, by (i) a single Indian, and (ii) a single European?

(e) Will Government please state what exemptions have been granted by them to public servants under the power given to them in this behalf by the Income-tax Acts?

(f) Will Government please state what the average annual income per human being was in the year ended 31st March, 1934, (i) for the whole of the population of British India, (ii) for the poorest fifty millions, (iii) for the next less poor two hundred millions, and for the richest one hundred thousand?

The Honourable Sir Henry Craik: (a) and (b). I do not know what the Honourable Member means by the expression public servants. If he means Government servants, a reply to his question could only be given after reference to every Local Government and Administration in India and to many Heads of Departments under the Government of India. If he means to include servants of local authorities, such as Municipalities, then an even wider enquiry would be necessary. In either case, I am sure the Honourable Member will agree, that the labour involved would be out of all proportion to the value of information.

(c) I lay on the table a statement showing the sumptuary allowances of the Governor General and Heads of Provinces.

(d) This information is not in the possession of the Government of India who do not compile income-tax statistics on a racial or communal basis.

(e) I would refer the Honourable Member to paragraph 17 of Part III of the Income-tax Manual, a copy of which is in the Library of the House.

(f) The information is not available.

Statement showing the Sumptuary Allowances of the Governor General and Heads of Provinces.

	Rs. (per annum.)
Governor General	40,000
Governor of Madras	18,000
Governor of Bombay	25,000
Governor of Bengal	25,000
Governor of the United Provinces	15,000
Governor of the Punjab	12,000
Governor of Burma	12,000
Governor of Bihar and Orissa	6,000
Governor of the Central Provinces	6,000
Governor of Assam	6,000
Governor of the North-West Frontier Province	6,000
Chief Commissioner, Delhi	3,000
Chief Commissioner, Andaman and Nicobar Islands	2,400

Mr. Bhulabhai J. Desai: Are Government servants not public servants in India?

The Honourable Sir Henry Craik: Yes, they are, but there are other people besides Government servants who are public servants.

Mr. Bhulabhai J. Desai: Who are they?

The Honourable Sir Henry Craik: The servants of Local Bodies.

Mr. Sri Prakasa: Do they receive salaries from Government, because the question asks for the total number of public servants of all kinds directly receiving salaries from Government? Do municipal servants receive salaries from Government?

The Honourable Sir Henry Craik: No, Sir, but municipal servants are included in the definition of public servants, which—I think my friend knows much better than I do,—I think is given in the Criminal Procedure Code.

Mr. Bhulabhai J. Desai: Directly receiving salaries from Government is the qualification, I take it? I only want to know whether there is any real distinction in this country between a public servant and a Government servant?

The Honourable Sir Henry Craik: There is a legal distinction, certainly.

Mr. Bhulabhai J. Desai: I hope they are answerable to the public and serviceable to them.

Mr. S. Satyamurti: What are the sumptuary allowances paid for to the Governors and the Governor General?

The Honourable Sir Henry Craik: To enable them to discharge their obligations of entertaining.

Mr. Mohan Lal Saksena: Do the Governors and Governor General give donations to charitable institutions out of these allowances?

The Honourable Sir Henry Craik: I don't think so.

Mr. M. Ananthasayanam Ayyangar: What per cent. is it of the salary?
(No answer.)

IMPORTATION OF FOREIGN RICE INTO THE MADRAS PRESIDENCY.

354. ***Mr. H. A. Sathar H. Essak Sait:** (a) Will the Honourable the Commerce Member be pleased to state what action Government have taken on the repeated representations of the Madras Government to prevent the importation of foreign rice into the Madras Presidency?

(b) Are Government aware that the importation of foreign rice into the Madras Presidency still continues, is causing very great loss to agriculturists and merchants and this was admitted by the Government of Madras on the floor of the Madras Legislative Council? Do Government propose to take immediate action to prevent any further loss to South India by the importation of foreign rice, and lay before this House any proposal that they may have towards this end?

(c) Will Government be pleased to lay on the table the correspondence they had with the Government of Madras on this subject?

Mr. G. S. Bajpai: (a)—(c). I would invite the Honourable Member's attention to the statement which I made in this House in replying to the Resolution on this subject on the 11th February, 1935.

Prof. N. G. Ranga: Have Government reached any decision at all?

Mr. G. S. Bajpai: If Government had reached a decision, I should have announced it.

Prof. N. G. Ranga: When are they likely to reach a decision?

Mr. G. S. Bajpai: I cannot give any time limit or specific date.

Prof. N. G. Ranga: Will it be before the end of this Session?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member has already answered that question.

PREVENTION OF THE IMPORTATION OF COCOANUT AND COCOANUT PRODUCTS FROM CEYLON INTO SOUTH INDIA.

355. ***Mr. H. A. Sathar H. Essak Sait:** Will the Honourable the Commerce Member be pleased to state what action Government have taken for the prevention of the importation of cocoanut and cocoanut products from Ceylon into South India? Are Government aware that this is causing great distress in the West Coast, because it is the principal produce of this area and a very great proportion of the people live by cocoanut alone?

The Honourable Sir Joseph Bhoré: An enquiry into the conditions of the cocoanut producing industry has been carried out by Dr. J. S. Patel under the orders of the Imperial Council of Agricultural Research. His report was placed before an *ad hoc* Committee of officials and non-officials convened by the Council. The Committee met at New Delhi from the 14th to the 16th January, 1935, and its report and recommendations are now under consideration by the Government of India.

Mr. H. A. Sathar H. Essak Sait: May I know, Sir. . . .

Mr. President (The Honourable Sir Abdur Rahim): Is that a supplementary question?

Mr. H. A. Sathar H. Essak Sait: Yes, Sir. May I know when will Government come to a decision on this question?

The Honourable Sir Joseph Bhoré: I really cannot give answers to questions like that. I have informed my friend that the report is under the consideration of the Government of India, and I hope the delay will not be unnecessarily long.

Mr. S. Satyamurti: May I know, Sir. . . .

Mr. President (The Honourable Sir Abdur Rahim): Is that a supplementary question?

Mr. S. Satyamurti: Yes, Sir. May I know, Sir, why Government cannot give us even an indication of the time required for their consideration? When they take three years to consider a report, the House is entitled to know how long they will take to come to a decision.

The Honourable Sir Joseph Bhoré: The matter has been under the consideration of the Government of India for less than a month.

Mr. S. Satyamurti: How many more months do they want?

(No reply.)

REFUSAL TO ACCORD OFFICIAL RECOGNITION TO THE MALABAR CHAMBERS OF COMMERCE.

356. ***Mr. H. A. Sathar H. Essak Sait:** (a) Will the Honourable the Commerce Member be pleased to state the reasons for refusing official recognition to the Malabar Chambers of Commerce as per the request made by them in 1931?

(b) Do Government propose to reconsider the matter and grant the request of the Malabar Chamber of Commerce to admit them to the privilege of direct consultation by the Government of India on matters commercial, financial, etc.?

The Honourable Sir Joseph Bhoré: (a) Government were of opinion that the weight and standing of the Malabar Chamber at that time were not such as to justify recognition by the Government of India.

(b) If any further representation is received from the Chamber, the matter will be examined, but it is not possible to state what the decision of Government will be.

Mr. H. A. Sathar H. Essak Sait: Have not the same Chamber written again to the Government of India in 1934?

The Honourable Sir Joseph Bhoré: Will the Honourable Member kindly speak up?

Mr. H. A. Sathar H. Essak Sait: Have not the same Chamber written again to the Government of India in 1934 placing their present position before the Government?

The Honourable Sir Joseph Bhoré: I am not aware of that, Sir.

Maulvi Muhammad Shafi Daudi: May I know, Sir, what are the conditions on which recognition is granted to a Chamber?

The Honourable Sir Joseph Bhoré: I should like to have notice of that question, Sir.

ENQUIRY INTO THE CONDITIONS OF ADMINISTRATION AND ACADEMIC INSTRUCTION IN COLLEGES OF THE DELHI UNIVERSITY.

357. ***Mr. M. Asaf Ali:** In view of the proposal made by Government for the development of the University of Delhi into a Federal University, as set out in the letter of Mr. G. S. Bajpai to the Chief Commissioner of Delhi, dated the 11th April, 1934, do Government propose to make an immediate inquiry into the conditions of administration and academic instruction in each of the constituent Colleges of the University of Delhi?

Mr. G. S. Bajpai: The reply from the University to the letter referred to by the Honourable Member is still awaited; as also a reply to a subsequent letter, in which the University were invited to frame a statute prescribing the conditions for the recognition of colleges. On receipt of these replies, Government will be in a position to consider whether any special arrangements for the inspection of colleges are necessary.

PUNJAB MARTIAL LAW CONVICTS CONFINED IN THE ANDAMANS.

358. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government be pleased to state the names of such of the Punjab Martial Law convicts who are still confined in the Andamans, with the names of the place or places where they are confined?

(b) Do Government intend to release them? If so, when? If not why not?

(c) Do Government propose to consider the advisability of releasing them immediately?

The Honourable Sir Henry Craik: (a) The following Punjab Martial Law prisoners are confined in the Andamans:

Jai Ram Singh, Allah Din alias Dina, Jalal Din, Karam Chand, Nadir Ali Shah, Dina and Sarwar.

(b) and (c). Government have at present no intention of releasing these prisoners before the expiry of their sentences.

Pandit Sri Krishna Dutta Paliwal: May I know, Sir, if Government propose to release these people in connection with the Silver Jubilee?

The Honourable Sir Henry Craik: No, Sir.

DECLARATION OF THE COMMUNIST PARTY OF INDIA AS AN UNLAWFUL ORGANISATION.

359. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government be pleased to state the circumstances which compelled them to declare the Communist Party of India an unlawful organization?

(b) What was the information Government possessed when they declared the Communist Party of India illegal? What was the nature of that information?

The Honourable Sir Henry Craik: I would refer the Honourable Member to the answer given by me on the 14th August, 1934, to Mr. Gaya Prasad Singh's question No. 545.

Pandit Sri Krishna Dutta Paliwal: That answer is not on my table, and I am not able to ask any supplementary questions. The answer given to Mr. Gaya Prasad Singh's question is not on my table, and I cannot ask any supplementary question on that. Will the Honourable Member kindly read that answer?

The Honourable Sir Henry Craik: The answer is extremely long, and I am afraid I could not read it. It was so long that, with the permission of the Chair, I laid the original answer on the table.

Pandit Govind Ballabh Pant: Will the Honourable Member place the answer on the table and will he allow us to put supplementary questions on such a long answer on some other day?

The Honourable Sir Henry Craik: It is in the official report.

Mr. President (The Honourable Sir Abdur Rahim): It is already in the Official Report.

Mr. S. Satyamurti: How can we put supplementary questions? Only the reference is given there. Unless some time is given to us to look into the reference, how can we put supplementary questions?

Mr. President (The Honourable Sir Abdur Rahim): The Chair finds numerous supplementary questions are put even when the Honourable Members have no written answer before them.

Mr. S. Satyamurti: But not on this matter, Sir. We are entitled to put them on every question.

Pandit Govind Ballabh Pant: But in this case the answer has not been read out at all.

Mr. A. K. Fuzlul Huq: May I point out, many more will be put if the answer is read out? (Laughter.)

CONFISCATION OF CERTAIN BOOKS BY THE COLLECTOR OF CUSTOMS, BOMBAY

360. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that a book named *Historical Nationalism* by Bukhain was seized from Nelson Book Depot, Bombay, in November, 1932, and confiscated by the Customs Collector on the 28th February, 1933, under the Notification of 1932?

(b) Will Government be pleased to state the reason or reasons for the confiscation of that book?

(c) Is it also a fact that the copies of another book named *History of Russian Revolution* by Trotsky indented for by the same publisher were detained in the Post Office Customs Examination Department and confiscated by the Customs Collector, but were released after seven months according to the Instructions from the Government of India?

The Honourable Sir Henry Craik: (a) The answer is in the affirmative if, as I presume, the Honourable Member has in mind the book entitled "Historical Materialism".

(b) The book is a prohibited publication since it comes within the purview of the Finance Department (Central Revenues) Notification, under the Sea Customs Act, dated the 10th September, 1932, which prohibits the importation into British India of publications emanating from certain Communist sources.

(c) I would invite the Honourable Member's attention to the reply given by my predecessor, on the 23rd August, 1933, to Mr. Gaya Prasad Singh's question No. 28.

Mr. President (The Honourable Sir Abdur Rahim): On the 11th February, Mr. Satyamurti raised the point whether in the case of starred questions standing in the name of an absent Member such questions can be asked by another Member, if he has not obtained his authority in writing beforehand. The Chair promised then to give its ruling on the subject. Having considered Standing Orders 18 and 19 and the history of previous practice since 1921, the Chair rules that ordinarily it will not allow a question standing in the name of an absent Member to be asked by another Member, unless he has been previously authorised in that behalf. This is in accordance with the recent practice of the Assembly as well as of the House of Commons. But, in special circumstances, in respect of any particular question, the Chair may dispense with such authorisation.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 209 asked by Mr. Gaya Prasad Singh on the 25th July, 1934.

LIQUIDATION OF THE EAST AND WEST CORPORATION, LIMITED, DELHI.

(a), (b) and (d). The East and West Corporation, Limited (in liquidation), was started in 1931 for the conduct of general business, including piecegoods. As regards the other information asked for, attention is invited to the reports of the Official Liquidator, dated the 28th June, 17th July and 19th December, 1934, copies of which have been placed in the Library of the Legislature.

(c) No. A request received from the Corporation for assistance in certain ways was definitely refused by Government.

Information promised in reply to parts (b) to (i) of starred question No. 227 asked by Mr. Vidya Sagar Pandya on the 25th July, 1934.

CONTROL OVER THE ADMINISTRATION OF THE MADRAS PORT.

(b) The required information in respect of the Ports of Madras and Vizagapatam will be found in the publications mentioned below copies of which have been placed in the Library:

- (i) Madras Port Trust-Scale of Charges payable at the Port of Madras. Parts I and II.
- (ii) Vizagapatam Port Rules and Scales of Rates.

As regards the other ports in the Madras Presidency a consolidated statement has been prepared and placed in the Library.

(c) The tonnage of traffic (both imports and exports) that passed through the Port during the last three years is given below:

1931-32	1,155,748 tons.
1932-33	1,010,890 ..
1933-34	1,009,192 ..

(d) The Port Trust's building insurance for the year 1934 was divided equally amongst seventeen Insurance Companies of which four were Indian Companies and the remaining thirteen British or Colonial.

(e) Of the fifteen Trustees including the Chairman, four are Indians and the remaining eleven are Europeans.

(f), (i). There are four quay berths available for general cargo. The daily average number of quay berths vacant in 1933-34 was 0.93.

(ii) One hundred vessels.

(iii) (a) British India Steam Navigation Company.

(b) Scindia Steam Navigation Company.

(c) Anchor-Brocklebank Line.

(d) Ellerman City and Bucknall Line Limited.

(e) Asiatic Steam Navigation Company.

(f) Venice Line.

(g) Bank Line.

(h) Isthmian Steamship Company.

(iv) The Port Trust paid Rs. 97,500 more to the above companies than it would have paid had quays been available for all ships to come alongside.

(g) The matter was still *sub-judice* in October, 1934. The amount paid to the Trust's solicitors, Messrs. Moresby and Thomas, upto that time in connection with the case including counsels' fees was Rs. 21,687-4-0.

(h) The Honourable Member is presumably referring to the leave allowances drawn by Mr. G. C. Armstrong, Chairman of the Madras Port Trust, when he went on leave in 1931. The position in that connection is as follows:

When in 1928 Mr. Armstrong was appointed as Chairman of the Madras Port Trust it was decided that he should be governed by the Fundamental Rules for purposes of leave. In 1931 he proceeded on leave, but the limits regarding maximum leave salary laid down in Fundamental Rule 89(2) were not actually applied to his leave salary. In February, 1932, the Government of Madras issued orders that the provisions of Fundamental Rule 89(2) should be enforced whenever Mr. Armstrong goes on leave in future, but that, as no specific mention was made in his appointment orders that his leave salary would be subject to the limits prescribed by Fundamental Rule 89(2), it was not necessary to insist on recovering from him any of the amount drawn by him as salary during the leave taken in 1931.

(i) Government consider that there is nothing in the question asked by the Honourable Member which requires investigation by a Committee of Inquiry.

Information promised in reply to starred question No. 337 asked by Khan Bahadur Haji Wajihuddin on the 1st August, 1934.

EXPORT OF SKINS OF NEWLY BORN LAMBS AND KIDS.

(a) Government are aware that there is a demand in foreign countries for skins of newly born lambs and kids, but they have no information regarding the extent of this demand.

(b) Government understand that the practice of slaughtering newly born lambs and kids has recently been started in India. The question as to whether it is possible to take any steps to check the practice has been taken up by the Imperial Council of Agricultural Research.

(c) As the exports of these skins are not separately recorded in the trade returns, no information is available regarding the quantities imported by different countries but it is believed that the exports from India go mainly to the United States of America and the United Kingdom.

Information promised in reply to starred question No. 600 asked by Khan Bahadur Haji Wajihuddin on the 14th August, 1934.

LEAVE AND GRATUITY TO RAILWAY EMPLOYEES FOR HAVING FAILED IN EYE-SIGHT.

As regards the grant of leave to an employee who is discharged from service for having failed in eye-sight test, the practice in force on the various State-Railways is as follows :

Eastern Bengal Railway.—Employees of this Railway who hold posts the duties of which affect the safety of the travelling public and who fail due to defective eye-sight to conform to the standard of physical fitness required of the holders of such posts are given leave up to the amount admissible as may be decided by the sanctioning authority prior to discharge, every attempt being made to find other suitable employment for them during such leave.

Burma Railways.—An employee who is discharged from service for failure in eye-sight test, is granted leave due to him under the rules, up to a limit of 6 months.

Great Indian Peninsula Railway.—An employee declared medically unfit for further service on account of his having failed in the eye-sight test is granted all the leave admissible to him prior to the termination of his services.

North Western Railway.—The staff declared completely and permanently incapacitated for further service are granted leave admissible under Supplementary Rule 233(c), if any one of the conditions laid down therein is satisfied.

Staff declared medically unfit for employment in their own category but considered fit for employment in other classes in which no suitable appointment is available for them at the moment are granted all leave due and admissible preparatory to retirement during which their names are registered for employment for which they are recalled if it becomes available before expiry of such leave.

East Indian Railway.—In the case of an employee who is found medically unfit on account of failure to pass the eye-sight test in a particular category endeavours are made to absorb him in a category for which he may be suitable. Failing this he is discharged and the question of his leave is dealt with as follows :

(a) An employee whose leave is regulated under the Fundamental rules or the new leave rules for State railway staff, if declared medically unfit for having failed in the eye-sight test is granted leave under Supplementary Rule 233.

(b) European and Anglo-Indian employees under the East Indian Railway Leave Rules are granted such leave as is due under the rules, provided they have completed 20 years' service. Other staff under the East Indian Railway leave rules are not allowed any leave after they are invalidated except in cases where they already happen to be on leave at the time they are declared medically unfit in which case they are retired from service at the expiry of the leave already granted.

Information promised in reply to part (a) of the starred question No. 184 asked by Mr. Anugrah Narayan Sinha on the 12th February, 1935.

INCOME-TAX ASSESSED ON REGISTERED COMPANIES AND FIRMS IN BIHAR AND ORISSA.

(a) Rs. 1,93,550 in 1933-34.

Information promised in reply to part (c) of starred question No. 190 asked by Mr. V. V. Giri, on the 13th February, 1935.

OVERTIME WORK AND EARNINGS OF ASSISTANT PREVENTIVE OFFICERS IN THE MADRAS CUSTOM HOUSE.

Names.	Pay.		Total Government overtime.		Total Merchants' overtime.		Remarks.
	Rs.	Hours	Rs.	a.	Hours	Rs. a.	
1. Mr. E. S. Chinnaswami Pillai	96	334	486	8	183	318 8	Preventing Officer from 3rd September 1934
2. Mr. Md. Abdulla	87	135	195	0	103	186 0	
3. Mr. C. Venkoba Rao	87	84	150	0	107	186 8	Examiner from 3rd September 1934. Worked in the Postal Appraising department during September to December 1934.
4. Mr. Md. Latifai Rasul	84	321	447	0	125	217 8	Examiner from 3rd September 1934.
5. Mr. Saïyid Abdul Razack	84	283	386	0	190	331 8	
6. Mr. S. A. Selvanathan	84	318	454	8	140½	228 0	
7. Mr. Jacob John	84	301	405	0	149	223 0	
8. Mr. L. C. Pearson Joseph	84	152	270	8	162	270 0	
9. Mr. G. Natese Pillai	84	263	394	0	152	272 0	Examiner from 3rd September 1934.
10. Mr. V. Kannabiran Pillai	84	325	458	0	120	204 8	
11. Mr. M. Jambulinga Mudaliyar	81	296½	435	8	148	258 8	
12. Mr. T. N. Krishnamurthi Naidu	84	209	293	0	149½	256 0	Examiner from 3rd September 1934.
13. Mr. T. N. Gopalakrishna Iyer	84	329	474	0	91½	158 0	Examiner from 3rd September 1934.
14. Mr. Mohideen Noor John	84	171	282	0	111	223 8	
15. Mr. T. S. Sitarama Ayyar	84	157	266	0	218	414 0	
16. Mr. S. H. Nurse	84	325	459	8	116½	213 0	
17. Mr. S. Satchidanandan Chetti	84	310	452	0	131	218 0	
18. Mr. V. Krishnan	84	345	453	0	131	202 0	
19. Mr. N. Krishnamurthi Pillai	84	253	373	0	146½	271 0	
20. Mr. C. K. Dorasmi Ayyar	81	310	395	0	144	256 0	

Names.	Pay.		Total Gov- ernment over-time.		Total Mer- chants' over-time.		Remarks.
	Rs.	Hours	Rs.	a.	Hours	Rs. a.	
21. Mr. Md. Abdul Aleem	78	149½	251	8	124	216 8	Examiner from 3rd September 1934. On leave during January to June 1934.
22. Mr. W. J. D'Souza	78	168	219	0	37	85 0	
23. Mr. V. Paramasiva Mudaliar	78	114	207	0	120½	210 0	Examiner from 3rd September 1934.
24. Mr. S. Sethumadhava Chetty	66	405	270	0	149	247 8	

N.B.—(1) Overtime earnings in respect of the five Assistant Preventive Officers transferred as Examiners have been restricted to the difference between one and a half times the pay they would have drawn as Assistant Preventive Officers and their present pay as Examiners.

(2) Assistant Preventive Officer Mr. V. Paramasiva Mudaliar (No. 23 in the list above) has been acting as Examiner from 3rd September 1934 and has not been earning overtime.

ELECTION OF THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that Messrs. Basanta Kumar Das, W. B. Hossack and H. A. Sathar H. Essak Sait have been elected to serve on the Standing Committee for the Department of Commerce.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Council of State has, at its meeting held on the 18th February, 1935, agreed without any amendment to the Bill to amend the Indian Naturalization Act, 1926, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 28th January, 1935."

BILL PASSED BY THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, in accordance with the provisions of rule 25 of the Indian Legislative Rules, I lay on the table a Bill further to amend the Cinematograph Act, 1918, for a certain purpose, which was passed by the Council of State on the 18th February, 1935.

THE RAILWAY BUDGET—GENERAL DISCUSSION.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to consider the Railway Budget, General Discussion, First Stage. One day has been allotted for the purpose, and the Chair has decided to fix a time limit of fifteen minutes for each speaker.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the Honourable the Railway Member has presented to us his last Railway Budget, and we expected that he would point out the budgetary and administrative improvements that he succeeded in making during his tenure of office. But, unfortunately, his speech was the shortest speech ever delivered by any Railway Member on the floor of this House. In fact, he thinks more of the protection to Japan and Lancashire than of the Indian Railways.

Coming to his speech,—a copy of which I have got in my hand,—he says:

"The only other point of interest I would like to refer to in connection with our estimates of expenditure—(of course, the first one was the reconditioning of some of the wagons)—is the proposal to make the Central Standards Office permanent with a somewhat larger staff and to provide an annual grant for research."

What are the reasons? He says:

"The valuable work done by this office... is well known and I need hardly dilate on it at any length here."

In this case I may point out that the Railway Retrenchment Committee, only a few years back, said:

"We think the post of the Chief Controller of Standardisation should be abolished and his work entrusted to the Director of Engineering."

They also say:

"The whole staff should be considered as temporary for the present."

The Retrenchment Committee, on account of the financial stringency, did not like to make the staff permanent, but this fact was not mentioned to the Standing Finance Committee for Railways, for, when I saw their report, it was clear that they were not informed of the opinion of the Retrenchment Committee and no case was made out, either in the report of the Railway Standing Finance Committee or in the speech of the Honourable Member for Railways, that the work of the Standardisation Office was of such great importance that it should be made permanent at once. The Railway Board on that occasion gave an assurance that they would keep all these posts in abeyance, but, unfortunately, it has not been done. Depression is a very convenient word; it is made an excuse for not doing a thing, but it disappears whenever the Railway Board wants to do a particular thing. The depression disappeared in restoring the salary cut, but we still have to wait and see whether it will disappear in the case of the surcharge of 25 per cent.

I now come to the next point, and that is the question of depreciation. Year after year we have been drawing attention to the unsatisfactory position of the depreciation fund. I took exception to it last year, and Liwan Bahadur Ramaswami Mudaliar delivered a lengthy sermon on it.

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but the result is, the Honourable Member for Railways has come forward with a very novel proposal, a very unscientific proposal, which cannot be substantiated by any reasoning,—that is, the fixing of 1/60th of the capital at charge for the depreciation fund. I have made some calculations and I find that this 1/60th varies enormously from the actuals. In some cases it is more, while in others it is less. The maximum variation is six per cent, but still that is not really the point I would like to emphasize today. The point I wish to emphasize today is that the amount of 1/60 capital works up to an enormous figure. It comes up to 24 per cent. of the working expenditure and 14 per cent of the total income. To put in the depreciation 24 per cent. of the working expenditure is certainly unjustifiable. This raises some very important issues and I notice this in calculating the working ratio—by the working ratio we mean the division of the expenditure by the income. In the administration report and everywhere there are two working ratios, that is one with the depreciation included, and the other without the depreciation and the difference is as much as 15. Sir, I remember the Honourable the Finance Member or somebody from the Official Benches pointing out the figures of this ratio in European countries said that it was not very clear whether this working ratio did or did not include the depreciation fund. They forgot that the enormous amount of this depreciation fund, which we have got in this budget is almost absent from the railway budget of every other country. Other countries have not got any such marked difference between the two working ratios as we have got in this country. Now, I may go out of the way and point out one thing. The working ratio in all the other countries in Europe has definitely increased. In England, it has increased from 81 to 85½, in Canada from 79½ to 84 and in Germany it has risen to 105, and even the Administration Report says in para. 14 that it is understood that reduction in maintenance charges could have been made but for the fact that they wanted to reduce unemployment. Therefore, in every other country, the working ratio has been kept up in order to meet the problem of unemployment, simply because those Governments were sympathetic. Here it has been actually diminishing from 59 to 56, which really means that a large number of persons were thrown out of employment in these days of depression, when they cannot find work anywhere else. Coming back to the problem of the depreciation fund, I find that it is in fact used by our Railway Board as a kind of reserve fund. What right have they got to put in 13.28 crores in the reserve fund in these days of depression and aggravate the problem of unemployment? I illustrate the absence of logic by taking one illustration and that illustration is the Hardinge Bridge. I have got two observations to make about this particular bridge. They are provided in the proceedings of the meeting of the Standing Finance Committee. One point which I should like to make out is that it is customary and a thing of common practice that they put one budget in one year and in second, third, and fourth year, it increases to four times or five times. If you see the proceedings of the Standing Finance Committee on page 143, they first estimated it to cost 77 lakhs and then after second thoughts it came to 116 lakhs. The work is still going on and I do not know how it would end. I specially draw attention to one novel feature mentioned. It is said in order to find out exactly the method of protection, let us get the seven wise men of the country to think over this problem. And they got out a novel way of finding this

amount. It is suggested that a model of the bridge be made at Poona and the conditions in which the water is flowing should be tested in the laboratory and then they ought to consider whether that model should stand or not. I never heard of a novel practice like this. It is exceedingly ingenious. After all what is mathematics for. We can always measure the distance between two things and if we do not know the conditions, how this model is going to help, I do not know. These engineers seem to have forgotten their mathematics.

Mr. A. K. Fuzul Huq (Bakargunj *cum* Faridpur: Muhammadan Rural): Has the Honourable Member seen the Hardinge Bridge?

Dr. Ziauddin Ahmad: I have been over it six times and every time I felt happy when I got to the other side of the river. Sir, I have taken the Hardinge Bridge to illustrate one point of the depreciation fund. I find that they put down year after year an expenditure from the revenue side, from the capital fund. The bridge costs a certain amount, and year after year, they have to add another amount from the capital fund, so that the capital fund at charge on this particular bridge rises continuously. And if the depreciation is calculated at 1/60ths of the capital at charge, then the value of the depreciation fund on this particular bridge on which we spend every year a certain amount will rise up. This is really a proposition which no one can admit for a single moment. The other thing is that really speaking, on page 1 of the demand, I find that they are artificially raising the income and expenditure. On the one side, they are putting in a sum of 13 crores and 28 lakhs in the depreciation fund; while, on the other side, they are taking it under the heads of 9.50 from item No. 12 and 1.89 from column 9: thus it means putting something in one pocket and taking it from the other pocket.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Dr. Ziauddin Ahmad: I would very much like to make the suggestion that all open-line works should be managed by means of revenue expenditure and a small sum of 2 to 2½ per cent. of the total income may be reserved for special emergencies. By their spending large sums of money from the capital at charge, they are artificially raising this depreciation fund. From this side of the House, I have got a strong suspicion that putting these large sums of money in the depreciation fund is intended to avoid payment to the revenue. They intentionally want to show that there is no profit, in order to avoid payment to the general revenue of this country. This is really the belief that we have in our minds. The Finance Member has pointed out that the Depreciation Fund is not divided between the Finance Member and the Railway Member. It is perfectly safe, I know, in the hands of the Government, we cannot doubt it, but the object is to point out that very large sums of money are thus tied up. Now, Sir, I cannot deal exhaustively with the other points but I shall mention some of them by the way within one or two minutes time at my disposal. The first question is about the strategic lines. Sir, year after year, we have been pressing this question for consideration so as to settle the issue of the strategic lines once for all. Either, they should be taken over by the military, the income as well as the expenditure, or they should be handed over on certain conditions to the Railways. (Hear, hear.) As things are, I do not know, Sir, in whose account all these things are

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pocketed. (Laughter.) Now, Sir, about the question of the Budget itself, I have got again the same difficulties. Unless my Honourable friend, Mr. Rau, points out to me in the Chamber how the things are shown and put together, I will not be able to find out the facts. I find here also that if we add the expenditure on the capital to the capital at charge of the previous years, it does not make up the total capital at charge in this particular year. My second difficulty is that the figures are not put down in a manner by means of which we can compare similar figures for other countries. Of course every year statistics are prepared by the Internationale in Paris for all the countries of the world but they cannot possibly incorporate the figures of this country because our figures are not compiled in the manner in which the estimates of the other countries are compiled. Sir, then I expected a certain chapter, either in the Administration Report or some mention in the Honourable Member's speech, as to what steps they are taking to acquire the smaller lines. It is now be fixed policy, as mentioned in Appendix E of this Report, that these smaller lines are to be acquired, but no step has been taken and no mention has been made about it and I should like to hear something about it.

Now, within the one minute I have, I shall mention the other points that have been raised during the last two years on the floor of the House but no notice was taken by the Government with regard to them. Nothing is mentioned either in the Administration Report or in the Railway Member's speech about them. The first is, the catering arrangements, then the publicity bureau, then the grievances of the third-class public, the high rates on coal, then the concessionary return tickets, the purchase of stores, the balance-sheet of Government collieries, the amalgamation of audit and accounts and the abolition of the divisional system and agency. All these points have been raised on the floor of the House and at least we expected Government to consider them, to examine them, and, afterwards, to give their opinion as to whether those things can be done or cannot be done, and if they cannot be done, then why? (Loud Applause.)

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Mr. President, I do not propose to indulge in any remarks of congratulation in the *manadi* fashion, or, for the matter of that, in any remarks of condolence, if I may be allowed to use an expression like that. Sir, I want to address myself straightway to a certain point on which it is well-known that Indians feel very keenly, I mean, the question of the Indianisation of the railway services. Now, we want complete Indianisation of the railway services, from the top to the bottom, we do not want it as a matter of concession or as a matter of favour; we claim Indianisation not merely because these railways are Indian railways, but because these lines have been built up with the tax-payer's money, with the money of the Indians. Sir, Indian tax-payers have put in crores and crores of rupees in these railways. In fact, Sir, I think it is no exaggeration to say that every single individual tax-payer of this country is a shareholder of these railway companies. These railway lines are the property of the Indian people, they are the assets of the Indian people, and it is, therefore, only natural that the Indians should claim, when there has been an awakening of national consciousness, that they must have their voice in the management of these railway companies. The policy must be laid down by the Indians, the administration must be carried on by Indians and in a way that will conduce to the interests of

the Indian people. Now, Sir, there is one very important reason why—it is not a question of mere sentiment—the management and the policy should be regulated by the Indians, because one of the most fundamental duties of a railway company in every civilised country is that of furthering the industrial and economic development of the country. That is a primary duty of the railway companies.

Now, Sir, the national advancement must be the watchword of the railway companies, and that becomes more or less impossible unless there is complete Indianisation of the railway services and unless there are Indian Members on the Railway Board. As regards industries, although India was one of the foremost and industrial countries in the world, it is now most backward industrially. This is not the time nor the place to discuss as to who is and what is responsible for this state of things. History has recorded its own verdict on that question, but so far as we are concerned, it is admitted now by all parties that the economic salvation of India lies in industrial regeneration. Both the Government and this Honourable House are committed now to the policy of industrial regeneration. Now, Sir, it is not infrequently the case that the interests of the British industries and those of the Indian industries come into conflict. Unless, therefore, the Indianisation of the railway services goes side by side with industrialisation, we cannot expect, so far as the railways are concerned, that it will do its duty towards the Indian industries. In all civilised countries, the general practice is that they help the local industries, by preferential treatment, by imposing higher scales of railway rates upon imported goods, by facilitating the carriage of raw materials from one important centre of the country to another at especially low, favourable rates, but these are things which we cannot expect to have unless at the helm of affairs of the railway companies there are Indians.

Now, Sir, the railways have another very important duty. They provide employment for large numbers of people. In India, at the present moment, that duty, that function, has become all the more important in view of the unemployment problem. That problem has become very acute now in the case of the educated young men of our country. Is there any reason why our young people should starve while people from other countries, from distant lands, are allowed to come and enjoy the loaves and fishes in the railway services? There is another still more important reason as to why there should be a complete Indianisation of services, and that is from the point of view of economy. In this cursed country, preference is not only given to outsiders and to non-Indians, in the matter of admission to the services but they are given preference also in the matter of pay and status. It is said that outsiders, Britishers in particular, should be given a higher pay because they want more comfort. We, the poor people, do not grudge them any higher comforts, but we only want that this ought not to be at the cost of the poor tax-payers of this country. It is well-known that we can have services of equally competent Indians at a much cheaper cost and that is bound to lead to economy, and that, in its turn, will lead to the reduction of rates and fares which will benefit the whole Indian population. Therefore, from that point of view, also, Indianisation of railway services is essential. Now, Sir, what is the history with regard to this matter? There has been an anti-Indian attitude throughout in our railway administration, but recently the doctrine of Indianisation has been accepted by the Government. There is the Convention of 1924, and, therefore, it is no longer a matter of controversy so far as the abstract question is concerned. But the whole

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question is whether that Convention and the promise contained in it have gone beyond the stage of a mere pious wish. The question is whether during these ten years from 1924 to 1934—that promise has been actually carried out with regard to the Indianisation of services. It was laid down in that Convention that there should be not only Indianisation, but that its pace should be rapid. The whole question is—has that promise been made good? My complaint is that it will appear from the facts and figures that not only has the pace and progress not been rapid, but it has been so scandalously slow that one is tempted to remark that really the promises are made to the ear, but are actually broken to the heart. I should like to ask, how many Indians are there in the position of the Agents of the different Railways? How many Indians are there in the Carriage and Wagon Departments? How many Indians are there in the Loco and other departments? What is the percentage of Indian appointments in the highest posts? The stereotyped reply for not admitting Indians to the higher posts is that they are not efficient and are not properly qualified. I do feel that that is not a *bona fide* excuse at all. Can it be said that the Indians are not as intelligent, as diligent, as dutiful, as reliable and as trustworthy as any other people on the face of the earth? In recent years, Indians have been tried in the most responsible positions, and can it be said that they have been found wanting? Sir, I have been very long in the Provincial Legislature, and I feel that I am in a position to say truthfully, without any fear of contradiction, that I have not seen one single Indian Member of the Government who is in any way inferior to his non-Indian colleague. So, Sir, that objection is really a libel against the whole Indian community that they are not reliable and efficient. It is simply adding an insult to the injury; it is an exploded heresy. I should go a little further and say that the question of efficiency should not be raised at all. Efficiency or no efficiency, I have a right to manage my own affairs. Have you ever heard of the starting of a joint stock company and then the shareholders to be told that, although you have started the company and although you are financing it, you are not properly qualified to manage it, and, therefore, the management should be given over to some other people? It is exactly like that in the case of the services in this country. Whether the Indians are efficient or not, if the railway lines are the property of the Indian people, it is the Indian people who must be allowed to regulate their policy and to administer them.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got two minutes more.

Mr. Akhil Chandra Datta: There is one other important matter to which I would like to invite the attention of the House, and that is the old story about the treatment of third class passengers. My complaint is that they pay more fare than they should and the service they receive in return is less than what they are made to pay for. Their grievances were categorically enumerated by the Railway Committee in 1920-21. They are as follows:

(a) Overcrowding to the extent at times of double or more than double the approved carrying capacity.

(b) Inaccessibility and insanitary condition of w. cs. in the third-class carriages for long distance journey.

- (c) Dirty condition of third class carriages.
- (d) Inadequate water supply on station platforms.
- (e) Inadequate food supply arrangements.
- (f) Inadequate waiting sheds or waiting rooms.
- (g) Insufficient booking office facilities."

—And last but not least.

"(h) Incivil treatment by the railway staff."

These grievances are very old and have been agitated for over half a century, but ours has been a cry in the wilderness. The resentment is inevitable and deep. It must be remembered that the third class passengers contribute by far the greater part of the coaching earning and nearly one-third of the entire railway revenue. I wonder whether they are for the railway or the railway is for them. What is necessary is the complete change in outlook, a new orientation of the railway policy, so far as the third class passengers are concerned. It is high time the railway staff must begin to look upon the third class passengers as their masters.

One word more, Sir, and I have done. Along with the Indianisation of services, there must be also Indianisation of purchase and manufacture of locomotives in our country. I do not know if the Government have at all moved in this direction. I am sorry the time at my disposal does not permit me to elaborate this point. I shall conclude by saying that our railways must be a national institution in all respects and we must have a complete Swaraj in the matter of the Railway administration.

Munshi Iswar Saran (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, the convention is that most Honourable Members of this House offer customary congratulations to the Honourable the Railway Member on his Budget speech, but I wish to offer him my warm and sincere congratulations on his impending relief from the trammels of his office. Knowing him as I do, I have every hope that he will join the ranks of those who are fighting for the freedom of India. (Hear, hear.)

Now, to business, Mr. President. The most outstanding feature is the Federal Railway Authority which is now going to be constituted. I do not wish to speak at length about it, because, as it is common knowledge, this is going to be debated day after tomorrow. But I do not wish to let this opportunity pass without entering my most emphatic protest against the manner in which this thing is being foisted upon us behind our back and without our consent. Sir, rumour has it—it is difficult to say if Dame Rumour is playing a trick—that there was an idea of bringing this legislation before this House, but perhaps the white caps, which an Honourable friend of mine described as white caps of liberty, frightened Government and made them drop the idea of bringing that legislation in this House.

An Honourable Member: But you are not wearing a white cap.

Munshi Iswar Saran: I am too weak and too humble and I do not even indirectly pay a compliment to myself. I was saying that these white caps frightened Government and now they have thought it best to introduce this measure in a safe atmosphere and to get it passed there. But let me tell Government, most clearly and most emphatically, that every Indian politician of every shade of opinion resents the way in which this Federal Railway Authority is being constituted. He is irreconcilably opposed to the entire scheme. (Hear, hear.)

[Munshi Iswar Saran.]

If we look into the report of the Railway Board, what do we find? We find that the number of passengers killed in 1932-33 was 231 and in 1933-34 it was 232 and the number of injured in 1932-33 was 843 and in 1933-34 it was 964. The total number of injured in 1932-33 was 18,287 and in 1933-34, it was 19,231. Kindly note that the total number of accidents in 1933-34 shows an increase of 944 when compared with the accidents of the previous year.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): A very good average.

Munshi Iswar Saran: My Honourable and gallant friend says, a very good average, thus betraying himself unconsciously. What love he has for the passengers killed, mostly Indians! Now, as I have said above, the total number of accidents has shown an increase. I submit that this is a very terrible state of affairs and the public will be perfectly justified in holding the railway administration responsible for all the deaths and for all the accidents that have taken place. The causes may be very many, and you will hear them from the other side. But what I submit to the House is: here are these accidents and these deaths and we hold the railway administration responsible for them and we hold them answerable to us and to the public of India.

There is one thing which I shall ask the railway administration to bear in mind if they will. In the first place, they do not send the report of the Railway Board to us in good time. We have got to write to them and then they send to us the reports. Might I suggest to them that it will greatly facilitate our study of the facts and figures contained therein, if they will please send the report to us at least a month before the date of the presentation of the Budget, if that be possible? The other point is that it will be most helpful if they will give the number of deaths and the number of accidents in foreign countries. What I find is that when it suits their purpose, they say, "and it might be noted that the condition in Great Britain is such and such and in Germany is such and such and in France is such and such". I shall, therefore, ask the Railway Administration to make a note of my suggestion and to consider whether it will not be advisable to give these comparative figures I have referred to.

Dr. Ziauddin Ahmad: They have not got anything in their Library.

Munshi Iswar Saran: They can get them.

There is another matter to which I wish to invite the attention of the House. I must go hurriedly over them as I do not wish to give the Honourable the President the trouble of reminding me that my time is up. As we are all aware, the Government of India have got general control over Company-managed lines and the Secretary of State has the right to appoint a Government Director to the Board of the Company with a power of veto on all proceedings of the Board. The powers of the Government of India are very wide and very extensive. Might I suggest to them that they should lay down a condition that the Company-managed railways should carry on the policy of administration and should try to give training to Indians in various branches, as speedily as possible, and, if they do not do

it, then the Government of India should hold these Company-managed railways responsible for their neglect of duty, and, in case they persist in their neglect, the Secretary of State should appoint a Director of his own on the Board and he should exercise the right of veto on their proceedings.

Mr. N. M. Joshi (Nominated Non-Official): Then purchase these railways immediately.

Munshi Iswar Saran: If we had the money.

Mr. N. M. Joshi: We have.

Munshi Iswar Saran: Oh! Then there is another matter. I find that my Honourable and gallant friend, Colonel Gidney, mentioned last year the matter of manufacture of locomotives. The Honourable the Commerce Member, Sir Joseph Bore—I see he is looking threateningly at me—said that the matter was receiving the consideration of the Government of India. Now, I wish to know at what stage that consideration is today and how long will this consideration take? I am not asking a supplementary question, and, therefore, my Honourable friends on the other side can take their own time. I only pray with great earnestness, let this consideration not extend to the crack of doom. It is all very well to say: "Oh! we are considering the matter, we are hurrying, we are asking this Government and we have asked the other Government to send up their report. The machinery has been set in motion and the matter is receiving our most earnest consideration". But, Sir, the unfortunate and the unhappy public has to wait till some enterprising Member worries Government with supplementary questions.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): And no answers.

Munshi Iswar Saran: Yes, and no answers are forthcoming, as my Honourable friend says.

I find that in 1933-34, the cost of the total imported materials was 4.37 crores. Isn't it absolutely essential that India should be self-sufficient as far as the manufacture of locomotives and other articles are concerned? Why should we allow all this money to be drained out of the country? (Hear, hear.) Why can't we make necessary arrangements so that we might be able to manufacture all these things in the country as speedily as possible? Please do not get up and say: "Oh! there are difficulties". I know there are difficulties and there will be difficulties in the Government of a vast country like this, and if you cannot improve the existing conditions, then as some people have told you—as the die-hards in England have told you—govern or get out; I say, improve or get out. If you cannot improve these things, if you cannot tackle these difficulties, then the best course for you to say is, we are helpless, we cannot cope with these difficulties, and, therefore, we make a bow and make an exit.

Now, as regards Indianisation, we shall hear a great deal about it. I shall only invite your attention to a few figures. So far as the gazetted posts of the Company-managed and the State-managed railways are concerned, they are as follows: In 1925, in the State-managed railways, the percentage of Europeans was 71.98; in 1933, it was 61.12; and, in 1934, it was 58.75. In the Company-managed railways, in the year 1925, the

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percentage was 82.26; in 1933, it was 67.83, and, in 1934, it was 66.79. My Honourable friend, Mr. Rau, who is a very well-meaning man, and, I have no doubt, is also a very patriotic man, I ask him in all seriousness to carry this thought with him to his house and after his dinner,—I suppose he smokes,—over his cigar let him think how long will Indianisation take at this rate?

An Honourable Member: What can he do?

Munshi Iswar Saran: I am not saying he himself can do much, but let him worry his superior officers and let him worry Government.

Then, there is one other point. As far as third class passengers are concerned I make a suggestion to Mr. Rau in perfect seriousness. Let him travel third class,—I am sorry to make that suggestion,—without anybody knowing it. Otherwise, there is a freemasonry among railway employees, and the moment they see the Financial Commissioner going they will wire and everybody will be ready and on his best behaviour. He must travel third class and then he will find out the true facts. And let him please go first to the B. N. W. Railway. It is one of the most deficient railways that you can think of: The report says that, in the last hot weather, 92 extra water-men were employed by this railway in addition to the permanent strength of 169; and seven additional water carts were supplied. I suppose the Railway Board expects us to do *puja* to the B. N. W. Railway for this graciousness and generosity at least or they expect us to show our gratitude to the B. N. W. Railway. I can speak from personal knowledge that the B. N. W. Railway is woefully deficient,—I shall not use stronger language,—in providing for the convenience and comfort specially of third class passengers. And, I may tell the House, that there is an impression that the B. N. W. Railway Company do not care very much for public criticism, because it is said that they have got great influence in England, and that my Honourable friends opposite dare not offend the Directors who are very influential and powerful men. I do not know what truth there is in this rumour; I am giving the rumour for what it is worth.

Mr. N. M. Joshi: It is a fact.

Munshi Iswar Saran: My Honourable friend says it is a fact, and Mr. Joshi is a truthful man (Laughter), and I accept his statement.

Then there is one other little matter about which I wish to say a word, and I desire to join my Honourable friend, Dr. Ziauddin, in his criticism of these strategic railways. It is really a scandal that the Railway Administration should bear the burden of these railways. Their expenses ought really to be borne by the Military Department. The Railway Administration might manage them, but this loss should be shown in the accounts of the Military Department.

There is one other remark which I wish to make, and it is this. This is what we learn from the official papers. At the end of 1933-34, the liabilities to be met in subsequent years amounted to 38 crores, of which 22 crores represent loans to the Depreciation Fund and 16 crores represent the contributions due to general revenues for three years, 1931-32 to 1933-34. I shall, with your permission, make only one comment, how grand and how hope-inspiring!

Sir, this is the last Budget which my Honourable friend, Sir Joseph Bhore, has presented to the House. In criticising the Railway Administration, I wish to be distinctly understood that I have not been blaming him. We have no quarrel with men, we have quarrel with the present system; and it has been the misfortune of Sir Joseph Bhore to have inherited a bad legacy.

Lieut.-Colonel Sir Henry Gidney: Sir, in offering a bouquet of flowers as my congratulations to the Honourable Member, I shall try to extract from it as many thorns as I can, and those that remain I shall try to round off their points. Sir, I am sure, I voice the opinion of this Honourable House when I say that the Honourable Member has rendered great and abiding service to this country in the administration of his Department. His tenure of office has synchronised with the past five years of world-wide trade depression, but during that period he has certainly steered his Department through stormy waters and black clouds; and I feel sure that every Member of this House will agree with me that today he has every justification in claiming a vision of the silver lining and calmer waters. Sir, while we glibly criticise the Railway Department and while I listened to the criticisms made by previous speakers in the House today, the thought that has been uppermost in my mind is this; I wonder what those critics would do if they were today occupying the Treasury Benches and faced with such adverse circumstances?

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Very much better. (Laughter.)

Lieut.-Colonel Sir Henry Gidney: Better did you say? I would love to see you sitting there, Sir. I believe if you did, every train will be derailed within a week. (Laughter.) But, apart from that, I should like to know what would be the attitude of those critics? This House, I am afraid, does not adequately realise that, justified as we are in severely criticising certain aspects of the Railway Administration in India, one very important point which we are inclined to forget is this, that there is no other Department in the whole of the Government of India, indeed, in the Empire, which is so seriously handicapped as is the Railway Department in India. For, to them, like a loadstone round their necks, have been attached certain strategic railway lines which have impeded and acted as a spoke in the wheel of the progress of railways in this country. Honourable Members who have spoken before me have pointed this out. In emphasising it, let me refer to what Sir Guthrie Russell said though in a somewhat exaggerative way in his speech in the other House. He truly represented the facts of the case when he said that had the railways in India been private-owned and managed, they would have had a surplus during the years 1932-33 and 1933-34 of 22½ and 24½ crores for the benefit of their shareholders and dividends. (An Honourable Member: "Question.") The question can be answered by you if you are able to refute this. Do so now, and I will sit down. I should like to have an answer from the Honourable Member to that question, Sir. I am not defending the Railway Department at all: I am just pointing out that it is an absolute iniquity to saddle and impede the progress of the railways in India with strategic lines which are meant entirely for defence purposes. It is not right, and, so long as this exists, you cannot claim to work your railway on business principles. You should certainly evolve means by which these two kinds of

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 railways should be separated. Tell me another part of the Empire—I challenge it—in which two such systems of Railway Administration are to be found such as exist in India today, *i.e.*, commercial and strategic?

An Honourable Member: Why are they not separated?

Lieut.-Colonel Sir Henry Gidney: Ask the Honourable Member: why ask me? I say, if the Railway Board or the Government of India were able to evolve some method by which they could rid themselves of this heavy impediment and this cog in their wheel, it would be doing a great service to the revenues of India and to the progress of Railway Administration. I think it is high time that this was done. I realise how difficult—indeed—well-nigh impossible such a division would be; but as the Honourable the Deputy President suggested, I think it is quite possible that all railways can be controlled and administered by the Railway Department, but the expenditure incurred on strategic lines should be debited to the military estimates.

My congratulations which are sincerely offered to the Honourable Member are, however, thickly tinged with sympathy, because of the serious handicaps he has to face. One of these—maintenance of strategic railways—I have just mentioned as being an unusual strain put on the finances of the railways; the second is the losses incurred by the recent earthquake, and the third is the cost of repairing the Hardinge Bridge. The Honourable Member, placed as he is, therefore, has not only my congratulations, but also my sympathy.

Leaving that aside, Sir, I come to another point, and it is this: I submit that the time has come—indeed it is long past—when it must be admitted by the Government of India that its Commerce Department has become international: that the work of the Department has extended so greatly and the growth of railways in India has advanced so rapidly that it is almost impossible for one Honourable Member efficiently to administer these two enormous growing Departments, and I believe the Honourable Member will himself agree with me when I say that the time has come when these two Departments should be separated and made into two portfolios. There should be a Minister in charge of Commerce and another Minister in charge of Transport and Communications. I see evidence of this in one of the proposals of the proposed Statutory Railway Board, and I do hope that it will not take long before this division is effected. I do not see any reason why we should wait till the reforms are introduced. The time is now when it should be done and I offer it for the serious consideration of the Honourable Member.

I am glad to notice that the new Railway Statutory Board will be divided into two separate Departments, the "Railway Authority" and "Executive". No one can deny that the present Railway Board is certainly not properly constituted. We know it is recruited from the Agents of various railways, men who are eminent administrators, who are very familiar with the day-to-day administration of railways, but I think I am right in saying that none of them are business experts: and today we want on the Railway Board men who can take a long vision in the commercial developments of railways which must walk in line and in harness with the rapid development and progress of the trade and commerce of this country. We require young men of business experience for these appointments not

sun-burnt bureaucrats. Surprised as I am at the absence of these experts on the Railway Board, I am more than surprised when I find that in the Railway Board there is no Director of Health. The railways in India gave employment at one time to nearly a million employees: today I am right in saying that there are about 750,000 men. These railways traverse the length and breadth of India; and it will surprise this House to know that although each railway boasts of its own separate medical service, there is very flimsy evidence and effort of any co-ordinated action between them of an all-India nature. What does one see today? The only evidence of such co-ordination is to be seen in the meeting or annual Conference of Chief Medical Officers usually held in some salubrious spot, like Bangalore or Ootacamund, and an occasional visit from the Railway Board's Medical Adviser, who, I understand, is the Chief Medical Officer of the North Western Railway. Sir, the Railway Board has a very responsible and sacred duty to perform and this cannot be done by these isolated and non-co-ordinated medical units which are today separately attached to the various railways. I submit that the Railway Board should have in it at least one medical representative as a Director of Public Health. (Interruption.)

An Honourable Member: Whom have you in view for this appointment?

Lieut.-Colonel Sir Henry Gidney: Certainly not the Honourable Member who has just asked the question. (Laughter.) That officer should be placed in charge of all Railway Medical Services and he would be of more use to the Railway Board than all their Chief Medical Officers put together, who after all are merely administrative officers and are mainly employed as general post offices for the communication of orders.

There is another point I should like to deal with; I refer to the difference of control of the Railway Board over Company-managed and State-managed railways. Reference has been made to this by a previous speaker, but I should like to add that the difference which exists today is very vast indeed. The Railway Board has an idea, may be a belief, that it controls the State-managed railways. Let me tell this House that that administrative control is more or less in their imagination. They think they do control Railway Agents. I do not blame the Railway Board, because they do take pains to issue orders to Agents on all matters; but it is one thing to issue orders: it is quite another thing to see that their orders are carried out. I doubt whether they can or ever do so? I assure this House that I have evidence in abundance to prove that Agents and the Chief Officers of various railways often flout the orders of the Railway Board and act on their own as if they never existed, especially on Company-managed railways, of which I shall talk a little later. Sir, this state of affairs must be stopped: and when I move my cut, if I get an opportunity, I shall dilate on this matter. Instead, what do we see? Whereas, on State-managed railways the Railway Agents are little tin gods on mud-wheels in their own spheres, Agents controlling the Company-managed railways have been given such power today, uncontrolled by the Railway Board, which even Mussolini or Hitler would envy: their position as Dictators is absolutely unassailable: their orders outside the sphere of finance and the larger policies cannot be attacked by the Railway Board, and when absolutely serious and genuine matters of grievances and injustices are presented, the stereotyped reply comes from the Railway Board: "This is the order of the Agent." This

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is within the discretion of the Agent and the Railway Board cannot interfere": "It cannot allow the appeal rules to be violated". "The Railway Board cannot interfere". "This is against Railway Board's orders relating to dismissals, discharges, fines, punishments, please refer to the Agent, etc." Sir, this House has, on two or three occasions, by a large majority, defeated the Government when we demanded that a complaint department should be attached to each railway or to the Railway Board, where these cases can receive a hearing and justice. Each time we defeated the Government, our demand was ignored. Indeed, the Resolutions passed by this House were practically thrown into the waste paper basket. Today I tell you, Sir, with all the seriousness at my command and with all the responsibility I possess, that discontent is seething in the railway staff, and railway officials are only able to control their departments by bullying them in a way almost amounting to terrorism; their subordinates remain quiet lest they should lose their jobs. Sir, it is the ghastly spectre of unemployment with its attendant miseries that is keeping these employees in check; and it is in order to obtain redress and justice to these employees that this House should again demand some drastic and immediate remedy, other than what exists today; I admit, the situation is much better today, thanks to the Honourable Member and his Board, it is much better than it was five years ago, but there is much room for improvement, and a Complaints' Department is imperative which will examine these genuine cases of grievance and injustice. Sir, I find it difficult to be temperate in my feelings and expressions on this matter, because I have been denied a hearing by the Railway Board; I have been told by them that the appeal rules must stand and the Board cannot interfere with them. I warned the Railway Board that I would bring this point up before this House at the present Session. I know that the Honourable Member in charge of the Railway Board has given every attention to cases that have come before him, but very few come before him as his time is so fully occupied. If the Railway Board is in existence to administer the railways, let them do their duty properly and efficiently, or else let them get out. (*An Honourable Member*: "Let them keep out.") The Railway Board is here not to protect the interests of the officials only as they apparently do; they are here to protect the interests of their subordinates for whom the Honourable Member has paid a well-merited tribute of praise and appreciation. It is no use merely paying pious tributes of praise to the work of these employees when the Railway Board close their doors to any appeals submitted for justice on their behalf. Sir, I cannot use strong enough words with which to support my demands for justice for these employees who are kept overawed by official bullying and to which the Railway Board pay no attention.

Mr. S. Satyamurti: Then cross the floor.

Lieut.-Colonel Sir Henry Gidney: Not now, thank you! Then, Sir, there is another point that I should like to deal with, and that is the divisional system in vogue on railways. Sir, the extravagance of the divisional system has been exposed to very trenchant criticism in this House. It cannot be denied that the divisional system has resulted in an increase in the number of officials and a very large increase in the cost of maintenance and overhead charges. The other day I asked the Honourable the Railway Financial Commissioner as to why the official staff was not reduced when

two divisions were amalgamated into one, and I was sorry to hear him admit that he did not see any need for reduction of this staff. That is the impression I gathered.

Then, Sir, before reaching my last point, I would like to join very sincerely with the Honourable Member in the well-merited tribute he paid to my friend, Mr. Rau. My friend, Munshi Iswar Saran, was very temperate in his remarks about Mr. Rau. Sir, I have had close dealings with Mr. Rau, and I can associate myself whole-heartedly with the Honourable Member when he eulogised the excellent service Mr. Rau has rendered to railways. Mr. Rau has rendered excellent service to the railways, and if he and the Honourable Member in charge will pardon my saying so, I ask with all his responsibility and with the important position he holds, why is it that Mr. Rau who is not a Member of the Railway Service,—he is, if I may call it, a limb of the Finance Member, for he is a Finance Department Officer, and is responsible to the Railway Board for its finances,—repeat: why should Mr. Rau's valuable time be spent in this House in answering questions relating to the day-to-day administration of the railways? I say, Sir, you should have another Officer of the Railway Board here, one of the Members in charge of Labour or Establishments. He is the right person to answer such questions, and it is not at all right and proper to saddle Mr. Rau with this work. His time can be and should be spent much more profitably with the finances of the railways and not with its day-to-day administration. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Lieut.-Colonel Sir Henry Gidney: Just one minute more, Sir, and I shall finish. Sir, I will only deal with one other matter, and that is the absence of any expert at times elemental knowledge possessed by most heads of commercial departments in railways. Another glaring feature is the joint family system to be found on some railways, particularly in the East Indian Railway. At one time, this railway had a family of twelve members occupying most of its major important appointments. Today, it is better though, there are some family relations still existing, and one can still call it a Joint Family Railway. If one examines the credentials of some Chief Commercial Managers of Railways, he will find these officers have by virtue of seniority alone risen to such responsible appointments as Commercial Advisers and Agents. I believe I am right in saying—I speak subject to correction,—that in the majority of such appointments seniority and not an expert knowledge of commerce is the deciding factor. We want that these appointments should be given to those only who are in daily touch with the advancing progress of the trade and commerce of this country—indeed the world—and not to archaic executive officers who are waiting for two things, either to become the Agent of his railway or the head of a department; if he succeeds in getting the former, he goes ahead; if he does not, if he gets the latter, then he toils on the lines of least resistance, then packs up his bag and baggage and quits the country well provided for.

There is one more point, Sir, and I shall finish my speech. The Honourable Member in charge said that one of the new projects, namely, the electrification of the B. B. & C. I. Railway would prove profitable. I only hope that that scheme will not be such a disastrous failure as has been the case with regard to the Great Indian Peninsula Railway electrification-scheme.

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Then, the subject of the third class passengers has been dealt with very ably by other Honourable Members and I shall not deal with it. I shall now conclude my remarks by thanking the Honourable Member in charge for having restored the five per cent. cut. It was his duty, a sacred and honourable duty which could no longer be evaded.

Several Honourable Members from the Congress Party Benches: Oh! Oh!

Lieut.-Colonel Sir Henry Gidney: Yes, you of the Congress Party just try and drive a locomotive for 12 hours on a hot-summer day, and you will want not five per cent. but 20 per cent. more. It is a sacred duty that the Honourable Member has done in restoring the five per cent. cut. (*Several Honourable Members:* "No, no.") I say, yes and I again congratulate the Honourable Member for having performed nothing but a duty to his staff.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Srijut N. C. Bardaloi (Assam Valley: Non-Muhammadan): Sir, new to the Assembly as I am, I do not think I will deal with the intricate problems of Railway Administration. I will only refer to the railways in the province from which I come. Two railways run through my province, one is the Assam Bengal Railway and the other is the Eastern Bengal Railway, and I shall only dilate on these two railway systems. At the outset I must congratulate the Honourable the Railway Member for bringing in a hopeful Budget this year. I share with him in his optimism after seeing the results of the past year's working, and I hope that the recovery towards which we are heading will continue for some time. The only question is whether with the recovery and the coming in of good times the lessons that have been learnt in economy will be lost or forgotten. That is the question that has to be considered and remembered now. In this connection I beg to say a few words regarding the Railway Member himself. In his speech, introducing the Budget on Monday, he said that this was the last Budget which he would present to this Assembly. I am quite sure this House will agree with me when I say that we shall certainly miss him. I have seen very little of him, but from the little I have seen of him I may say that he is a gentleman who is courteous and at the same time a good and clean fighter. He is a good and clean fighter and all the same he is courteous, and for that I respect him. Really I say we will miss him. We do not agree with him always—as a matter of fact, we mostly disagree with him,—but that is no reason why we should not show respect to one who can actually fight with us in a clean manner as well as sympathise with us when necessary. With these few words I begin my speech. I now come to the real business. I find that while the income has increased the expenses also have increased a

bit, but I hope the expenses will be put down proportionately in future so that whenever lean years come peoples' salaries may not be retrenched. The difficulty about the whole affair is that, while in the case of well paid officers retrenchment does not hit them so much, the low paid men are turned out altogether in the name of retrenchment, that is the worst feature in the whole thing. I hope the railway finances will be so managed that in lean years these things may not occur again, and we should profit by our past experience.

As regards rates and fares, I find that the third class fares have been reduced on certain railways and that has brought on more passengers to the railway although it is said that the loss in return is one per cent. on account of that. But, with a still further increase of passengers I hope that this loss will be made up. So, I think the experiment of reducing fares is successful and is going to be more successful. The other improvement which has been introduced in the Eastern Bengal Railway of allowing third class passengers to buy return tickets—I do not think that will improve matters so much as a reduction of fares. As a matter of fact, the people over there are poor. They cannot pay the return fare at once. These passengers go to a certain place, wait there for some days, work for some days, and earn a little money and then come back. Most of the people are like this, specially those who are labourers. If they go to visit some relations, they do not go and return the same day. So, to pay this one and two-third fares will be difficult, but if the fare is reduced, I am quite sure, just as in the North Western Railway, the number of passengers will increase. This is an experiment which ought to be carried out in other railways also. The question of amenities for the third class passengers has been discussed *ad infinitum* in this House from year to year, and I hope I shall also be allowed to say something about that. I do not think many gentlemen here have got any experience of travelling in the Assam Bengal Railway. I know my Honourable friend, Mr. Joshi—he is not here—travelled once there, but I suppose he travelled by the first class or second class and he has not got much experience of third class travelling over there. I would like some people from here to travel third class in the Assam Bengal Railway. When the train stops at a station there is a big fight in front of the third class compartments to get in. There is another big fight for people to come out, and inside there is another fight to get comfortable seats. That is the sort of third class we have, and in that compartment people are packed like sardines. But the third class passengers are the paymasters in the whole railway system, and if they are paymasters, you should give them the same amenities as you give to the higher class passengers. Do the higher class passengers help the railways substantially by increased earnings? In my portion of the country, the Eastern Bengal Railway passes from Gohakganj to Amungson, and the Assam Bengal Railway from Pandu to Tinsukia. If you go to one of these stations and see how the railway carriages are filled up, you will find that the first and second class carriages are almost empty. It is only during Puja time or some other holiday time that these carriages are filled up, but generally they are empty on most of the days of the year. But the third class carriages are always full, and when they are always full and when the third class passengers are bringing all the revenue, why not give amenities to them such as you give to first and second class passengers? I do not mind your giving the first and second class travellers spring mattresses, or four or five electric fans, or carpets on the floor, but

[Srijut N. C. Bardaloi.]

why not give to the third class passengers at least a bench broad enough for a man to lie down? In the Assam Bengal Railway the benches are probably scarcely one cubit broad, and the bunks at the top are less than that. I had occasions to travel third class, especially when I was taken from Gauhati to Sylhet jail as His Majesty's guest, and I had very good experience of third class travel. The jolting is so great that one cannot go to sleep on a third class bench, because he will be afraid that he might fall down. Of course, the third class passengers do not generally fall down because they are roused at every station by others and there is a regular scramble. However, the jolting is very terrible, and you can now imagine what sort of third class travel it must be in a third class compartment in the Assam Bengal Railway. I hope I shall not be laughed at if I say that electric fans to the first and second class passengers are not so necessary as they are for the third class passengers for the sake of convenience, for the sake of health and for the sake of little comfort. On a hot day when you see these people packed like sardines, and consider the heat which is engendered inside the carriages, if electric fans be going, there will be some comfort for the passengers there. Therefore, so far as the amenities of third class passengers are concerned, the most important are the broadening of the benches, some sort of mattresses,—it does not matter if the mattresses are made of gunny cloth, but some sort of mattresses there must be,—and a few electric fans in the compartments. Even if you have no electric fans in the first and second class compartments, it does not matter because there are not many who travel in those classes and hence people can travel with a little comfort even without electric fans. So, I say that the third class compartment should be improved. Latrines have been supplied to the third class and inter class compartments but they are not enough. You require more latrines to be put in there. Then about the railway waiting rooms. Both on the Assam Bengal Railway and the Eastern Bengal Railway, wherever there are waiting rooms, for first and second class passengers, they are kept closed from day to day. Probably they are opened once a week. The result is that when any passenger comes there, he has to shout a great deal before the porter comes and opens the door and when the door is opened, you find a foul smell coming out of the room because it has been kept closed for days together. As regards the third class passengers, most of the stations have no waiting rooms and those which have got, have only a small portion of open verandah attached to the station which is called a waiting room, with no walls, with the result that in winter, which is rather severe, and in rainy weather, it is very difficult for passengers to stay there. There are no benches on which the passengers can sit. These things ought to be looked into and remedied. Especially in some stations between Kampur and Manipur Road, if a hapless passenger has to get down in the evening and come back in the morning and if he prefers to wait at the station, his condition can more be imagined than described. There is no waiting room worth the name. Probably there is a little open shed-like thing attached to the station and the man who stays there will be attacked, not only by hundreds of mosquitoes, but he will also be regaled at intervals by the growls of tigers close by. (Laughter.) That is what these waiting rooms are like and unless you improve these waiting rooms I do not think there will be any amenities worth the name for third class passengers. In some places in the Eastern Bengal Railway,

the stations are placed in such a way that instead of being helpful to the people they have really become obnoxious. As a matter of fact there is a station called Ghograpara. It was proposed that the station should be removed because it is insanitary there, and, if people have to come to the station, they have to wade through waist deep water. The local board of that place constructed a road through a thickly populated country, from which paddy and other things are exported. In the meantime, unfortunately some of the villagers quarrelled with the station master and there was a fight, with the result that the station has not yet been shifted and the villagers have to wade through waist deep water in order to reach the station, during the rains. That is the condition of this station and in spite of several representations the matter has not been looked into.

Now, as regards the railway services, my friends have spoken about Indianisation. Of course, I agree with them entirely, but charity begins at home. If a man passes from Golakganj to Amingaon by the Eastern Bengal Railway and from Amingaon and Tinsukia, if he gets down at any station, he will wonder whether it is a station of Bengal or Punjab or Bihar. Not a single Assamese is there in service, either a clerk, a station master or in any other capacity. Of course, there are a few pointsmen and chaprasis. Barring that, there are no other Assamese employed in this section of the line. There are so many officials but there are no Assamese in the higher services. The Agents remain at Calcutta and Chittagong and they are unapproachable. No applications and petitions can reach them. Although our Assamese young men have returned from England fully qualified as engineers, electrical, mechanical and civil, they are rotting. They do not get any appointment in the railway service. If there is a vacancy and there is some chance of getting a post, a man is suddenly sent from somewhere else and he goes and occupies that post and our young men rot. The question of unemployment is as acute in Assam as in other places. The authorities do not seem to be cognisant of the conditions of the railway service in Assam and how the posts are filled in. The headquarters being at Calcutta and Chittagong, there is no chance for any Assamese to get into the railway service.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Srijut N. C. Bardaloi: I will finish in one minute. The only point on which I want to say something is about the floods. Probably you have read in the newspapers how the floods have affected one portion of Assam. My friend, Kumar Gopika Romon Roy, had spoken in this House about the floods in Sylhet. I do not know much about it, but I had been to the Nowgong district on two occasions at the time of the floods, and what did I find there? The water washed away hundreds of cattle and even some elephants were washed away this time, human beings were washed themselves by getting on tree tops or on house tops which served as a sort of rafters. When the water rushed in it strikes the embankment on the southern side and the water level becomes very high, the water level on the northern side remains low, showing, thereby, that water has not got enough outlet to go out. In the Chaparmukh Silghat Railway, iron bridges remained standing and 40 feet of earth on both sides had been washed away by the current, showing that the natural outlets for the water were narrow. Therefore, this matter must be looked into carefully by the Railway. This is all I have got to say.

Mr. G. Morgan (Bengal: European). Mr. President, I should like to congratulate the Commerce Member on the result disclosed by the 1934-35 revised Budget which is better than was anticipated. The details have been given in the speech of the Honourable the Commerce Member and this Honourable House is fully conversant with the figures. With regard to the estimates for 1935-36, I see there is a further note of optimism and a deficit of only 190 lakhs is anticipated. If it were not for the loss on the strategic lines, there would be an estimated surplus of seven lakhs, which is satisfactory and let us all hope that this will be realised. One does not want to be pessimistic but I would just like to say that industry and trade are not yet out of the wood. Now, Sir, I would like to refer to a few matters which I shall bring to the notice of the Honourable the Commerce Member. At the annual meeting of the Associated Chambers in Calcutta last December, there was a resolution moved, and, with your permission, Sir, I would like to read it, because it gives the whole thing in a nutshell:

"This Association views with the gravest concern the policy of the Railway Board who, by means of the powers conferred upon them by Government for the fixing of railway rates are, in an attempt to secure the maximum of carriage by rail, diverting established trades from their natural channels. It contends that in entrusting the Railway Board with such wide powers, the Government of India relied on these powers being exercised only with the utmost discretion, and with due regard to all interests affected, so that it was never contemplated that they would become the means of depriving firms and individuals of their natural livelihood or threaten, if carried further, completely to isolate ports from their recognized sources of supply."

This resolution, Sir, was carried unanimously and it was forwarded to the Government of India, and, therefore, it is in their hands, and I would ask the Government to tell this House what steps they are taking to prevent the abuse of the powers conferred on the railways. I know that rates on railways have been lowered to divert the present traffic from seaborne and inland steamers and, in my opinion, such action should be stopped. I would, therefore, ask the Commerce Member to state what the policy of the Government of India is in that respect. Now, Sir, as regards railway tariffs. At the same meeting there was another resolution passed which, with your permission, I would like to read out.

"That in the opinion of this Association there is immediate need for a close examination of railway goods tariffs so as to obtain a closer co-ordination between the various railway systems having regard to the needs of India as a whole, primarily to ensure that the development of the internal trade and the export trade of the country are more advantageously served than at present. It is considered essential, when the necessary data have been collected, that non-official representatives of trade and commerce should be associated with Government in a full inquiry into the question."

The Chief Commissioner of Railways, Sir, in a speech delivered in another place, said that a committee was specially constituted by the Indian Railway Conference Association to examine and report on the statistics that would be compiled. This report was considered in October last, and it was decided that a further examination should be made as to whether it would not be possible to consider a simplification of the tariff without the preparation of elaborate statistics and that the matter was coming up for further consideration next month. This matter, Sir, was referred to a year ago and I must say that the position, as stated by the Chief Commissioner, is most disappointing. It almost looks as if the matter might ultimately be shelved. Now, Sir, we consider that this

is a matter which cannot be allowed to rest here. On the 8th March, 1934, the Honourable the Commerce Member said that it might be advisable for Government to associate, in the examination of this question, non-official representatives of commerce and trade, and possibly of this House. Sir, we do not want to be faced with a definite decision by Government next month. I would ask the Honourable Member at what stage will the non-official representatives be called in? Obviously, it must be before Government have come to any decision. Now, Sir, I would like to refer to the surcharge on coal. While we are thankful for the two and a half per cent. reduction and the one rupee maximum on distances over seven hundred miles, we would still urge on Government to take off the whole surcharge as soon as possible (*Mr. B. Das*: "Hear, hear"); and also, Sir, in connection with the surcharge as it stands from, as I understand, the 1st of April, I would like to point out that the position is this at the moment, that "orders for long distances are daily being cancelled; if the reduced surcharge does not come into force at once"—that is, the two and a half per cent and the one rupee maximum—"that will make it very difficult at the beginning of April to maintain dispatches to railways and at the same time supply coal to those customers now cancelling orders". I would ask the Honourable the Commerce Member to take that into consideration. What we would like is that this reduction should come into force at once.

Now, with regard to railway receipts. Last year, the Leader of our Group referred to the question of the railway receipts being given the status of negotiable instruments. So far, we have heard nothing as to whether the subject is being pursued, whether Government have come to any decision or not, and I would like to ask the Honourable the Commerce Member whether he is in a position to give us that information now.

Then, again, Sir, I would like to say a few words about coal tenders. The Government have laid down that, when distributing railway contracts, the only principle on which they work is price *cum* quality coupled with as wide a distribution as possible, subject to price being favourable, to assist the industry as a whole. I think I am right in saying that that is the policy. The Honourable the Commerce Member will no doubt confirm or refute this. Now will Government advise this House whether this is a hard and fast rule, or do the Railway Board depart from it whenever they see fit to do so? If so, on what grounds in such departure usually made? The Commerce Member no doubt feels that the small colliery requires special consideration but, Sir, this policy does not coincide with the statement made in the Industries and Labour Department letter No. M. 76, dated the 28th January, 1925, to Local Governments on the question of restriction. "The less efficient concerns should close, and the operations of those who depend on wasteful methods to maintain their position in the market should be limited". I merely draw attention to this and hope that the Honourable the Commerce Member will take this into consideration when he is studying the welfare of the small colliery. Sir, it has been a complaint with the coal trade that it is too much in the hands of the Railway Board. The Railway Board are not only the largest carriers, but also the largest buyers, and the largest miners of coal in India (*Hear, hear*); therefore, they have in their hands the three principal factors of the coal trade. The Railway Board, Sir, have always assured the trade, however, that they try to hold the balance evenly

[Mr. G. Morgan.]

between these various functions and that the trade may rest assured that the Board have its interests at heart and will not abuse their position. Now how can the Board, Sir, justify having kept the South Indian Railway tenders, which were submitted on November the 12th last year, pending for over three months, and how is it that no decision has been arrived at yet? Now it is very difficult for people to give coal on firm offer for three months and it is still undecided as to whether their offers will be accepted or not! That stultifies their trade. The quantity involved is said to be over two and a half lakhs of tons and to keep this quantity on offer for so long shows a complete indifference to the interests and the good opinion of the whole trade.

Now, Sir, with regard to the third class accommodation and amenities, my Honourable friend, Mr. Bardaloi, has advocated their cause very efficiently and rightly. I happen to have travelled very often on the Assam Bengal Railway from Chittagong as far as Dibrugarh and also on the Eastern Bengal Railway every inch of which is known to me well and I think he has not exaggerated a good many of the points. We still maintain that there is overcrowding on the main line trains in spite of what my Honourable friend, the Financial Commissioner, stated in reply to a question the other day. There is no doubt that better accommodation is necessary for third class passengers. In this connection, it seems scandalous that, as was stated by the Honourable Member, Mr. P. R. Rau, the Eastern Bengal Railway has not yet replied to a letter from the Government of India with regard to the latrines in third class carriages. The letter was sent about six months ago.

Mr. P. R. Rau (Financial Commissioner, Railways): On a point of personal explanation, I should like to take this opportunity of saying that I have since seen the file and I find that the letter to the railway was issued some time in September and we got a reply some time in February. I may add that the reply is that the Bengal North Western Railway administration have decided to provide in the designs of their new carriages practically the same accommodation as obtains among other railways.

Mr. G. Morgan: It is satisfactory to know that it is not as bad as it looked. Now, there is another point to which I would like to refer and that is the loss entailed by the number of passengers travelling without tickets. The Chief Commissioner, in his speech, in another place, stated that the railway considered that some amendments in the Act were necessary to make the penalties sufficiently deterrent. He also stated that it was his intention to discuss the matter "in due course". Now, those are words that I cannot understand at all:

"...in due course with the Central Advisory Committee for Railways before deciding on the steps to be taken."

I should like the House to say how often the Central Advisory Committee on Railways meets? It meets only once a year. Surely, Sir, this is a matter of sufficient importance considering the huge amount of loss entailed, for immediate action to be taken, and I would suggest that section 113 of the Indian Railways Act be amended at once, and also that more Ticket Examiners—and, if possible, of a better class than we have at

present—should be taken on without delay. Now, Sir, with regard to the supply of wagons, I would just like to know from the Honourable Member whether any long range policy has been laid down with regard to wagon construction. If I remember rightly, last year we were told that some 12,000 wagons were practically unfit for use and that it was no good repairing or doing anything with them. This year some 5,000 wagons only have been indented for. Another matter that I have noticed is that a thousand wagons are to be repaired at the Tatanagar Workshops for which ten lakhs has been provided. But according to the Explanatory Memorandum on page 14 there seems to be considerable doubt as to whether this would turn out to be a sound financial proposition. They have provided ten lakhs but they do not know really what it will cost. There seems to be no estimate of cost attached to the proposal.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got one minute more.

Mr. G. Morgan: I must ask your indulgence, Sir, for about two minutes more. Will the Commerce Member be pleased to explain why it has been necessary to re-open these workshops when the wagon building trade is crying out for orders? With regard to the new construction, I notice that there is a bridge to be built across the Meghna. I should like to ask the Honourable Member whether there is going to be any road-way on this bridge across, I presume, from Bhairab to Asuganj? Sir, at the end of these few remarks I should just like to quote from the *Hindustan Times* which said yesterday:

"Economic planning in transport as a handmaid to Indian industries is something foreign to the imagination of railway authorities."

But, Sir, I hope that with the creation of a Portfolio of Communications, this matter will no longer be foreign to any transport authority.

Now, Sir, it is with great regret that I realise this is the last Railway Budget to be presented by my Honourable friend, Sir Joseph Bore. Just as he is leaving, it looks as if the financial position of the railways is getting on the firmer ground and the future budgets may be more pleasant reading than they have been during his term of office. However, I hope that in his retirement he will get some pleasure on reading future budgets and feel that he has contributed a great deal to their result.

Mr. Mathuradas Vissanji (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, looking at the Railway Budget for the coming year as a whole, I may congratulate the Honourable the Commerce Member on his making the best show of what is after all a very lean year. The increase in the gross receipts of the Railways, while notable in itself, nevertheless, indicates that the railways considered as a whole are yet far behind the highest point reached before the depression began. It is not possible for us to criticise or question the estimates prepared by the Department but the estimates for the coming year as presented by the Honourable Member have allowed for a continued improvement in trade and traffic the same rate as in the current year. I feel, that inasmuch as Government have not found it advisable to enter upon any considerable reductions in Railway rates and fares, there is reason to doubt if, in their

[Mr. Mathuradas Vissanji.]

heart of heart, they consider the financial position of the railways to be quite as sound, or even as hopeful, as the Honourable Member has made it out to be.

Assuming, however, that the recovery noticeable in the movement of goods and passengers in the current year continues for the coming year, the railways would still be making a heavy loss of 190 lakhs. Nearly half of this loss would have been avoided, if Government had not decided to remove the cut in salaries in the railway services, which has lasted for three years but which it is unjust to sanction at this stage. Not only the railways are not able yet to make any contribution towards their way to afford any corresponding relief to the taxpayer, or the consumer of the railway service, in the shape of reductions in rates and fares all round. The railways are debted to the general Budget for a five-year lack of contribution, which must aggregate some 30 crores by this time; and have also exhausted all their reserve fund and made very considerable inroads upon the depreciation funds amounting to something like 28 crores in the shape of temporary loans. It may be open to question if these temporary loans are likely to be repaid in the near future that we can envisage today; and it is still more problematic if the accumulated deficit on account of the failure to pay the stipulated contributions to the public revenues will likewise be paid in the near future. So long as the railways have not discharged these obligations, we can have no ground to be satisfied with the general condition of our railway finances.

When the railways are in this condition, it is impossible to see the justice of the restoration of the salary cut, as mentioned by the Honourable Member. Economy in expenditure on the railways, though much advertised, has not shown as much proportions, at least so far as the figures indicate, as the public were led to expect from the report of Mr. Pope on this subject. If we add to this the restoration of the salary cut, the tendency of expenditure to keep on a high level, in spite of all adverse factors, will be irrepressible. The rosy picture drawn by the Honourable Member of the achievements of our railways, considered as a whole since 1925, is open to this one serious blemish that, even today, the railways are not making a contribution to the public exchequer and their net return on the capital at charge still continues to be below what was considered to be fair and just by those who have brought about the separation of the railway finance from the general Budget.

Side by side with this restoration of the salary cut, Government have offered no relief to the consumer of the railway service, with the single and small exception of the removal of the surcharge on coal freight. This, however, is not even one-fourth of the relief given to the railway servants, by the restoration of the salaries cut. The public always understood that the interest of the taxpayer and that of the public servant, which were both said to be bearing equally the burden of the depression, will receive simultaneous relief when better time returned. In a just, responsible and democratic Government, the interest of the taxpayer would have received priority. But, even in our Government, we would have been thankful if an equal and simultaneous relief were given to both the taxpayer and the servants of the railways. When, however, we find in this Budget that the interest of the railway servants not only takes precedence, but they receive relief far in excess of what little relief is afforded to the taxpayer, we feel it necessary to utter a note of protest against this Budget.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, this is the fifth deficit budget of the railways of India. Although there has been some improvement in railway finance, *pari passu* with an improvement in the general economic condition of the country, yet there is very little in this financial statement on which the country can congratulate itself. Indeed it is my firm conviction that if proper measures had been adopted by Government for combating the depression, it would not have been necessary for them to bring forward a deficit budget for the ensuing year.

The first of the measures which the Government ought to have taken was a proper measure of retrenchment. I know that a retrenchment policy was actually adopted, but this policy was not of the right sort and it did not go far enough. It is strange that before the era of deficits has come to an end, Government have decided to restore the cuts in salaries. I listened to the speech of the Honourable the Railway Member with a great deal of attention, but the arguments which he put forward for the step taken by him do not appear to me to be at all convincing. He referred in his speech to the possibility of a "serious labour trouble". Sir, I do not know whether the Government have the interests of labour always at heart, but if they have it, then I would suggest that the salary cuts might be restored for those who earn small incomes.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. S. Satyamurti, (one of the Panel of Chairmen).]

Supposing the Government have the interests of labour at heart, then I would suggest that the salary cuts might be restored in the case of those who earn small incomes, say, those below Rs. 300 a month. The salary cuts for others should await a better opportunity in future.

Next, Sir, another important measure which should have been considered is Indianisation. Year in and year out, the public of India have demanded Indianisation, but the policy in this respect has progressed only at a snail's pace. This is not right.

The third measure which might have been adopted by the Government was amalgamation of different railways and grouping of a regional basis. This question was considered by the Honourable the Railway Member last year, but he said that we should wait till other railways come into the hands of Government. Well, I do not think we should wait till then because other railways will not come under Government for a long time to come. I would urge that an attempt should be taken even in the present situation to make some amalgamations. I may suggest in this connection that there is no necessity for retaining separate agencies and establishments for the East Indian and the Eastern Bengal Railways. I may also refer here to the amalgamation policy which was carried out in England some ten or twelve years ago, when an economy of £25,000,000 a year was achieved.

The fourth measure of economy that I would suggest is a general reduction in passenger fares and goods freights. I know that I tread on somewhat debatable ground in this respect. The Honourable the Railway Member said the other day that an experiment in regard to the reduction in passenger fares on the North Western Railway was not "wholly encouraging", but I urge that there may be certain circumstances which were peculiar there, for it is the general experience of all countries that a reduction in fares and in railway rates is accompanied by larger earnings. But,

[Dr. P. N. Banerjea.]

apart from this aspect of the question, I would urge a reduction in fares as well as in freights on general considerations. The interests of the community must be borne in mind by the Government which is the owner of the railways in India. As regards the rates policy, we all know that it has come in for a great deal of criticism at the hands of the public in India. It has been repeatedly said that the railway rates policy of the Government has been harmful to the interests of industrial development in this country. There is, I believe, a great deal of truth in this criticism and I hope and trust that in future the Government will follow Japan in regard to its enlightened policy in industrial matters. In that country it is one of the essential duties of the railway administration to look to the economic advancement of the country. Sir, in regard to all branches of administration there ought to be a definite policy and I suggest that in railway administration there should be a definite ideal to be kept in view. The National Transportation Committee of the United States of America wrote in 1933: "the ultimate goal of all transportation policy is to furnish to the people the transportation service which they require in the cheapest and most efficient manner possible". This should be the guiding policy of Government in future.

I welcome the decision of Government in regard to the reduction of the surcharge on coal, but I am afraid the concession does not go far enough. It would be very desirable if next year Government will consider the question of doing away with the surcharge altogether.

Sir, one of the causes which have led to the deterioration of the financial position of railways has been the heavy expenditure incurred on the Hardinge Bridge protective works. In this connection, I do not wish to contest the authority of the specialists and experts who gave Government advice in regard to this matter, but I should like to point out that the way in which they proceeded was a wrong one; it may be described as a crude method of dealing with this difficulty. A surer and more permanent method of dealing with the problem would have been to divert a portion of the water of the Ganges into other channels, incidentally that would have effected a great deal of saving in expenditure as well as benefited the whole of the province. We all know that Western Bengal suffers from drought due to the fact that most of the rivers have silted up and there is no supply of water. On the other hand, East Bengal suffers because there great havoc is created year after year by floods. Now, if a portion of the water of the Ganges is diverted along other channels, both parts of the province would greatly benefit. I hope Government will consider this suggestion in the light I have offered. I am sure Government consulted great experts and great engineers; but while these experts are very good in their own lines of activity their vision does not go beyond their limited fields of routine duties. This is quite natural; and it is men of common sense and men of experience and men who have to deal with the different aspects of administration who should correct the narrow vision of the engineers and other experts.

Sir, it is impossible for any of us to look upon the Railway Budget with any feeling of satisfaction until the budget is balanced and until the contribution, which is due to the general finances, is regularly made. For the last five years the annual contribution which ought to be made by

railways to general finance has not been made, and the accumulated unpaid balance amounts to nearly 27 or 28 crores. This sum should be regarded as a debt due by the railways to general finance and should be cleared off at the earliest possible moment.

Sir, these are a few of the points on which I have thought fit to make a few observations. Time will not allow me to deal with some of the other important matters. I do hope that the grievances of passengers and of the railway employees will be given proper and due attention. I hope also that the question of stores purchase policy will be considered in an enlightened spirit because a great deal depends on the stores purchase policy of Government. The industrial advancement of every country depends on markets and if the Indian products are unable to find any markets in the country, then their future is doomed.

With regard to the construction of new lines, I would urge a cautious policy on Government, because of the competition of motor traffic and also the possible competition of commercial aviation in future.

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has exceeded his time.

Dr. P. N. Banerjea: I will finish in one minute, Sir.

Before concluding, I should like to raise my voice of protest against the establishment of the proposed Statutory Railway Authority. The establishment of this body will greatly interfere with the right of the Legislature to control and direct the railway policy of India. It is a pity that this matter has now been taken out of the hands of the Indian Legislature and has been incorporated in the Bill now before the Parliament. I have not the slightest doubt that the country will never accept this reactionary policy of Government.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): Mr. Chairman, my first great objection to this Government, whether in the department of railways or in any other department, is that it is top-heavy. My second objection to this Government is that it does nothing for the proper education of the people. My friend, Sir Henry Gidney, congratulated the chief persons in charge of the railways who sit in this House. I do not know whether the Honourable gentlemen, who sit there, are there only to take all the credit or also all the kicks. Sir Henry Gidney said that if some persons from this side of the House sat there, every train would be derailed. I do not know whether the gentlemen opposite are personally responsible for the non-derailment of the trains, or whether the pointsmen and the other humble employees of the railways are responsible for that. When a derailment does take place on a railway, I do not know whether the gentlemen opposite suffer the least. The other day because of the mistake of the gateman at a level crossing, in my district of Benares, the gates remained open and a lorry collided with the Punjab Calcutta Mail, the pointsman got into trouble; the gateman got into trouble; but, so far as I know, none of the gentlemen here got into trouble (Laughter.) If they are going to get all the praises inside and outside this House, it is up to them to take also the blame for every single derailment for every single accident, for every single disaster. Therefore, I do not want to waste the time of this House or my own, in exchanging unnecessary compliments across the floor of the House. So far as I am concerned

[Mr. Sri Prakasa.]

think that the administration of railways in this country can be carried on on a more equitable basis, and I should suggest the cutting down of the large salaries here and now. So far as the restoration of cuts goes, my sympathy is with Sir Henry Gidney if he will only confine himself to all those who draw Rs. 100 or Rs. 150 and less: I do not want any restoration of the cuts of those who draw more than that amount. I think we can easily afford to add to the small incomes of the humble employees on the railways; and reduce the salaries and emoluments and even the saloon cars of the bigwigs who rule in that huge house called the East Indian Railway building in Calcutta. I have visited that place on a business of my own; and I found it very difficult to get in touch with anybody there.

Lieut.-Colonel Sir Henry Gidney: You cannot even get there now.

Mr. Sri Prakasa: The other thing for which I plead in all earnestness is that the railways should be used for the purpose of the civic education of the people. Railways are the things, as the Honourable the Commerce Member said, that come in direct contact with the people—with all classes of the people—and not only, as he said, every minute of the day and every day of the year, but every minute of the night as well. And it is the night travelling to which I should like particularly to draw the attention of the House: The day is passed somehow, sitting or standing; but when the night comes then the passengers get into all sorts of difficulties, and the difficulties are enhanced when, about one o'clock at night, the ticket collector comes to examine the tickets: the first and second class passengers, I understand, are exempt from such visitation even if they are without tickets (Laughter).

Mr. N. M. Joshi: They are generally without tickets.

Mr. Sri Prakasa: But being myself an intermediate class passenger at best, and, more often than not, a third class passenger, I know how terrible are the nights in the train; and I do feel that if the railway authorities would embark upon a programme of persistent education of both their employees and the passengers in the elements of civic duty, they will be benefiting the country a great deal. What do you find in the railway compartments? Dirt all round. The passengers do not seem to realise that it is better to throw their cigarette stumps and their matches and the leavings of their fruits and food outside the window; they leave all that stuff to travel with them in the compartments themselves.

Mr. M. S. Aney (Berar Representative): Without ticket!

Mr. Sri Prakasa: If the railways would spend a little money and write across the windows and the walls of these compartments—"Please throw everything you want to throw outside the window: please save other passengers from getting their heads broken by putting trunks at wrong angles on the bunks: please do this: please do not do that: please let the passengers get out before you try to go in";—if all this was done, I do feel the Government would be doing a great deal of good to my country. (Inter-ruption.) My own vocation in life is that of a teacher of Civics in the National College of Benares.

Mr. M. S. Aney: And the son of a teacher too!

Mr. Sri Prakasa: . . . and the only thing that I teach the students who care to join it, during such periods that the institution is allowed to function, free from Government attention, and that I ask them to teach others, is a few simple rights and duties of a citizen. If only we knew that, I think we would get Swaraj much earlier than we expect; and though it may go against the interests of the Government, I think it would be doing a real service to the country if it utilised the railways for the propagation of proper education not only of the passengers, but also of the members of its staff. I heard in England a saying which they had there: the first class passenger is rude to the guard, the second class passenger and the guard are rude to each other, but the guard is rude to the third class passenger! That is how the rudeness is distributed as between the guards and the passengers there. Here, it seems, that the railway authorities are rude to every one. I have often found, travelling in the intermediate class at nights, that all the railway staff on duty occupy all the bunks and refuse to give room to *bona fide* passengers with tickets in their pockets, who are thus kept standing in order that members of the railway staff, on duty, should have a comfortable night. I do not want to take away any legitimate comfort from railway employees because they are also human.

Mr. N. M. Joshi: They are also passengers!

Mr. Sri Prakasa: I am talking of the crew-persons who are in charge of the work of examining tickets: they lie about on these bunks and do not allow *bona fide* passengers to occupy them. I, therefore, suggested in one of my letters to the gods on high—I am in constant correspondence with them, but very often do not get any reply to my letters from them—that they might have a small compartment reserved, in each passenger train, for members of the railway staff on duty, so that they could go and rest there in between their hours of duty and not interfere with *bona fide* passengers. I do not know where that letter is, but I got no reply. I have also another complaint to make: the intermediate class lavatories in the East Indian Railway are not in conformity with human anatomy (Laughter) and so, they are very often dirty. I do not know who are the persons who designed these lavatories; I have had no end of trouble with them. I will give you one instance. It is an unsavoury example: luckily there are no lady members in the House and I think I might give it without looking up at the galleries. My friend, Pandit Jawahar Lal Nehru, as President of the Congress, and myself were travelling together to attend a meeting of the All-India Congress Committee. We had travelled in a third class compartment practically standing all night. When the early morning came with its physical demands and I entered this little lavatory, I found that it was dirty. Well, I consulted the President of the Congress. (Laughter.) He said: "Let us send for the *mehtar*." I called for one; but *mehtars* are always busy with the first class passengers even if their lavatories are quite clean. The pity is that the *mehtar* does not look after the comfort of his own brethren in the third class compartment, but eagerly looks after the comfort of his master in the first class. So when the train steamed off, the President advised me to turn myself into a *mehtar*; and so, with the help of the morning paper and what little water I had, I cleaned the lavatory myself and used it. This mess is not due to the mistake so much

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of the man, or the woman or the child who had used that lavatory before, but it is the mistake of the man who designed it originally, because, Sir, no human being could use it properly.

Again, Sir, travelling in a third class compartment, on another occasion, I found it notified there that that compartment was meant for 52 persons. And we were already over 52. There were only two doors to go out at one end of the compartment. If any passenger wanted to get out from the further end at a wayside station, he had to struggle hard. There were fights almost at every station, and it was with great difficulty and with great discomfort that those who occupied the compartment completed the journey.

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has got only one minute more.

Mr. Sri Prakasa: Sir, I shall not take even that one minute. I have often felt that high railway officials have too many saloons for themselves. Only one gentleman is generally travelling in a huge white or yellow saloon, and it is tacked on to these trains while I myself am being crushed in a neighbouring third class compartment. Being only human, I do not like it. If these bigwigs would only experience the difficulties of lower class travelling and also realise that with a little proper instruction to railway officials and railway passengers, things could be improved, then they would surely take steps to remedy the defects. If they do so, then I think, in India, things would be much better than elsewhere, because, I think, our passengers are more patient and willing to bear more hardships than passengers in other parts of the world; and when you have a patient people, why try their patience in a manner and to an extent that is not good either for yourselves or for them.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, this is usually the time when we have to consider whether the gentleman who presents the Budget is to be congratulated or not. With regard to the Budgets, fortunately or unfortunately, I have had some experience that they are more or less manipulated and forged in the manner the authorities wish to present them to the public. In these offices there is also the trick of the trade by which a Budget which is a surplus budget can be made a deficit budget and a deficit budget can be turned into a surplus budget. But, Sir, what I have to consider, from my own point of view, is not whether a particular budget has been a surplus budget or a deficit budget, because, in bringing out a budget, there are certain limitations and barriers which face those who make them and those who present them to the House; what I am concerned with mostly is the good behaviour of the officers of the railway more than their bringing out a surplus or deficit budget. I was thinking whether the Honourable the Commerce Member who has been in this House for more than five years, during which time I have also been here, from the good behaviour point of view, deserved credit or not, and I must say emphatically he does. I have, Sir, for him and for his colleague, Mr. Rau, sitting behind him, not merely a great regard, but a great admiration for both. (Hear, hear.) Sir, there are certain instances within my knowledge in which these gentlemen have acted in a manner in which any right-minded man would act. When we brought before this House certain cases by way of questions, when we asked for certain information,—Honourable Members who are new to this House have not yet had much experience

of it,—the replies were always very evasive, they said that the matter was wholly in the hands of the Agents of the Railways concerned and they could give no relief. This is what we find. But may I say to the credit of Sir Guthrie Russell, with whom also I had personally to deal in connection with certain matters, that he is also as easily accessible as the other two gentlemen, and they are ever ready to listen to any genuine complaints that may be brought to their notice, and I must say they are very sincere in inquiring into any complaints and giving relief. There was a case of a gentleman drawing Rs. 800 or Rs. 900 who was wrongly retrenched. We came to this House, put questions, and, as usual, the replies were evasive, and they said they could not do anything, the matter was in the hands of the Agent and so forth. But we wanted to point out that the Agent had done a wrong to this gentleman and that it should be set right. What to do? I espoused the cause of that gentleman, I went into the Chamber of the Honourable Member, on behalf of that gentleman who was wrongly retrenched, and represented the case to the Honourable Member. Do Honourable Members know what he did? He sent for the papers, went through them, and I must say to the credit of the Honourable Member and also of Mr. Rau, they saw that the man was wrongly retrenched and re-instated him, and the man is now getting his own pay. Some such cases have happened, and it is that courtesy, that kindness and that consideration that they give to such matters that pleases us most, and not the Budget (Laughter), because we all know, whether it is a surplus budget or a deficit budget, we are being taxed more and more. Therefore, whether it is a surplus budget or a deficit budget, it is quite immaterial to us here, because the world will go on merrily, at least the Railway Board will go on. (Laughter.) What is happening now? You have a little voice at present, but in a short time we shall be completely deprived of even that little voice which we are raising now, because after the constitution of the Statutory Railway Board, we shall be nowhere. How can you come forward and put questions and get information in this House? I have read the Bill as well as the report of the Committee which was considering the question on the Statutory Railway Board, and what do we find? They say that with administrative questions the representatives of the people in this House shall have absolutely nothing to do, and that it is only policy that they can deal with. May I enquire whether it is the day-to-day administration that we are concerned with, or bigger policies? Policies they lay down and then comes the question of administration. Now, it is said, you cannot interfere in the Agent's business, and hereafter they will say, you cannot interfere in anything. You have nothing to say.

Mr. M. S. Aney: Only to pay.

Mr. Lalchand Navalrai: Yes, only to pay; pay, and pay more. Though this is a deficit budget, yet it is a Budget certainly better than last year's, but I have yet no faith in it. It is only when the railways consider that they are responsible to the representatives of the people,—it is only then that we will think of these budgets. At present what we find is that everything is going on autocratically and I am afraid that will be our fate also when the Statutory Railway Board works. I do not know how the representatives of the people could reach that Board and how the grievances of the people could be redressed. The budget would be before you only for considering the policy.

Dr. Ziauddin Ahmad: Will it come to you at all?

Mr. Lalchand Navalrai: I say the policy question only will come. I understand that. Dr. Ziauddin was on this Committee, and I do not know how he signed this report, and if he has signed it, I want to know how he is going to tell me. . . (Interruption by Dr. Ziauddin Ahmad.)

Mr. Chairman (Mr. S. Satyamurti): Order, order.

Mr. Lalchand Navalrai: Any way, the report does not show anything that there was any dissentient voice from you. I have always respect for you and.

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member will kindly address the Chair.

Mr. Lalchand Navalrai: I have respect for him, and I can also say that he can study questions very well, but the point is where was he when he joined hands and brought out this report?

An Honourable Member: He was in England. (Laughter.)

Mr. Lalchand Navalrai: I do not blame him. It must have been due to the association that he had, sitting by his side those who only raised their hands, and he must also have raised his hand like that. However, what I say is this, that people should have a voice in the railway business. I am sure the public will be with me when I say that the agreement with the Company-managed railways should be revised, and I would suggest that before this Statutory Railway Board comes into existence, about which I have no doubt, the Government should consider the question whether these Company-managed railways should be still in the hands of companies. The agreements with them should be so revised that people may have some voice and some control over the Company-managed railways.

Coming to the Budget itself, the Commerce Member is now leaving the department, but we will see next year whether there has been some mistake this year or not. I am not, however, concerned with that, but I will make a few suggestions and then conclude my speech. The first thing of note is that it is the goods traffic that has saved the railways, and a lesson should be learnt from it. The goods freight should still be reduced where on account of competition the rates are at present unfair. Again, I must say that not only a few but a good many wagons are required to hand the goods traffic. During the War time traders could not get sufficient number of wagons, and, even afterwards, there have been continual complaints about the shortage of wagons, not only on the State-managed railways but also on the Company-managed railways. There is a railway which is called the Larkana-Jacobabad Railway in Sind, and several complaints have been made that they are not supplying sufficient number of wagons there. Of course, the Budget provides for more wagons, but the point is whether the Company-managed railways, and such other railways, as I have mentioned, will also have a share in those wagons, or whether they will have to build more wagons of their own accord. As regards passenger fares, there also you must reduce the third class fares and give more conveniences to third class passengers. Much has been said on that subject, and rightly

too, from that side, but I may say that, besides the inconveniences which the previous speaker has narrated, there are several other inconveniences from which the third class passengers suffer. Is there sufficient light in the latrines of the third class carriages?

An Honourable Member: Not at all.

Mr. Lalchand Navalrai: Take the congestion in the third class compartments. It is written, for instance, 90 passengers to sit. With those 90 passengers, there is overcrowding, but when the military travel, the number is reduced to 70 only. Why this invidious distinction?

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has only one minute more.

Mr. Lalchand Navalrai: I have done, Sir. I would say that the inconveniences to which the third class passengers are put should be remedied, so that there may be more and more passengers travelling. There is one other point to which I would draw the attention of the Railway Member, and that is with regard to Sind-Bombay Railway. I shall deal with it afterwards when I get an opportunity, and place facts and figures before the House, but at present let me say this, that the matter has been pending for too long a time. I know the Honourable Member is trying his best to see that the question is settled soon, but I am told that the file is now lying with the Bombay, Baroda and Central India Railway people for their opinion.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I think this matter should be expedited and a final decision arrived at, because it could be shown conclusively that this would be a good investment commercially. With these few words, I resume my seat.

Mr. V. V. Giri (Ganjam *cum* Vizagapatam: Non-Muhammadian Rural): The railways in India constitute a great State undertaking, next only to that of Soviet Russia, both in point of route mileage and the number of workers employed. There are today nearly 700,000 railway workers, who, along with their families, would exceed in numerical strength the population of some nations of Europe. When you consider, therefore, the Railway Budget, you consider the budget of thousands of families who depend, for their prospects of employment, re-employment and continued employment, on the policies initiated by the State. Now, Sir, there are today 47,000 retrenched workers on the railways during the last four or five years. The Honourable the Commerce and Railway Member has stated that the railway finances are improving but it is little consolation to the 47,000 retrenched workers and their families who are starving in the streets for want of food and raiment. This state of affairs could have been avoided if only the railway administrations and the Railway Board had accepted many of the suggestions made by organised unions and the All-India Railwaymen's Federation, suggestions which with a few financial commitments or in many cases with no financial commitments, would have avoided the unemployment of 47,000 workers. I would, however, reserve this subject for a future consideration if I get an opportunity at the time when the cuts will be moved.

[Mr. V. V. Giri.]

Now, Sir, coming to those who are in employment it is no doubt true that wage cuts have been restored but it is equally true that there was as little or no justification for imposing wage cuts on the poorly paid staff as there is justification in restoring the cuts of highly paid officials. Then there is another point with regard to the new scales of wages that are sought to be introduced. This is an attack on the standard of living of the workers. This constant attack on the standard of living of the existing employees is a menace to the improvement of their conditions of service. According to the Budget, it is proposed to spend 450 lakhs of rupees on rolling stock. A hundred lakhs are intended to be spent on locomotives and boilers. I consider that this expenditure, from the little study that I have made, is unnecessary. If we take the formula supplied by the Raven Committee, not less than 65 per cent. of the total stock of the engines should be in use daily. Even in 1925-26, the said Committee found a considerable number of locomotives without any hope of immediate use, resulting in considerable expenditure. According to the Financial Commissioner's reply to an interpellation on the 13th March, 1934, there were 928 locomotives purchased on Class I Railways after that date. I find, according to that committee's formula, that there are nearly 500 surplus broad gauge locomotives and 53 surplus metre gauge locomotives and 19 narrow gauge locomotives in excess. I would like to tell you, Sir, that each broad gauge engine costs Rs. 90,000 and each metre gauge engine costs Rs. 65,000. On this basis, I feel that at the present moment there is no justification for spending another crore of rupees on new locomotives. Another point I would like to bring to the attention of this House is, that from the year 1918 and 1921, there has been a great demand, backed by public opinion, that these locomotives should be manufactured in India. I would like to refer to the Government of India communique dated 1921 which was quoted by that great leader, the late lamented Pandit Motilal Nehru, in his speech on the Railway Budget in the year 1927. This is to be found on page 1213 of the debates, dated the 23rd February, 1927. The communique said:

"The Government of India have had under consideration the question of the construction of locomotive engines in India and they are now in a position to give a general undertaking that tenders will be invited annually in India for all the railway locomotives and locomotive boilers required by Government during the 12 years commencing with 1923."

It is really a wonder that from 1921 to 1935, the consideration about the manufacture of locomotives is still going on and we were told the other day, in 1934, by Mr. Rau, that the matter is still under consideration. Supposing, Sir, we have a Government of our own, a nationalist Government, and such replies are given, that Government will be turned out the next day. If this is the sort of explanation given by the Government during the last 15 years, is it to be wondered at if people lost respect for it? Again, Mr. Rau, by a reply about the manufacture of metre gauge engines in the Ajmer workshops, has helped us a good deal. In reply to a question by Diwan Bahadur Harbilas Sarda, Mr. Rau said:

"I understand that owing to the fact that the prices in England are now low, according to the latest information available to the Railway Board, there is very little difference in the cost of manufacture at Ajmer and the cost of purchase in England, the difference being only Rs. 26."

In spite of that, the Government have not encouraged the manufacture of these locomotives in the Ajmer workshops in greater number. I consider that every kind of locomotive can be manufactured in India in the railway workshops if proper attempts are made. In fact, I may quote with profit the words of the Raven Committee who said:

"Assuming equal efficiency and organisation and control on either side, all the elements of cost have a tendency to be lower in a railway workshop than a private workshop."

And, therefore, they strongly recommended that the railways should undertake a mass production of under-frames and spare parts of rolling-stock instead of depending on outside firms. I may also be allowed to quote an observation on page 77 of the Raven Committee's report. They say:

"Briefly, then, our opinion is:

(1) that the rates at which spare parts of rolling stock are being manufactured in railway workshops do bear favourable comparison with the rates which outside agencies could or would charge,

(2) that nevertheless such manufacture is *not* being carried on as efficiently and economically as it could be, owing either to lack of organisation and co-ordination or lack of suitable plant, and

(3) that with the concentration of the manufacturing work, in such existing shops, as are advantageously situated with respect to cheap labour, fuel and suitable equipment, on the lines we have recommended, great economies could be achieved."

I submit, from the point of view of the workers, if such manufactures are undertaken in this country, if a real organisation of the workshops is made, then unemployment will be greatly relieved and this retrenchment that has been going on for the last two years could, perhaps, have been profitably avoided. Now, I wish to touch on another important question as briefly as possible, and that is the question of the rail-road enquiry. Sir, it is stated that the railways are losing every year not less than 190 lakhs due to the competition of the motor transport. It has also been said that for every competitive bus that competes with railways, ten rupees are lost every day. At any rate, it is established that nearly two crores of rupees are lost by the railways through these competing services. I desire, Sir, that there should be a greater co-ordination between the bus services and the railway services, and, I think, the time has come when the proposition of State ownership of transport is practically established by the railways becoming State undertakings; now, it may also, therefore, be necessary perhaps to consider whether or not in the first instance as a trial, the Railway Administration of the Government of India might not take over the ownership and control of those transport services which run parallel to the trains, and I think this matter ought to receive greater attention. As I stated, at the present moment over Rs. 190 lakhs are lost by the railways every year and clearly this sum could be secured if the Railway Administration took charge of these buses and then certainly the railways would not suffer the loss that they are suffering. Sir, while reading the Rail-Road Report, I found that the Madras and Southern Mahratta Railway Company, in order to compete with the bus services competing with the railway between Bezvada and Masulipatam, are now buying Diesel locomotives at a cost

[Mr. V. V. Giri.]

of Rs. 6½ lakhs in order to compete with twenty-five buses the capital cost of which would not exceed a lakh of rupees. I feel, Sir, that the bus services are necessary. I also feel that the people in the country, the passengers, would like to have both the train, and the bus services, but, on account of this reason primarily, that is, the passengers can find comfortable seats in the buses, free of any great rush, while in the trains the way in which third class accommodation is organised is disgraceful,—on account of this very reason people would rather not like, if they could help it, to travel in trains.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more

Mr. V. V. Giri: I, therefore, consider, Sir, that this aspect must be considered. So far as bus companies are concerned, I am quite sure that they are not at all profited by these bus concerns. It is known to those who know something about the services, and the Rail-Road Enquiry Committee also says it, that these have not been of great profit. I, therefore, consider, that these questions ought to be discussed carefully. The House has to be given an opportunity to discuss this matter at great length and to come to some conclusions on this matter. I am sorry my time is up, Sir, and I have not been able to place before the House my views on this matter in a more detailed manner, but I shall, as I have said, reserve for a future occasion my views in greater detail.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, when I heard the speech of the Honourable Sir Joseph Bhoré and when I read it at home, I thought that some improvement would be shown in the management and the administration of the Railway Department at least at the time of the retirement of my Honourable friend, the Commerce Member. But I found, after all, that it was but a story of "remorse, sorrows and regrets". Sir, although we may here much regret the retirement of my Honourable friend for his personal qualifications and for his goodness of heart, yet we have to see what during these five years India has benefited in the matter of its railway administration.

Mr. Lalchand Navalrai: How can he help you?

Mr. Muhammad Azhar Ali: My friend says: "how can he help you?" but I think he can help me in the same manner as he has helped himself. (Laughter.)

Mr. Lalchand Navalrai: The Secretary of State can help you.

Mr. Muhammad Azhar Ali: Whether it is the Secretary of State to help us or whether it is any of the railway administrations in India to help us, the fact remains that we Indians are suffering and we Indians have come to grief in every department whenever we find any time to consider the affairs of that Department. Sir, as my Honourable friend has already been congratulated by other friends of mine in this House, it is also but meet and proper that I should also congratulate him, but in fact the position of the present Budget does not show in any way that we can

congratulate ourselves at least on the subject of the Railway Budget. Sir, in the opening speech which he delivered the other day I found two sentences which are very pregnant in themselves. The first is: "the prime consideration in these years has had to be the safeguarding of our financial position". Sir, if we scrutinise the financial position of the railways, we find it at once revealed to us that there is a deficit; and, on the face of the Budget, we find that our railways are not working according to the needs of the country. From every side of the House, Sir, you have been hearing that there are complaints of discomforts and that there are complaints of paucity of carriages, that there are complaints of this kind or that kind. Sir, on all these grounds, however much it may be said that it is a very good administration, nevertheless the Indians are not proud of such administration over which they have to wail and cry and cry hoarse, but absolutely it does not affect the officials on the official Benches. Sir, it is said that the financial position of India is in every way good. There is the Imperial Bank, there are the Government revenues, there is the income from the railway freights, there is the income from the passenger traffic. Every kind of income the Government has got. Now, if the financial position is so managed and in a certain way the figures are so manipulated that the financial position is sometimes made to produce a deficit and then at another time one of benefit to the country then what does it matter to us? Yet, really the position is bad enough. Further on Sir, the Honourable Member says: "the need for the pursuit of economy is great", and he harps on economy, and then he says that the "need for the pursuit of economy, translated into terms of greater efficiency, has been impressed on the Railway Administrations". Sir, this phrase, qualified as it has been, virtually means that this translation into terms of greater efficiency is only tantamount to saying that the officials of the Department should be highly paid and more highly paid ones be engaged and nothing more. (Hear, hear.) Sir, with this top-heavy administration that we have and the high salary that the Agents draw, it is indeed highly objectionable for the Honourable Member to think that there ought to be an economy. If that economy is to be translated into efficiency, then that efficiency means nothing but the increment in the pay of the officials or highly paid officials may be engaged hereafter. Sir, we know what an awful unemployment we have in the country at present and efficiency is not the only thing that we have to look to because efficiency is only for the purpose of so economising the resources of the country. My submission, therefore, is that this translation into efficiency will have absolutely no meaning. Further on, I find, just as we find in all official reports, that whenever there is anything with which the Government Benches wish to protect themselves, they always say: "We have lost so much, but". They are very fond of using the word "but". But whenever there is any profit, it is said: "But this is the deficit". The result is that every Government report is full of these "buts". Sir, I am always opposed to such "buts" because they mean exceptions which are of great importance and their connotations are very serious. In paragraph 6 we come across these "buts", again, like anything. In that paragraph the Honourable Member says:

"We are indeed fortunate that our anticipations of traffic rates have been more than fulfilled. But, though the improvement in goods receipts which we hoped for has been realised, and indeed more than realised, we have seen this year a further fall in our passenger receipts."

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The Honourable Member has used another "but" here. What we are concerned with here is to see how the administration is going on—whether it is in the interests of India, whether the passenger receipts are sufficient to meet our expenses and whether the receipts from our goods traffic are to our benefit or not. We find that there are these "buts" to be provided: they are put in there to play with the figures and for no other purpose. Further on he says:

"The results of our experiment on the North Western Railway have not so far been entirely encouraging."

This, too, I would put under the same category of "buts". How can anything be encouraging unless the Government is prepared to re-consider the resources of India and the expenditure which the Government incurs on the pay of the high officials? That is the only matter where we can join issue with the Government namely, that the Government does not care so much for the convenience of the passengers or for the inconvenience of the people of India as it does for the convenience and comforts of its officials. Then, Sir, we find in paragraph 7 the following words:

"When, however, we turn to our goods traffic, there are definite grounds for congratulation."

I am glad that Government congratulate themselves for having received something from the goods traffic. But we know very well that even in the case of the goods traffic, except perhaps on Company-managed Railways, people and the tradesmen find it very difficult to get a sufficient number of wagons. Now, it may be said that we have ordered fresh wagons and we are trying to provide the Indian public with the sufficient number of these wagons, and, therefore, the goods traffic will be nicely managed. Now, Sir, I remember that there was a Committee of this very House for the purchase of the B. N. W. Railway and R. K. Railway. Years after years have rolled on and the Government had been borrowing right and left, still they have not been able to find enough money to purchase these two Railways which are paying 25 per cent. dividends to their shareholders. Sir, we know that Government appoints committees, but what is the use of such committees when the Government is not prepared to carry out the recommendations of those committees? They always complain that they have not got funds to meet the unemployment problem and sometimes works are undertaken in which a loss is incurred. Still, we do find that Government do not follow the recommendations of these committees when it finds that they will be profitable to foreign and Indian investors. Sir, the object of the Budget is to show how the public money is realised and how it is to be disbursed. In the case of railways, which can be classified as commercial concerns, the two ways of realising money are through the rates that are fair and that a higher rate of freight for goods is imposed and realised. Government do both badly: it raises the fare which is really a great inconvenience to the passengers and raises freights for the inconvenience of the trading public.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. Muhammad Azhar Ali: That is the reason, Sir, why Government are losing in competition with other means of communication. If Government keep the interests of the country in the forefront, I am sure, it will be very easy for them to realise more money. They should take some public people into their confidence instead of having only a highly paid Board. They may also have some public men who know what commerce is and who know where the interests of India lie and thus along with them they may also have some non-officials on the Board.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, may I begin by thanking such Honourable Members as have expressed their appreciation of anything that my colleagues and I have done in the administration of Indian Railways. I express my gratitude to them for what they have said. Honourable Members will realise that it is not an easy matter to reply to a general debate during the course of which a number of points of varying importance *inter se* must inevitably be raised. With the best will in the world, it is impossible for me to cover the entire field of criticism, and if, therefore, some of the points that have been raised I pass over and deal with others somewhat cursorily, it is because the necessity to refer to a few matters at greater length and in greater detail precludes the possibility of a *seriatim* answer to every point that has been raised. I have no doubt that some, at any rate, of these will be ventilated during our discussions on the demands for grants.

Now, Sir, I should like to give first place in my reply to the question of coal contracts for the railways and I do so because the question has been given a certain measure of prominence by the allegation, I ought rather to say the insinuation, which has appeared in a certain paper that the allocation of these contracts is determined by considerations other than those which should determine the settlement of what is after all a purely business transaction. The suggestion has been made that the scales are weighted unduly in favour of the smaller Indian-owned and Indian-managed collieries at the expense of others. Now, Sir, I need hardly say there is no foundation for this suggestion. But a mere denial takes us nowhere. I would like to give the House a more detailed account of our procedure in the hope, first of all, that it may refute the allegation, and, secondly, that it might help people to realise that tenders are not dealt with on any arbitrary or unreasonable basis. I would, therefore, ask the House to bear with me, if I deal in some detail with this subject. In the first place, by way of preface, I ought to explain how it has come about that the railways are in the market for so large a portion of their coal requirements. It may not be known to the newer Members of this House as well as it is to those who have been familiar with our past discussions, that some years ago, railways were forced very largely through the action of the coal industry itself to acquire their own collieries in order to prevent themselves being squeezed by a combination of the interests concerned. We could, did we so wish, at the present moment, raise all our own requirements from our own collieries at prices advantageous to ourselves. Our collieries have been in process of being developed. In 1927-28, we raised something like 54 per cent. of our requirements from our own collieries. Then, later, came the great slump, and, in order to assist the coal industry as a whole, we decided to take a self-denying course of action, to limit our own raisings and to buy the bulk of our requirements in the open market. In the last three years we have been raising only one-third of our own requirements and we have been buying two-thirds in the open

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market with the idea of assisting the industry as a whole during a period of unparalleled depression. (Hear, hear.) The policy of Government was stated quite clearly by my predecessor, Sir George Rainy. This is what he said:

"I think the House knows that the coal trade is passing through a very hard time, that a good many of the collieries are only just hanging on and it is for that reason that the Government decided to raise so substantial a portion of their requirements to be obtained from the market. I do not claim, of course, that we were acting on purely altruistic grounds. It is not in our interests that a large number of collieries should have to stop working since that might result in a gradual decline in the competition for the orders of the State Railways. Clearly it was desirable that the contracts should be fairly spread over a number of collieries."

With that policy before us, it is quite clear that provided tenders are dealt with on a purely commercial basis, we should spread our orders over the industry as a whole, so that as many collieries as possible, including the smaller collieries, should share in the measure of assistance which our action is calculated to bring to the industry as a whole. These intentions we have endeavoured to translate into practice. Where tenders from a number of collieries are equally advantageous we have attempted, wherever possible, to treat them equally fairly subject of course to certain inevitable reservations. In such cases, it would certainly not be of any use if our object is really to assist the collieries, to allot to any colliery an amount which is negligible in quantity. The quantity allocated to each must be sufficient to bring some real measure of assistance to the recipient of the order. This explains why, having regard to the number of smaller collieries, in the aggregate a major portion of our orders may go to the smaller collieries and not to the larger collieries. This, I submit, is inevitable, if we are to achieve the result which we have set ourselves to achieve. I have only to satisfy the House that these tenders are really allocated on a purely business basis. I can assure the House that the most meticulous care is taken to compare these tenders fairly and equitably, a matter of considerable difficulty, considering the various grades of coal that are offered. Our modern locomotives have all been adapted for burning the lower grades as well as the higher grades of coal so that speaking generally, we are not tied to any particular quality of fuel. In any case, speaking generally, the two factors of quality and price together decide the acceptance or the rejection of a tender. Except in special cases where a special quality of coal is required, it may be more economical for us to purchase a lower grade of coal at a certain price than a higher grade of coal at a certain price. What that price will be will depend upon the calorific and other qualities of the coal. We have endeavoured to arrive at an efficiency factor or a figure of merit for all the grades of coal that have been tendered, laboratory tests having as far as possible been supplemented by actual burning tests in locomotives. With these figures of merit before us and making allowance for transport to centres where the coal is to be used, it becomes a comparatively simple matter to decide which tender represents the most advantageous and the most economical purchase. Thus, Sir, if we have two tenders, "A" and "B", and if the figure of merit for "A" is 100 and the price is Rs. 4 per ton, and the figure of merit for "B" is 50, it would be more economical to buy "B" if the price is below Rs. 2 per ton and less economical to buy if it were above Rs. 2 per ton. At Rs. 2 a ton, other things being equal, the two would be on an equality. I think I have said enough to satisfy the House that the greatest care is being taken

to ensure the comparison of these tenders on a fair and equitable basis and to reduce them to a common standard, and I hope that with the explanation that I have given, we shall not again be faced with the insinuations that have been levelled against us in the past.

I now turn to another very important question, and that is the competition between railways and shipping companies. The railways in India, like railways all over the world, have always attempted to draw to themselves as much traffic for their own route as they possibly could. In doing this they have in many cases quoted the minimum permissible rates. This, I contend is perfectly legitimate. It is a pure business proposition so far as we are concerned, and I think that it is in the interests of the trade and commerce of this country. As a matter of fact, the Calcutta Port Commissioners appear to have addressed the Indian Chamber of Commerce, Calcutta, and asked them to support their view which was that traffic should be allowed to move by the more economical route, but that diversion of traffic from this route by the quotation of cut rates could not be beneficial to trade as a whole. To that the Chamber of Commerce apparently replied declining to support this contention and stating that there ought to be no bar to the railways quoting special rates, if they found that the quotation of such rates will stimulate traffic and such a policy would be particularly commendable if the quotations stimulate any national industry. Well, Sir, so far as we are concerned, if we were quoting uneconomic rates simply for the sake of undercutting we might be open to criticism, but, in all cases, we are limited by a minimum and in no case can we go below that. Shipping companies on the other hand are not restricted in any way. The Calcutta Port Commissioners in a recent communication made the following remarks:

"They are aware that it has always been the practice with the railways to quote specially low rates for inter-port transport, but although they can see no justification for this practice, the matter has only recently become of urgent importance. The special rates are now so low that it is impossible for the shipping companies to underbid the railways and large quantities of traffic have been diverted from the sea route."

Sir, I confess that I cannot possibly see why the shipping companies cannot underbid us. I will take only two instances. Take first the case of cotton piece-goods. The rate we are quoting from Bombay to Calcutta is Re. 1-1-0 a maund. That represents the permissible minimum and that charge works out to something like Rs. 28-12-0 per ton. Is it seriously contended that shipping companies cannot quote below that rate for traffic from Bombay to Calcutta? Or, take again, the case of gunnies. We are quoting a rate of ten annas and two pies per maund from Calcutta to Bombay. That was the rate in vogue before the war, and this is one of the cases where we are charged with gross undercutting. That rate represents a charge of something like Rs. 17 per ton. Is it contended that shipping companies cannot quote a rate lower than that? I believe that shipping companies have quoted a much lower rate for the carriage of rice from Rangoon to Bombay. I may, however, say that this matter is receiving our very careful consideration, and, therefore, I will refrain from saying anything more at present.

Sir, the Deputy President entered a powerful plea for further Indianisation, and if I do not take this occasion to present a picture of what is really being done in this regard, it is because I hope that an opportunity will occur later during our discussions on the demands for grants for going into the question in greater detail. I can assure my Honourable

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friend, Munshi Iswar Saran, that we shall very seriously consider the suggestion that he made that statistics of accidents on Indian Railways should be published in a form which will make comparison with other railways feasible.

I confess, Sir, to a feeling of astonishment that we should be attacked for reducing our percentage of working charges, though I admit that nothing coming from my Honourable friend, Dr. Ziauddin, should astonish us in the least. (Laughter.) The position as I now understand it is this and it is quite simple. If our operating charges are high we must be accused of extravagance; if on the other hand we reduce them, we are to blame as the authors of unemployment. Dr. Ziauddin has evolved a very satisfactory exposition of the game, "Heads I win, tails you lose."

Sir, I think I can deal in somewhat general terms with the criticisms directed towards emphasizing the need for reducing rates and fares and improving amenities for the travelling public. We recognise the necessity of railways improving their service to the public so that we may be able to attract to ourselves a larger measure of custom and so that we may popularise the railways as against other competitive forms of travel. But, Sir, times have been hard and it has not been possible for us to embark on any striking innovation. We have had to face enormous deficits—ten crores and 23 lakhs in 1932-33; seven crores and 96 lakhs in 1933-34; about four crores and 24 lakhs in 1934-35; and even in the year 1935-36 we hope to do little more than bridge the yawning gulf which has existed in the past between receipts and expenditure, excluding of course the strategic railways. I submit, Sir, that in these circumstances, the only possible policy was one of caution. I confess to Honourable Members that it has been a sore trial, not only to me, but to all those who are associated with me in the work of railway administration, to have our hands largely tied by the inexorable limitations of the financial position and by the necessity for the most rigid economy. But, Sir, the justification for these years of cautious policy is to be found in the history of the past few years and in the results achieved. Nevertheless, Sir, we have taken our courage in both hands and we have made experiments and changes with a view to helping the largest section of our passenger clientele. As Honourable Members know, we introduced some little time ago a reduction of third class fares on the North Western Railway system. That innovation has so far resulted in a net loss. Though the reduction in fares has brought us a larger number of passengers, the increase in passengers has not been sufficient to make up for the loss resulting from the decrease in fares and the increase in the working expenses resulting from an enlarged traffic. Nevertheless we are continuing that experiment and in fact we have extended it, as Honourable Members know, the Great Indian Peninsula Railway also having introduced a system of lower third-class fares and cheap return fares having been introduced on the Eastern Bengal Railway having currency for a period of from two to 18 days in accordance with the distance. Now, Sir, I do not wish to go into any detail, but I should like to say that the reduction in fares has not extended merely to passengers. We have also reduced freight rates. In fact, from what I have just said, Honourable Members will realise that the complaint by rival carriers is that our reductions have been on too large a scale.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): Don't worry about that.

The Honourable Sir Joseph Bhore: But there is one point with regard to reduction and that is that we must bear prominently in mind the basic and cardinal principle that the material interests of the railways must be conserved and safeguarded.

Mr. S. Satyamurti: And also of the country.

The Honourable Sir Joseph Bhore: The railways, Sir, as my Honourable friend realises and as I hope is clear from his interruption, represent the State's largest investment and the solvency of the country is very intimately bound up with the solvency of the railways.

Now, Sir, we have, I think, by certain Members, been charged with extravagance. While it is easy to make such allegations, it is unfortunately by no means easy always to refute such allegations. I do not say that it is not possible for us to secure further economies or that we have done everything that could possibly be done in this direction. All I wish to say is that the pursuit after economy has never been allowed to slacken. As a result of the very detailed examination that was conducted in consequence of Mr. Pope's visits, we find that for an expenditure of something like Rs. 336,000, on investigation, we have been able to secure permanent recurrent savings of something like Rs. 30½ lakhs, and the possibility of further savings is by no means exhausted.

Then one or two Members asked us why we are continuing to recruit the higher staff on the scale that we have been doing. Here again let me point out that during the past four years we have only recruited 85 gazetted officers as against something like 218 which would have been the normal recruitment in those years. But here I must enter a caveat. The reduction of the supervising and controlling staff below an irreducible minimum can only be reflected in grievous inefficiency in our administration.

I would like to close on a note which I have often struck before. Railways are faced with a situation which only efficiency can enable them to overcome successfully. Competition has come to stay and competition will grow in intensity. And it is only by giving something in service to the public, which our competitors cannot give, that we shall be able to survive successfully. I would like to emphasise the point that never has there been such great necessity as, certainly there has never been greater necessity for specialised research than at the present moment. I am glad to say that the Standing Finance Committee have agreed to an enlargement of the research organisation at our disposal. I have been often asked what have railways got to do with research? I think I can best reply to that by giving to the House a few specific items of research which are now under contemplation. They are research into the possibilities of reclamation of non-ferrous scrap, research into the best protective covering for goods, wagons and coaching stock, research into heated bearings, lubricating oils and greases, research into train resistance and economic speeds of operation, research into the use of new materials such as, special wear-resisting steel, of larger use of indigenous materials found suitable, research into the economic utilisation of fuel. That, Sir, represents research on the purely technical side. There is research—I call it

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research—also on the non-technical side: the continuous ascertainment of public needs and requirements and the endeavour to meet them as far as this is possible, on an economic basis: the supply of greater facilities and greater amenities, the removal of difficulties and inconveniences, are all matters which require the most careful study and investigation if as I say improvement is to be made possible on an economic basis; and I would like to assure the House that railways are fully alive to the changing needs of administration and that it will not be for lack of endeavour if they are unable to meet the reasonable demands of the public and the challenge of their competitors.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 21st February, 1935.

LEGISLATIVE ASSEMBLY.

Thursday, 21st February, 1935.

The Assembly met in the Assembly Chamber of the Council House : Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) : the Chair.

QUESTIONS AND ANSWERS.

GRANTS FROM THE ARMY BENEVOLENT FUND.

361. ***Maulvi Muhammad Shafi Daudi**: With reference to the reply (f) of the starred question No. 822, answered on the 22nd August 1934, regarding grants from the Army Benevolent Fund, will Government please state whether they have received the required information by now? If not, when do they expect to get it?

Mr. G. R. F. Tottenham: The Officer Commanding, Mountain Artillery Training Centre, is shortly submitting the application to the Indian Soldiers' Board, who will consider it at the next half-yearly distribution of relief from the Indian Army Benevolent Fund.

Maulvi Muhammad Shafi Daudi: May I know when is the half-yearly distribution taking place?

Mr. G. R. F. Tottenham: I think, Sir, in the month of May.

Maulvi Muhammad Shafi Daudi: Are Government aware that his application has been pending there since August, 1933?

Mr. G. R. F. Tottenham: I very much regret the delay.

Mr. Lalchand Navalrai: Will you permit me to put the questions standing in the name of Sardar Mangal Singh:

Mr. President (The Honourable Sir Abdur Rahim): Any authority?

Mr. Lalchand Navalrai: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): No, then he cannot put those questions.

RECOMMENDATIONS OF THE WAR PENSIONS COMMITTEE.

362. ***Sardar Mangal Singh**: Will Government please state what steps have so far been taken to give effect to the recommendations of the War Pensions Committee and particularly recommendation No. XX (a) (b), (c)?

Mr. G. R. F. Tottenham: The orders of Government on all the recommendations of the War Pensions Committee, except Nos. XV and XX, were published in August, 1933.

As regards No. XX parts (a) and (b) were not accepted by Government. Part (c) was accepted and orders were issued in April, 1934.

Copies of these orders were made public at the time, but I will see that a copy is put in the Library for the Honourable Member's information.

RESTORATION OF MILITARY PENSIONS OF SIKHS FORFEITED FOR PARTICIPATION IN THE AKALI MOVEMENT.

363. ***Sardar Mangal Singh:** (a) Will Government be pleased to state the number of Sikhs:

- (i) whose military pensions had been forfeited or withheld on the grounds of the holders' participation in the Akali movement,
- (ii) whose pensions had subsequently been restored, and
- (iii) whose pensions have not been restored so far?

(b) Will Government please state if they are prepared to restore their pensions? If not, why not?

Mr. G. R. F. Tottenham: With your permission, Sir, I propose to answer questions Nos. 362 and 363 together. The information is being collected and will be laid on the table in due course.

PENSIONS OF MILITARY PENSIONERS FORFEITED FOR PARTICIPATION IN THE CONGRESS MOVEMENT.

364. ***Sardar Mangal Singh:** Will Government please state the number of those military pensioners whose pensions had been forfeited on the grounds of their holders' participation in the Congress movement?

CENTRAL AGENCY TO CO-ORDINATE THE RURAL RECONSTRUCTION ACTIVITIES.

365. ***Sardar Mangal Singh:** Will Government please state whether they propose to set up a central agency of officials and non-officials to co-ordinate the rural reconstruction activities of various provinces for the assistance and guidance of those interested in the rural uplift work?

Mr. G. S. Bajpai: No. Government do not consider that any such Central agency is necessary at present. But Government will be ready to give assistance to Local Governments, if required, to such extent as may be desirable and feasible.

TURNING OF BONES INTO MANURES AND BONES EXPORTED FROM INDIA.

366. ***Sardar Mangal Singh:** Will Government be pleased to state:

- (a) the approximate quantity of bones exported from India during the last financial year;

†For answer to this question, see answer to question No 363.

(b) the approximate quantity of bones turned into manure in Indian factories in various parts of the country during the last financial year; and

(c) whether they propose to direct the Imperial Council of Agricultural Research Department to announce suitable prizes to agricultural chemists for inventing more suitable methods to turn bones into manure in India for agricultural purposes?

Mr. G. S. Bajpai: (a) Bones 4,263 tons and bonemeal 20,556 tons.

(b) No information is available.

(c) The Imperial Council of Agricultural Research have already taken steps to encourage experimental work on the disintegration of bones, including the offer of two prizes of Rs. 3,500 each.

RAW HIDES AND SKINS EXPORTED FROM INDIA.

367. ***Sardar Mangal Singh:** Will Government please state:

(a) the quantities of raw hides and skins exported, year after year, from India during the last three financial years; and

(b) whether they propose to place more effective restrictions on their export in order to encourage the establishment of tanning and leather industries in India both on small and big scales?

The Honourable Sir Joseph Bhoré: (a) The Honourable Member is referred to the Annual Statement of the Sea-borne Trade of British India, Volume I, for the year ending the 31st March, 1934, or to the monthly Sea-borne Trade Accounts for March, 1934, copies of which are in the Library of the Legislature.

(b) No, Sir.

RESTRICTIONS ON THE CARRYING OF KIRPAN BY SIKHS IN CERTAIN PROVINCES.

368. ***Sardar Mangal Singh:** (a) Are Government aware that there are different regulations regarding the size of *Kirpan* in different provinces, for instance Sikhs are free to possess or carry *Kirpan* of any size in the Punjab and the Frontier Provinces, while there are restrictions on its size in other provinces such as Bombay, Central Provinces, etc.?

(b) Are Government prepared to remove this anomaly at an early date? If not, why not?

The Honourable Sir Henry Otak: (a) Government are aware that the regulations in force are not uniform in all Provinces.

(b) No, Sir. The Government of India are not prepared to interfere with the discretion vested in the Local Governments in the matter.

TRANSFER OF DR. SATYAPAL FROM DELHI TO THE LAHORE JAIL.

369. *Sardar Mangal Singh: (a) Will Government please state:

- (i) whether Doctor Satyapal, President, Punjab Provincial Congress Committee who is now serving his sentence of imprisonment in the Delhi District Jail, is placed in "A" class; and
 - (ii) whether under the rules as an "A" class prisoner, he is entitled to supplement his food and to have fortnightly interviews with his relatives?
- (b) If the answer to part (a) (i) and (ii) be in the affirmative, will Government please state if he is not practically deprived of his privileges by being kept so far away from his home?
- (c) Are Government aware that Doctor Satyapal is not keeping good health since the time he was admitted into the jail?
- (d) In view of the long distance from his home and in view of his ill-health, do Government propose to instruct the local Government to transfer him to the Lahore Jail forthwith?

The Honourable Sir Henry Craik: (a) (i). Yes.

(ii) Yes.

(b) No. He is supplementing his prison diet regularly and has had interviews.

(c) No, he is keeping good health.

(d) The question of his transfer is under consideration.

INDIANS WITH INDIAN MEDICAL QUALIFICATIONS HOLDING TEMPORARY COMMISSIONS IN THE ARMY.

370. *Dr. T. S. S. Rajan: (a) Will Government be pleased to state the number of Indians with Indian medical qualifications, who hold temporary commissions in the Indian Army since 1914?

(b) How many of them have been drafted into permanent service during these twenty years?

(c) Is recruitment for temporary commissions still going on?

Mr. G. R. F. Tottenham: (a) 1,031 with Indian qualifications only, including 863 who were taken on during the War.

(b) 68 with Indian qualifications only.

(c) Yes, when required.

Dr. T. S. S. Rajan: Does this number 1,031 include the temporary men also?

Mr. G. R. F. Tottenham: I think, Sir, there is another question or that point, to which I shall give an answer shortly.

Mr. President (The Honourable Sir Abdur Rahim): Next question, No. 371.

Dr. G. V. Deshmukh: What was the reply to part (c) of the question, please? I did not hear it.

Mr. President (The Honourable Sir Abdur Rahim): Is it a supplementary to question No. 370?

Dr. G. V. Deshmukh: I did not hear the answer to part (c) of question No. 370. May I know the answer to part (c) of question No. 370?

Mr. G. R. F. Tottenham: The answer to part (c) of the question is "Yes, when required".

Dr. G. V. Deshmukh: How many temporary commissioned officers are there at the present time?

Mr. G. R. F. Tottenham: I think about 45.

Dr. T. S. S. Rajan: Was there any recruitment for temporary commissions in the year 1934?

Mr. G. R. F. Tottenham: Recruitment for what?

Dr. T. S. S. Rajan: Was there any recruitment for temporary commissions in 1934?

Mr. G. R. F. Tottenham: I must ask for notice of that question.

Dr. G. V. Deshmukh: Will the Honourable Member kindly tell us why it has fallen from 1,031 to 45?

Mr. G. R. F. Tottenham: Out of that 1,031, 863 were taken on during the Great War. That leaves 168 who were taken on since the War.

Dr. G. V. Deshmukh: Out of these, if 45 are temporary commissioned officers, why were the other 100 discharged?

Mr. G. R. F. Tottenham: Because, Sir, they completed their contracts and were not considered suitable for permanent commissions.

RECRUITMENT OF INDIANS TO THE INDIAN MEDICAL SERVICE.

371. *Dr. T. S. S. Rajan: (a) How many Indians with Indian or English medical qualifications have been recruited for permanent service in the Indian Medical Service since 1932?

(b) Are Englishmen being recruited to the Indian Medical Service in England since 1932, and if so, how many?

(c) If Indians are not recruited, will Government be pleased to state the reasons for non-selection of Indians?

(d) Has the All-India Medical Council anything to do with recruitment or selection of candidates to the Indian Medical Service?

(e) What is the total number of Indians holding Indian qualifications in the Indian Medical Service holding temporary commissions still awaiting to be drafted into the permanent service?

TRANSFER OF DR. SATYAPAL FROM DELHI TO THE LAHORE JAIL.

369. *Sardar Mangal Singh: (a) Will Government please state:

- (i) whether Doctor Satyapal, President, Punjab Provincial Congress Committee who is now serving his sentence of imprisonment in the Delhi District Jail, is placed in "A" class; and
- (ii) whether under the rules as an "A" class prisoner, he is entitled to supplement his food and to have fortnightly interviews with his relatives?

(b) If the answer to part (a) (i) and (ii) be in the affirmative, will Government please state if he is not practically deprived of his privileges by being kept so far away from his home?

(c) Are Government aware that Doctor Satyapal is not keeping good health since the time he was admitted into the jail?

(d) In view of the long distance from his home and in view of his ill-health, do Government propose to instruct the local Government to transfer him to the Lahore Jail forthwith?

The Honourable Sir Henry Craik: (a) (i). Yes.

(ii) Yes.

(b) No. He is supplementing his prison diet regularly and has had interviews.

(c) No, he is keeping good health.

(d) The question of his transfer is under consideration.

INDIANS WITH INDIAN MEDICAL QUALIFICATIONS HOLDING TEMPORARY COMMISSIONS IN THE ARMY.

370. *Dr. T. S. S. Rajan: (a) Will Government be pleased to state the number of Indians with Indian medical qualifications, who hold temporary commissions in the Indian Army since 1914?

(b) How many of them have been drafted into permanent service during these twenty years?

(c) Is recruitment for temporary commissions still going on?

Mr. G. R. F. Tottenham: (a) 1,031 with Indian qualifications only, including 863 who were taken on during the War.

(b) 68 with Indian qualifications only.

(c) Yes, when required.

Dr. T. S. S. Rajan: Does this number 1,031 include the temporary men also?

Mr. G. R. F. Tottenham: I think, Sir, there is another question on that point, to which I shall give an answer shortly.

Mr. President (The Honourable Sir Abdur Rahim): Next question, No. 371.

Dr. G. V. Deshmukh: What was the reply to part (c) of the question, please? I did not hear it.

Mr. President (The Honourable Sir Abdur Rahim): Is it a supplementary to question No. 370?

Dr. G. V. Deshmukh: I did not hear the answer to part (c) of question No. 370. May I know the answer to part (c) of question No. 370?

Mr. G. R. F. Tottenham: The answer to part (c) of the question is "Yes, when required".

Dr. G. V. Deshmukh: How many temporary commissioned officers are there at the present time?

Mr. G. R. F. Tottenham: I think about 45.

Dr. T. S. S. Rajan: Was there any recruitment for temporary commissions in the year 1934?

Mr. G. R. F. Tottenham: Recruitment for what?

Dr. T. S. S. Rajan: Was there any recruitment for temporary commissions in 1934?

Mr. G. R. F. Tottenham: I must ask for notice of that question.

Dr. G. V. Deshmukh: Will the Honourable Member kindly tell us why it has fallen from 1,031 to 45?

Mr. G. R. F. Tottenham: Out of that 1,031, 863 were taken on during the Great War. That leaves 168 who were taken on since the War.

Dr. G. V. Deshmukh: Out of these, if 45 are temporary commissioned officers, why were the other 100 discharged?

Mr. G. R. F. Tottenham: Because, Sir, they completed their contracts and were not considered suitable for permanent commissions.

RECRUITMENT OF INDIANS TO THE INDIAN MEDICAL SERVICE.

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(b) Are Englishmen being recruited to the Indian Medical Service in England since 1932, and if so, how many?

(c) If Indians are not recruited, will Government be pleased to state the reasons for non-selection of Indians?

(d) Has the All-India Medical Council anything to do with recruitment or selection of candidates to the Indian Medical Service?

(e) What is the total number of Indians holding Indian qualifications in the Indian Medical Service holding temporary commissions still awaiting to be drafted into the permanent service?

Mr. G. R. F. Tottenham: (a) Thirteen.

(b) Yes, 95.

(c) Does not arise.

(d) No.

(e) Nine—but Government do not know whether all of them desire to be made permanent

Dr. T. S. S. Rajan: Can the Honourable Member tell us why that number 13 is so low as compared with 95?

Mr. G. R. F. Tottenham: The reason is, as the Honourable Member is no doubt aware, there is at present a certain proportion in the I. M. S. of Indians to British officers. The British proportion has been very much below strength. That is the reason why British recruitment during the last few years has been considerably in excess of Indian recruitment.

Dr. T. S. S. Rajan: May I know the ratio between the Indian and British recruitment?

Mr. G. R. F. Tottenham: The present ratio is two British to one Indian.

Dr. T. S. S. Rajan: Is that the reason why Indian recruitment has been stopped?

Mr. G. R. F. Tottenham: Will the Honourable Member please repeat his question?

Dr. T. S. S. Rajan: Is it because the British proportion is very much below strength that Europeans are recruited in such large numbers rather than Indians?

Mr. G. R. F. Tottenham: I don't quite catch the point, Sir.

Dr. T. S. S. Rajan: I want to know whether the ratio was so seriously disturbed that a larger number of Englishmen had to be recruited for the I. M. S.?

Mr. G. R. F. Tottenham: Yes, Sir; at one time the proportion of British officers was less than two-thirds, that is perfectly true. British recruitment was not very fruitful.

Dr. G. V. Deshmukh: Does the Honourable Member seriously mean to tell us that those who hold temporary commissions do not like to be made permanent?

Mr. G. R. F. Tottenham: I think most of them join temporarily with the hope of being taken on permanently, but there may be a certain number of them who join temporarily with the hope of getting some experience and then going into private practice

Dr. G. V. Deshmukh: Can the Honourable Member tell us why these men who take up temporary commissions do not want to get into permanent service? Is there any distinction made in regard to these temporary men?

Mr. G. R. F. Tottenham: No, Sir; it is not that. As I tried to explain, there is room in the I.M.S. permanent cadre for a certain limited number at present of Indians. We cannot recruit beyond that proportion. Since the War, owing to the fact that British recruitment has been considerably below requirements, we have taken on a number of Indian temporary commissioned officers to take the place of British officers. That is the reason why we have had to go in for this method of temporary recruitment, and that is the reason why we have, during the last few years, been taking on more British officers to fill up the required percentage of two to one.

Dr. G. V. Deshmukh: Is it a fact that these temporary commissioned officers are found quite fit till they attain the rank of captaincy, but as soon as there is a prospect of their reaching the rank of a Major, these temporary people are either discharged or are found unwilling to take up permanent commissions? Is that a fact?

Mr. G. R. F. Tottenham: No, Sir; that is not the reason. It is true that temporary commissioned officers, so far as their medical qualifications are concerned, may be perfectly suitable for the work they have to perform as junior officers, but the requirements of a permanent Officer in the I.M.S. are somewhat different. That is to say, they have to look forward to commanding large numbers of men, big hospitals and so on, and they do require, therefore, a certain amount of administrative aptitude in addition to purely technical medical qualifications.

Dr. G. V. Deshmukh: Does the Honourable Member suggest that they can go on for ten years till they reach the rank of a Captain, but just before six months of their attaining a Major's rank, their efficiency disappears and a different type of officer is found necessary?

Mr. G. R. F. Tottenham: They are not allowed to go on for ten years. They only go on for five years.

Dr. G. V. Deshmukh: Well, at the end of five years, does their efficiency disappear?

Lieut.-Colonel Sir Henry Gidney: Is it not a fact that in former years, this extension of temporary service went up to ten years, and the period of five years has been introduced only recently?

Mr. G. R. F. Tottenham: Extension?

Lieut.-Colonel Sir Henry Gidney: I mean the maximum service of temporary I.M.S. officers is today up to five years, and this has only recently been introduced; but formerly they were allowed to serve up to ten years?

Mr. G. R. F. Tottenham: Until about five years ago, they were allowed to go on for nine years, but I think in the time of my predecessor, Mr. Mackworth Young, it was agreed that that period was too long, as it was unfair to take people on for nine years, and, then, at the end of that period, to discharge them, and, therefore, we agreed they should be taken for five years only.

Dr. T. S. S. Rajan: Are there not today men with more than five years service in the temporary cadre?

Mr. G. R. F. Tottenham: I am not aware of it, Sir.

Dr. T. S. S. Rajan: Does the ratio of two to one include temporary officers also.

Mr. G. R. F. Tottenham: Sir, as I said before, there is another question about that on the paper, and I shall answer it when I come to it.

Dr. T. S. S. Rajan: What is the reason for determining that ratio?

Mr. President (The Honourable Sir Abdur Rahim): Next question, please. The Chair has allowed the Honourable Member one more question. Next question, please.

INDIAN MEDICAL SERVICE SELECTION BOARD.

372. *Dr. T. S. S. Rajan: (a) Has the Indian Medical Service Selection Board met in India since 1931? If not, why not?

(b) How many temporary officers are there who are not yet provided for in the permanent cadre, though found suitable by the Selection Board?

(c) Will those found unsuitable by the Selection Board be discharged from service? If not why not?

Mr. G. R. F. Tottenham: (a) No, Sir, because the Indian cadre of the Service is complete.

(b) Seven.

(c) Yes, on the termination of their present agreements.

Dr. G. V. Deshmukh: Why is not the competitive examination for the Indian Medical Service restored?

Mr. G. R. F. Tottenham: There is another question on the paper on this subject which I shall answer in a few minutes.

Dr. T. S. S. Rajan: Is the proportion of two to one a statutory regulation in the I.M.S., or is it an arbitrary arrangement?

Mr. G. R. F. Tottenham: No, it is not statutory. It has hitherto been based on requirements. I may explain, however, that the proportion of two to one is by no means sacrosanct and that we are at present engaged in reconsidering the whole matter. It is a very complicated matter and

we now engaged in considering it with reference to the new constitution and I think it is quite possible that that proportion may be altered in near future.

Mr. S. Satyamurti: What are these "actual requirements"?

Mr. G. R. F. Tottenham: The actual requirements are the number of officers required for attendance on British troops and British officers and on British members of the civil services in the provinces.

Mr. S. Satyamurti: Do Government accept the contention that British troops and British officers should be attended upon only by British medical officers? Do the Government know that many Britishers today prefer Indian doctors to British doctors?

Mr. G. R. F. Tottenham: Yes, they are aware that many individuals prefer Indian doctors, if they are better doctors; but the present policy is that British doctors should be provided in certain minimum numbers for British personnel of the services.

Mr. S. Satyamurti: May I know what are the grounds for that policy?

Mr. G. R. F. Tottenham: I do not think I can enter into a discussion of that matter now, but it is the accepted policy of the Government and we cannot alter that policy in answer to a supplementary question.

Mr. S. Satyamurti: I am only asking the reasons for that policy. I am asking whether those reasons are racial or medical.

Mr. President (The Honourable Sir Abdur Rahim): It is a matter for argument merely, and not one for information. Next question.

CONFIRMATION OF TEMPORARY MEN IN THE INDIAN MEDICAL SERVICE.

373. *Dr. T. S. S. Rajan: (a) Is it a fact that when the question of giving permanent commissions arises, the temporary men are asked to appear along with fresh men qualified in England before a Selection Board of five members, of whom only one is a military medical officer, with a layman as the President of the Board?

(b) Is it a fact that medical men with temporary service after years of good service are discharged without any pension or gratuity from the Army?

(c) In the progress report of Indianisation of the Indian Medical Service, is the number of temporary service men included or is it shown separately?

(d) Will Government please state the reason as to why the Selection Board has not met since 1931 when there are still a number of temporary officers waiting to be drafted into permanent service?

(e) Is there any likelihood of the temporary men being drafted into service before any call for further recruitment is made either in India or in England?

Mr. G. R. F. Tottenham: (a) Yes—Except that the Honourable Member has been misinformed regarding the composition of the Board. The Board consists of the Director-General, Indian Medical Service, as President, the Director of Medical Services in India, a retired Indian Colonel of the Indian Medical Service and one Indian member of the Public Service Commission as members.

(b) Temporary Commissions are given for a period not exceeding five years and on the condition that no pension or gratuity will be granted at the end of that period.

(c) There is no progress report of the kind referred to, but if the Honourable Member means—Do Temporary Commissioned officers count against the approved ratio of Indians in the Indian Medical Service, the answer is in the negative.

(d) Because the Indian cadre of the Indian Medical Service is complete.

(e) Yes, if vacancies occur.

Dr. G. V. Deshmukh: Could the Honourable Member tell us on what principle or rule the Selection Board makes the selection?

Mr. G. R. F. Tottenham: The only principle is to select the best men.

Dr. G. V. Deshmukh: Is there any reason why they have not met for the last five years?

Mr. G. R. F. Tottenham: The reason why they have not met for the last four years is that there have been no vacancies.

Dr. T. S. S. Rajan: Are there medical practitioners other than Government servants on the Selection Board?

Mr. G. R. F. Tottenham: If my Honourable friend had listened to my answer, he would have realised that all of them are, or were, Government servants. One of them was a retired officer.

Lieut.-Colonel Sir Henry Gidney: With reference to the Honourable Member's reply to part (b) of the question, is it or is it not a fact that I.M.S. officers as also R.A.M.C. officers who are now engaged in the service can retire after five years' service with gratuity?

Mr. G. R. F. Tottenham: After seven years, I believe

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member be good enough to consider the application of a similar gratuity to the temporary I.M.S. officers recruited in India after seven years' service?

Mr. G. R. F. Tottenham: Personally I should be delighted to consider such a rule, but I think the Honourable Member would find it very difficult to convince the Department over which the Honourable the Finance Member presides, that such a course is necessary.

Lieut.-Colonel Sir Henry Gidney: Would not the same argument apply in the case of British officers recruited in England?

Mr. G. R. F. Tottenham: The point is that there has been considerable difficulty in recruiting the number that we require in England, whereas there is no difficulty in securing the number we require on the present terms in India.

Dr. T. S. S. Rajan: Is there not a gratuity given to all English recruits at the end of five years?

Mr. G. R. F. Tottenham: What I said was that in the regular I.M.S. all officers, British and Indian, have the option of retiring on a gratuity after seven years. I may add that very few officers have exercised that option.

Dr. G. V. Deshmukh: If there is so much difficulty about recruiting these officers for the junior posts, why should Government be so anxious to get European officers and why should they not utilise the services of the Indian officers of the I.M.S.?

Mr. G. R. F. Tottenham: I have attempted to explain that that is the accepted policy that we are bound by—that we have to make up our I.M.S. in certain proportions at the present moment.

Mr. Lalchand Navalrai: May I know when that policy will change?
(No answer.)

Mr. President (The Honourable Sir Abdur Rahim): Next question.

COMPETITIVE EXAMINATION FOR INDIAN MEDICAL SERVICE.

374. *Dr. T. S. S. Rajan: (a) Are competitive examinations for Indian Medical Service being held?

(b) When were the examinations stopped and can Government state when they are likely to be restored? If they are not to be restored, what are the reasons for the same?

Mr. G. R. F. Tottenham: (a) No, Sir.

(b) The last competitive examination was held in 1915. Government do not propose to change the existing system of recruitment, through a Selection Board which in their opinion provides a more satisfactory method of obtaining recruits than an academic examination.

Dr. T. S. S. Rajan: Do Government think that academic qualifications have no standard and have no merit and that they do not count in the selection of candidates?

Mr. G. R. F. Tottenham: No. The point is that all doctors, as the Honourable Member must be aware, have to pass a very large number of examinations before they get their degrees. The Selection Board, when they select men, can look at the records of the various candidates and see what positions they took in the various examinations at the Universities, and it is unnecessary to impose, on top of those examinations, a further technical examination for the purpose of selection.

Dr. T. S. S. Rajan: But are they not having competitive examinations for selection of candidates for all other branches of the public service?

Mr. President (The Honourable Sir Abdur Rahim): But that has nothing to do with the present question.

Lieut.-Colonel Sir Henry Gidney: In view of the Honourable Member's admission that there is a paucity of recruits in England, is it or is it not a fact that those I.M.S. officers who are today recruited from England are of a poorer professional standard than those recruited in India? (Hear, hear from Opposition Benches.)

Mr. G. R. F. Tottenham: The Honourable Member has asked me to express an opinion, but I do not propose to do so.

Mr. S. Satyamurti: Do they, as a matter of fact, possess lesser academic qualifications?

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks it may be considered as asking for opinion and not for information.

Mr. M. Ananthasayanam Ayyangar: What is the minimum experience of these officers before they are recruited in England?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

INDIANS RECRUITED TO THE INDIAN MEDICAL SERVICE.

375. *Dr. T. S. S. Rajan: (a) Are Indian medical degrees a bar to securing commissions in the Indian Medical Service, and if not, why has recruitment stopped?

(b) Will Government please state how many Indians with Indian qualifications have been recruited to the Indian Medical Service during the last four years, and how many with English or foreign qualifications?

Mr. G. R. F. Tottenham: I gave that in answer to a question about a quarter of an hour ago.

LETTER OF MAULVI MUHAMMAD SHAFI DAUDI ABOUT THE MUALLIMS BILL.

376. *Mr. M. A. Baqui: (a) Will Government be pleased to state whether they, in the Department of Education, Health and Lands, received a letter from Maulvi Muhammad Shafi Daudi, M.L.A., and his friends addressed to the Honourable Member in charge of the Department, in the month of August, 1934, in connection with the *Muallims* Bill?

(b) Will Government be pleased to state whether the letter was a confidential one?

(c) If the reply to part (a) above be in the affirmative, will Government be pleased to lay a copy of the letter on the table of this House?

Mr. G. S. Bajpai: (a) Yes.

(b) No.

(c) A copy is placed on the table.

Assembly Chamber,
Simla,
9th August, 1934.

Dear Sir Fazli Husain,

We, the undersigned, wish that the Hedjaz Pilgrim Guides Bill be not proceeded with in the present Simla Session of the Assembly, but be taken up during the next Session of the new Assembly.

Yours sincerely,

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[21ST FEB. 1935.]

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Mr. G. R. F. Tottenham: (a) Indian medical degrees are not a bar to securing commissions in the Indian Medical Service. As already explained, the reason why no Indian recruitment has taken place recently is that the Indian cadre of the Indian Medical Service is complete.

(b) Five with Indian qualifications only, and 22 with English or foreign qualifications, most of whom hold Indian qualifications as well.

Dr. T. S. S. Rajan: Are Government of opinion that with their requirements they could provide only for five qualified Indian medical graduates?

Mr. G. R. F. Tottenham: No. What I said was that since 1931 there have been 27 Indians recruited. Of these 27, five have possessed Indian qualifications alone and the remaining 22 have possessed Indian qualifications plus British qualifications.

Dr. T. S. S. Rajan: Will the Honourable Member kindly give me the number of British recruits in these years?

Mr. G. R. F. Tottenham: I gave that in answer to a question about a quarter of an hour ago.

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**DEFECTS IN CERTAIN QUARTERS ALLOTTED TO THE MEMBERS OF THE
LEGISLATIVE ASSEMBLY.**

377. *Mr. Ram Narayan Singh: (a) Are Government aware of the fact that many of the quarters allotted to several Assembly Members for their residences are so constructed and that they become so very damp as to become utterly unfit for living during cloudy weather and rains?

(b) Are Government aware that these quarters are harmful to the health of the occupants and if so, are they going to take immediate steps for the removal of the defects, and if so, what and when?

(c) Are Government prepared to give the option of leaving the quarters to those Members who think it dangerous to live in such quarters and who have not been given any other suitable quarter in place of these?

The Honourable Sir Frank Noyce: (a) A certain amount of "sweating" on the floors of newly built houses is always experienced in climates like that of Delhi.

(b) There is no reason to suppose that the temporary dampness is detrimental to the health of occupants of the quarters.

(c) Some quarters on Queensway and Ferozshah Road are available and there is no objection to the Honourable Member and his friends exchanging their present quarters for them if they so desire. But I trust that with drier weather the inconvenience of which he complains will completely disappear.

Mr. Ram Narayan Singh: Why should not the Government inform Members already about the existing defects?

The Honourable Sir Frank Noyce: I should have thought that the Honourable Member would know that there is always a certain amount of dampness in new quarters. That dampness has been experienced by the occupants of Government quarters generally throughout Delhi. It is not confined to Members of this House. I made inquiries on the point, and I gather that all that is necessary is to rub the damp floor with a damp cloth and the dampness will disappear. That is a very simple remedy.

Dr. Khan Sahib: May I ask the Honourable Member if these quarters are ever examined by a doctor, and whether, at the time of cleaning all those quarters, there was any opinion taken of a doctor or engineer, because I think the whole place is insanitary and unfit for people to live in.

The Honourable Sir Frank Noyce: This is the first time that I have heard of the unsatisfactory character of these quarters. They have been carefully constructed and I find it difficult to believe that the conditions are such as the Honourable Member pictures them. If Honourable Members will inform me definitely what the sanitary defects are, I shall be very happy to do my best to have them rectified. I think it is a matter for regret that a month has been allowed to elapse before these defects are brought to my notice. If they had been brought to my notice earlier, I should have been glad to have enquiries made.

Mr. Lalchand Navalrai: Is the Honourable Member ready to charge lower rent?

The Honourable Sir Frank Noyce: Not for the quarters that have been occupied. My contention is that if Honourable Members have been occupying these quarters for a month without any complaint of defects, then there cannot be anything very much wrong with them.

Mr. Lalchand Navalrai: It has been suggested to the Honourable Member that there is something wrong with these quarters. Then, why not reduce the rent? Is the Honourable Member prepared to reduce the rent?

The Honourable Sir Frank Noyce: These defects have not been brought to my notice earlier, and, as I have already stated, if Honourable Members are dissatisfied with their quarters, there are some old quarters with which they can exchange them, if they so desire.

Dr. Khan Sahib: May I ask if the Honourable Member will be kind enough to suggest to the Government to appoint a committee on which one engineer and one doctor should sit, in order to go into the whole question and make a report?

The Honourable Sir Frank Noyce: I think, Sir, if I may say so, that this is a matter for the House Committee and I would suggest that it might be examined by the House Committee and the House Committee might communicate further with my Department on the subject.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether the House Committee in charge of these matters is in existence?

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks the House Committee will soon be appointed.

**TRAFFIC SURVEY OF THE PROJECT FROM SHAHDADKOT TO BAGTAIL IN
SIND.**

378. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state whether it is a fact that the Railway Board have sanctioned a traffic survey of some projects being carried out by the agency of the North Western Railway Administration as per notification of the Government of India, Railway Department (Railway Board), No. 463-W., dated Simla, the 28th August, 1934?

(b) Is it a fact that Shahdadkot to Bagtail in Sind is included in the list?

(c) Are Government aware that the line as originally proposed via Kubosaidkhan is being attempted to be changed?

(d) Are Government aware that Kubosaidkhan is the only important place in the tract having a post office, Government bungalows, etc.?

(e) Has the increasing importance of Kubosaidkhan due to the Barage irrigation and ordinary Jhul traffic and yearly Lakha fair been brought to the notice of Government?

(f) Have any representations been made to Government to take the line *via* Kubosaidkhan by the public and the Government officials of the Irrigation Department, e.g., Chief Engineer in Sind and the Executive Engineer, Khirtar Division?

(g) Do Government propose to recommend to the Railway Board the necessity of this change, if it be under contemplation? If not, why not?

Mr. P. R. Rau: (a) and (b). Yes.

(c), (f) and (g). The suggestion that the line should pass *via* Kubosaidkhan appears to have been once made by one of the local officers, but was, I understand, not supported by the Chief Engineer in Sind.

(d) It is understood that Kubosaidkhan is the headquarters only of a Sub-Divisional Officer of Irrigation.

(e) Government understand that the area is likely to develop with the increase of cultivation from the barrage irrigation, but have no information that there has been any recent increase in the importance of this place. The Lakha fair takes place about 20 miles from it.

Mr. Lalchand Navarai: May I remind the Honourable Member that in the case of the Jhudo-Pithero Railway, a diversion was attempted, and there were so many complaints thereafter. In view of that, will the Honourable Member be prepared to appoint some inquiry committee to go into this question?

Mr. P. R. Rau: I am prepared to ask the North Western Railway to examine the suggestion that the line should pass through Kubosaidkhan.

ALLEGED BOMBAY GOVERNMENT CIRCULAR ASKING GOVERNMENT SERVANTS NOT TO ATTEND ANY PUBLIC FUNCTION WHERE VANDÉ MATARAM IS SUNG.

379. ***Mr. N. V. Gadgil:** (a) Is it a fact that the Government of Bombay have issued a circular to all their officers asking them not to attend any public function where *Vande Mataram*, the National anthem, is usually sung?

(b) If so, will Government please state whether this was done after consulting the Government of India?

(c) If the answer to part (b) be in the negative, do Government propose to do anything in the matter?

The Honourable Sir Henry Craik: (a) A confidential circular on the subject was issued by the Bombay Government.

(b) No.

(c) I understand that a statement on the subject is to be made in the Bombay Legislative Council today or tomorrow. I suggest that the Honourable Member should wait till that statement is available.

Mr. S. Satyamurti: Does the Honourable Member know that a statement was made in the Bombay Council yesterday or the day before and it has appeared in this morning's papers?

The Honourable Sir Henry Craik: I knew it was about to be made.

Mr. S. Satyamurti: May I know if the Government of India consider that their officers should not stand up when "*Vande Mataram*" is sung?

The Honourable Sir Henry Craik: The Government of India have not considered the subject at all, so far as I am aware.

Pandit Govind Ballabh Pant: Have the Government of India any objection to ask their officers to stand up when "*Vande Mataram*" is sung?

(No answer.)

NON-RECRUITMENT OF MILITARY ASSISTANT SURGEONS FROM BENGAL AND ASSAM.

380. ***Srijut N. C. Bardaloi:** (a) Is it a fact that Military Sub-Assistant Surgeons are recruited from all Provinces except from the Province of Assam?

(b) Is it a fact that Military Assistant Surgeons are recruited mainly from among the Europeans and Anglo-Indians?

(c) If so, why are not Military Assistant Surgeons recruited from Bengal and Assam?

Mr. G. R. F. Tottenham: (a) No. Sub-Assistant Surgeons of the Indian Medical Department are recruited in the open market which includes Assam.

(b) Yes.

(c) There is no restriction against candidates from Bengal and Assam.

Dr. G. V. Deshmukh: What registerable qualifications do these Military Assistant Surgeons possess? Have they any registerable qualifications at all.

Mr. G. R. F. Tottenham: If the Honourable Member will wait till the next question is answered, he will hear.

MEDICAL QUALIFICATIONS OF INDIAN MEDICAL DEPARTMENT ASSISTANT SURGEONS.

381. ***Srijut N. C. Bardaloi:** (a) Is it a fact that the Indian Medical Department Assistant Surgeons are less educated and possess lower medical qualifications than the medical graduates of different Indian Medical Colleges?

(b) Is it a fact that such Indian Medical Department men are appointed as Civil Surgeons and Directors of Research Institutions in Assam?

Mr. G. R. F. Tottenham: (a) Assistant Surgeons of the Indian Medical Department are educated at the Medical Colleges at Calcutta and Madras. It is impossible to classify these Assistant Surgeons as a group from the point of view of medical education. Many of them have only passed the

qualifying examination of the Board of Examiners which is not considered to be of such a high standard as the University degree, but there are also many of them with Indian and British degrees. In the future, moreover, it will be compulsory for them to pass the M.B. examination.

(b) Indian Medical Department officers have been appointed to Civil Surgeoncies, but, so far as I know, only one Indian Medical Department man has been Director of a Research Institute in Assam and that was only for a short period in 1934.

Srijut N. C. Bardaloi: Have these Military Assistant Surgeons in Assam really passed any qualifying examination after they have passed the I. M. D. examination? Is there any fresh examination?

Mr. G. R. F. Tottenham: I could not say without notice what further examinations they have passed.

Srijut N. C. Bardaloi: How many are working as Civil Surgeons now?

Mr. G. R. F. Tottenham: I could not say without notice.

Dr. G. V. Deshmukh: How many of these men possess registerable qualifications? Have any of them got registerable qualifications?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has answered that.

Mr. Lalchand Navalrai: In view of the fact, Sir, that there are several Civil Surgeons available, are Government prepared to see that Military Assistant Surgeons are not in future sent to the Civil Department?

Mr. G. R. F. Tottenham: I do not think that arises, Sir.

Dr. G. V. Deshmukh: Do I understand the Honourable Member to say that in future all these Assistant Surgeons will be obliged to pass a qualifying examination which will enable them to get into the Medical Register?

Mr. G. R. F. Tottenham: I said, Sir, that in future it will be compulsory for them to pass the M.B. examination.

RECOMMENDATION OF THE ROYAL COMMISSION FOR THE APPOINTMENT OF WELFARE OFFICERS FOR INDUSTRIAL CONCERNS IN ASSAM.

382. ***Srijut N. C. Bardaloi:** Is it a fact that a Royal Commission has recommended the compulsory appointment of welfare officers for industrial concerns in Assam?

The Honourable Sir Frank Noyce: Not so far as I am aware. The Whitley Commission recommended the appointment in large factories of labour officers who would have duties in respect of welfare; but there was no suggestion of compulsion in the matter.

Prof. N. G. Ranga: What action has been taken on that recommendation made by the Whitley Commission that labour officers should be appointed to carry on welfare work?

The Honourable Sir Frank Noyce: Sir, if my Honourable friend had listened to my reply, I do not think he would have put his question. I said there was no suggestion of compulsion in this matter; it is not for Government to take action, but for employers to adopt the suggestion.

Prof. N. G. Ranga: Are there any welfare officers there in Assam?

The Honourable Sir Frank Noyce: That is a question of which I require notice.

GRANT OF SCHOLARSHIPS TO THE PEOPLE OF ASSAM FROM THE ROCKEFELLER SCHOLARSHIP FOUNDATION.

383. ***Srijut N. C. Bardaloi:** (a) Will Government please state how many graduates (Medical) have received scholarships from the Rockefeller Scholarship Foundation till now?

(b) Will Government please state if any qualified graduate from the province of Assam has received the scholarship till now? If none, do Government propose to move the authorities concerned to give chances to the people of Assam also?

Mr. G. S. Bajpai: (a) 23 in India, according to the information in my possession. This information is, however, not complete, as the award is generally communicated direct to the authority under whom the selected candidate may be serving.

(b) I have no definite information. If the Honourable Member wishes, it will be obtained from the Government of Assam. The Government of India have no control over the allotment of Fellowships which rests with the authorities of the Foundation.

Dr. G. V. Deshmukh: May I know if all the twenty-three to whom these scholarships have been given are Indians?

Mr. G. S. Bajpai: Yes, Sir, all the twenty-three are Indians.

Srijut N. C. Bardaloi: Will Government recommend to the authorities concerned to consider the case of Assamese medical men also?

Mr. G. S. Bajpai: As I have explained, Sir, the selection is made by the representative of the Foundation in India on the basis of the qualifications of the candidate concerned. I have no doubt that if an applicant from Assam possesses the requisite qualifications, he will get one of the Fellowships.

Srijut N. C. Bardaloi: What are the qualifications, may I know?

Mr. G. S. Bajpai: Well, I gather that in the past they have been guided not merely by academic qualifications, but (a) by the possession of practical public health experience, and (b) the possibility of employment in a responsible capacity after they have acquired foreign qualifications.

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Srijut N. C. Bardaloi: Are there no such men in the Assam cadre?

Mr. G. S. Bajpai: I am afraid I am not sufficiently familiar with the careers of individual medical men in Assam to be able to reply to that question.

ASSAM RIFLES.

384. ***Srijut N. C. Bardaloi:** (a) Are the Assam Rifles a military corps for guarding the North Eastern frontier?

(b) Is that an Imperial concern?

(c) Was this corps ever employed in quelling any internal disturbances in Assam?

(d) Will Government please state whether the cost of maintaining this corps has now been taken up by the Imperial Government?

(e) What was the total amount of money Assam contributed for the maintenance of this corps since its creation?

(f) Has the cost of administration of the Hill Districts been made an Imperial concern now?

(g) What amount of money had been spent on the administration of the Hill Districts since 1910?

The Honourable Sir Henry Craik: (a) The Assam Rifles are a civil force of armed police whose duties are primarily the guarding of the North-East Frontier and the preservation of peace in the Hill Districts, and partly the maintenance of order in the Province generally.

(b) The guarding of the North-East Frontier is the concern of the Central Government.

(c) Yes, on occasion.

(d) The present arrangement is that pending the financial settlement to be made when the new Constitution comes into being, the Government of India meet four-fifths of the total cost of the force (subject to a maximum of 16 lakhs), it being estimated that a proportion of roughly four-fifths of the force is engaged on duties in connection with frontier defence.

(e) Information is available only for the period of five years from 1926-27 to 1930-31. The total expenditure incurred by the Assam Government over that period, after deducting the Government of India's contribution, was Rs. 14,72,000.

(f) There are Hill Districts in Assam, namely, the Garo Hills, the Khasi and Jaintia Hills and the Nanga Hills, the cost of the administration of which is a provincial concern. There are, however, some frontier tracts in Assam such as the Balipara and Sadiya frontier tracts, the cost of the administration of which is borne by Central Revenues.

(g) Separate figures for Assam are not available.

STATE OF HEALTH, ETC., OF CERTAIN STATE PRISONERS CONFINED IN THE ARTHUR ROAD PRISON, BOMBAY.

385. ***Mr. Basanta Kumar Das:** (a) Is it a fact that the State Prisoners Messrs. Monoranjan Gupta, Arun Chandra Guha, Bhupendra Kumar Dutt and Satya Bhushan Gupta, all confined at the Arthur Road Prison, Bombay,

have not been corresponding with their relations since October, 1934? If so, will Government be pleased to state the reason why?

(b) When were they removed to that prison?

(c) What is the present state of their health?

(d) Has there been put any restriction on them not to communicate with their relations? If so, for what reason and for what period?

The Honourable Sir Henry Craik: (a), (b) and (d). The State Prisoners were transferred to the Arthur Road Prison in Bombay in July, 1934. The privilege of writing letters was withdrawn from them for the period from the 12th October to 19th December, 1934, on account of their deliberate disobedience of jail rules and of conduct subversive of jail discipline. They have, however, not written any letters since the restriction was withdrawn.

(c) The State Prisoners are keeping good health and two of them have gained in weight.

ILLNESS OF MR. RASIKLAL DAS, A STATE PRISONER IN THE PESHAWAR JAIL.

386. ***Mr. Basanta Kumar Das:** (a) Is it a fact that State Prisoner Mr. Rasiklal Das has been in confinement in the Peshawar Jail for about three years?

(b) Is it a fact that he is getting slight temperature in the afternoon every day for the last twelve months?

(c) Are Government aware that in spite of regular medicine and injections the fever is still continuing?

(d) Is he suffering from tuberculosis?

(e) Is it a fact that the Superintendent of the Jail has recommended his transfer to some other jail in the interest of his health?

(f) Do Government propose to transfer him to some other jail or make any other arrangement for his better treatment?

(g) Is it a fact that Mr. Rasiklal Das had only his old mother and an aunt dependent on him?

(h) Is it a fact that all petitions of the said detenu for grant of an allowance for these two old ladies were disallowed? If so, why?

(i) Are Government aware that his old aunt died on the 3rd December, 1934, after being bed-ridden for two months without proper treatment and diet?

(j) Is it a fact that in spite of repeated telegrams to Government for permission, the said prisoner was not permitted to see his aunt, nor any replies were sent to those telegraphic prayers?

(k) Are Government aware that his mother has nobody else to maintain her in her old age?

(l) Do Government propose to make an enquiry and grant maintenance allowance for this lady?

The Honourable Sir Henry Craik: (a) Yes.

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(b) to (d). He has been having slight fever during the last five months but no tuberculosis has been detected. He has otherwise kept generally good health. The report on his health for January, 1935, shows that his weight has increased by two lbs.

(e) and (f). His transfer to a climate less subject to extremes has been suggested as likely to be more suitable for him and this suggestion will be considered in the light of the periodical reports received on his health during the present cold weather.

(g), (h), (k) and (l). I would refer the Honourable Member to the reply given on the 21st September, 1932, by my predecessor, to question No. 525 on the same subject.

(i) No.

(j) No. No request for permission to see his aunt was made by the State Prisoner. One telegram was received by the Bengal Government from the State Prisoner's nephew on the subject to which a reply was sent refusing the request.

Prof. N. G. Ranga: What is the objection to Government transferring him to some other jail?

The Honourable Sir Henry Craik: I have said that his transfer to any other jail will be considered in the light of the reports received on his health during the present cold weather.

Mr. Basanta Kumar Das: The fever is on account of what? Why is he getting this fever?

The Honourable Sir Henry Craik: I cannot hear.

Dr. G. V. Deshmukh: What is the fever due to? Has the disease been diagnosed so as to find out why he is having this temperature?

The Honourable Sir Henry Craik: The only suggestion made in a recent report is that he has low fever and is believed to have the likelihood of an infection by B. coli.

An Honourable Member: What is that?

Prof. N. G. Ranga: What are the considerations that are taken into account in making grants for the dependents of the State Prisoners?

The Honourable Sir Henry Craik: No allowance is made unless the prisoner has relatives who are actually dependent on him. In this case, that condition is not fulfilled.

Mr. S. Satyamurti: Is the mother paid any allowance at all?

The Honourable Sir Henry Craik: I must refer my Honourable friend to the answer given by Sir Harry Haig in reply to a question No. 525. That answer makes it clear that Government do not consider that the grant of a family allowance is justified, since the prisoner's relatives were not dependent on him for support.

Mr. S. Satyamurti: Has the mother anybody else on whom to depend for support?

The Honourable Sir Henry Craik: Yes.

Mr. S. Satyamurti: Who are they?

(At this stage Munshi Iswar Saran also got up.)

Mr. S. Satyamurti: I should like first to have a reply to the question I have put. Who are the people on whom the mother, according to the information of the Government, can depend for her maintenance?

The Honourable Sir Henry Craik: These ladies have separate sources of income derived from land.

Lieut.-Colonel Sir Henry Gidney: Are Government prepared to assure this House that it will give the same meticulous attention to the temperature charts of all other prisoners?

Mr. Lalchand Navalrai: Including the Anglo-Indians?

Lieut.-Colonel Sir Henry Gidney: Yes, and Sindhis too.

Munshi Iswar Saran: In view of the fact that the prisoners gain in weight there, will the Government of India consider the advisability of sending the Honourable the Home Member there for a change?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

STATE PRISONERS DETAINED UNDER REGULATION III OF 1818.

387. ***Mr. Basanta Kumar Das:** Will Government be pleased to state the names of the State Prisoners now detained under Regulation III of 1818, with the dates of their arrest and the amount of allowance granted to each of them?

The Honourable Sir Henry Craik: I invite attention to my reply to Mr. Mohan Lal Saksena's question No. 86 on the 6th February, 1935, and to the list therein referred to which was laid on the table in August last and showed the allowance sanctioned.

EFFECT OF LLOYD BARRAGE OPERATIONS ON THE RIVER INDUS IN SIND.

388. ***Mr. Lalchand Navalrai:** (a) Has the attention of Government been drawn to the Associated Press information regarding the effect of Lloyd Barrage operations on the river Indus in Sind and the annual loss of 40,000 rupees from the sale of 'Palla' fish owing to migration of fishes from the river?

(b) Are the facts stated in part (a) above correct?

(c) Is it a fact that the Government of India have lent a huge amount of money for the Barrage and that a large subvention would be given by the Government of India for separation of Sind? If so, will Government be pleased to make a full statement whether the Barrage has been or would be a successful and a profitable concern? If so, within how many years and how, in the face of such losses as indicated in the aforesaid part (a)?

The Honourable Sir James Grigg: (a) No.

(b) Government have no information.

(c) The latest detailed forecast of the return which should be received on the capital expenditure in connection with the Sukkur Barrage Project is given in Appendices D and E to the report of the Sind Conference of 1932, of which my Honourable friend was a member. So far as the Government of India are aware, there is no sufficient reason for anticipating a material reduction in the figures of receipts given in that forecast.

Mr. Lalchand Navarai: May I ask the Honourable Member, Sir, if he saw the cutting of the Associated Press that I sent along with this question which was to the effect that there is a deficit of Rs. 90,000 owing to the migration of these Palla fish which are very delicious?

The Honourable Sir James Grigg: I am very sorry that I did not see that Press report, because I did not receive it.

An Honourable Member: It went away with the fish!

APPREHENDED INCREASE IN THE RENTS OF REFRESHMENT ROOMS AND STALL ON THE GREAT INDIAN PENINSULA RAILWAY:

389. ***Mr. Lalchand Navarai:** (a) Has the attention of Government been drawn to the Editorial of the *Bombay Sentinel*, dated January 24, 1935, regarding hardships to third class passengers on the Great Indian Peninsula Railway in respect of tea and refreshment rooms and stalls, provided for third class passengers and the apprehended increase of rental burden? If so, what steps do Government propose to remedy the same?

(b) Is it a fact that the rentals are intended to be increased? If so, to what extent and what profit will be left to the contractors?

(c) Will Government be pleased to make a full statement in regard to the increase of rental, if any, is proposed?

Mr. P. R. Rau: (a), (b) and (c). Government have seen the editorial referred to. The facts are as follows:

Originally the practice on the Great Indian Peninsula Railway was to auction licences for the sale of food at stations. This was abolished some time ago, and a nominal licence fee of rupee one was charged and rentals were fixed. For the purpose of charging rent 292 stations, where there are refreshment stalls, were classified, first into three groups, and later into five groups, with rentals varying from Re. 1-4-0 to Rs. 8-12-0 per month. Recently, it has been decided by the Railway Administration to alter the rates, whereby some rentals will be increased and some decreased while

at 103 stations no change will be made. The new rentals are between Rs. 1-4-0 and Rs. 40 per mensem. The reasons for this step, as given by the Great Indian Peninsula Railway Administration, are as follows:

"It was found that the rents charged gave a return of less than three per cent. on the capital outlay owing to additional facilities provided, although, about ten years ago, the rents were based on a return of six per cent.

In considering a revision of the rentals, the Administration felt that it would be reasonable to expect a return on the capital outlay."

The contractors who will be required to pay these rents are provided with stalls and cook-houses, and have a monopoly in the supply of food, etc., to a large number of potential customers. They are not permitted to supply food of inferior quality, and to ensure that the food is good, an inspection is made daily by the Station Master and frequent surprise checks made by Divisional Officers, Inspectors and Doctors. The rates charged are not exorbitant as they are fixed by Divisional Officers after careful local enquiries. The Agent is satisfied that the proposed rentals inflict no hardship upon the contractors nor do they prejudice third-class passengers in any way.

The change in rentals was approved by the Local Advisory Committee who were informed of the arrangements that were in force to ensure that the food supply was good and reasonable in price. In view of this, Government do not consider it desirable to interfere in the arrangements proposed at present, but the whole subject will come under review in connection with the examination of the arrangements for refreshments for third-class passengers which has been undertaken by the Railway Board.

Mr. Lalchand Navarai: May I ask, Sir, if these Divisional Officers have personally gone for inspections during the last one year?

Mr. P. R. Rau: Sir, I have been informed by the Agent of the Great Indian Peninsula Railway that frequent surprise checks are made by Divisional Officers.

Prof. N. G. Ranga: Is it not a fact that complaint books are not kept at these refreshments rooms?

Mr. P. R. Rau: I am not aware of that.

Prof. N. G. Ranga: Is the Honourable Member aware that at most of the refreshment rooms complaint books are not kept?

Mr. P. R. Rau: Is my Honourable friend talking of the refreshment rooms on the Great Indian Peninsula Railway from his personal knowledge?

Prof. N. G. Ranga: Yes, Sir.

Mr. P. R. Rau: May I know what station he wants to refer to?

Prof. N. G. Ranga: I have put the question to the Honourable Member: I do not want the Honourable Member to put questions to me. (Laughter.)

ERECTION OF THE DELHI BROADCASTING STATION.

390. ***Mr. S. Satyamurti** (on behalf of Dr. Ziauddin Ahmad): (a) Will Government be pleased to state the approximate date by which the Delhi Broadcasting Station will actually begin to work?

(b) Was the transmission apparatus purchased by Government through the Stores Department, or through the High Commissioner for India, or direct?

(c) Were tenders invited for the supply of the transmission apparatus?

(d) Is it a fact that Marconi is going to have a sort of monopoly for the erection and supply of broadcasting station and wireless material in India for Government?

The Honourable Sir Frank Noyce: (a) The Government of India hope that the Delhi Broadcasting station will begin transmitting by the end of November, 1935.

(b) The apparatus was purchased by the High Commissioner for India.

(c) Yes.

(d) No.

Mr. S. Satyamurti: May I ask, Sir, whether the cheapest tender was accepted?

The Honourable Sir Frank Noyce: I think the cheapest tender was accepted, but I should like to have notice of that question.

Prof. N. G. Ranga: Do the Government of India propose to establish these Broadcasting Stations at a State concern?

The Honourable Sir Frank Noyce: Certainly; they are all part of the State Broadcasting Service.

Mr. S. Satyamurti: May I ask if tenders will always be called for for all these materials?

The Honourable Sir Frank Noyce: Certainly; that is the usual practice.

APPOINTMENT OF INSPECTORS OF WIRELESS.

391. ***Mr. S. Satyamurti** (on behalf of Dr. Ziauddin Ahmad): (a) Have Government appointed inspectors for wireless? If so, how many inspectors were appointed during the last twelve months?

(b) Were these appointments made direct by Government or through the Public Service Commission?

(c) Were the posts advertised? How many applications were received? Did Government appoint any Selection Committee?

(d) What is the pay and travelling allowance of the Inspectors and what are their qualifications?

The Honourable Sir Frank Noyce: (a) Yes, seven Inspectors were appointed in 1934 on a temporary basis under the Indian Wireless Telegraphy (Possession) Rules, 1933.

(b) The men were appointed by the Government of India direct.

(c) The posts were not advertised in the Press, but Heads of Posts and Telegraphs Circles were informed and requested to recommend candidates. Fifty applications were received. No selection committee was appointed.

(d) The pay of an Inspector is Rs. 80 per month with an allowance of Rs. 2/8/- per day when on tour. No definite qualifications are laid down, but, as far as possible, retrenched men of the Indian Posts and Telegraphs Department have been employed.

Mr. S. Satyamurti: May I ask, Sir, why the services of the Public Service Commission were not availed of in making these appointments?

The Honourable Sir Frank Noyce: Because the services of the Public Service Commission are not usually requisitioned in regard to the temporary appointments, and these appointments were made for a year only.

Mr. S. Satyamurti: May I ask, Sir, if the Public Service Commission will be consulted before these appointments are made permanent?

The Honourable Sir Frank Noyce: The question is really a hypothetical one, and I have no idea whether these appointments will become permanent or not. If there is any intention of making these appointments permanent, I do not think there will be any objection to referring the matter to the Public Service Commission.

Mr. S. Satyamurti: May I ask, Sir, why these posts were not advertised?

The Honourable Sir Frank Noyce: Because, as I have said, we asked the Heads of Circles to recommend candidates. We had a certain number of retrenched candidates from the Posts and Telegraphs here available, and this House has continually impressed upon us the desirability of appointing retrenched candidates wherever we can. A suitable number of candidates presented themselves, and it was easy to make a selection from them. I may mention, for the information of the Honourable Member that three of these candidates, who were appointed, were the retrenched people of the Posts and Telegraphs Department, one was from the Indo-European Department and two were already employed in the Broadcasting Service.

IMMEDIATE SUPPLY OF INFORMATION TO THEIR RELATIVES RE ACCIDENTS SUFFERED BY RAILWAY SERVANTS.

392. ***Mr. Mohan Lal Saxena:** (a) Is it a fact that one A. Latif, cleaner, Najibabad, met with an accident in the performance of his duties and died as a result thereof, but the information of his death was not sent even to his father as a result of which he (Hussain Khan, Sepoy, father of A. Latif deceased) had to represent the matter to the Railway Board?

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(b) Is it also a fact that one Jhubbor Chand father of the late Maggan, of the Power House, Najibabad, also made a similar complaint when his son met with accidental death?

(c) If the answers to parts (a) and (b) be in the affirmative, do Government propose to take such steps as would ensure immediate supply of information, in case of serious accidents, to the near relations of the persons concerned?

Mr. P. R. Rau: (a) and (b). Government have no information.

(c) I have forwarded a copy of this question to the Agent, East Indian Railway, for considering what instructions should be given for the guidance of staff in similar cases in the future.

DEGRADATION OF PERSONS WHO FAIL TO PASS THE REFRESHER COURSE OF THE CHANDAUSI AND ASANSOL RAILWAY SCHOOLS.

393. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that, at present, men who are sent to the Refresher Schools at Chandausi and Asansol and who fail to pass the test are reduced in grade and pay without any regard for their past services?

(b) Is it a fact that one Mr. Balbhadra Singh, employed as an Assistant Station Master for the last 20 years and drawing Rs. 68 per month in the Mordabad Division of the East Indian Railway, was on his failure to pass the refresher course, reduced both in grade and pay and made a Ticket Collector on Rs. 52 per month?

(c) Will Government be pleased to state the object of the refresher course?

(d) Is it not against the Government policy underlying other services that persons, who have put in long periods of service and who have otherwise discharged their duties with credit and to the satisfaction of all concerned should be degraded for failure to pass the refresher test?

(e) Do Government propose to re-instate all such persons as have been degraded on ground of failure to pass the refresher test in their original grade?

Mr. P. R. Rau: I have called for information and will lay a reply on the table of the House in due course.

REDUCTION IN THE DUTY HOURS OF PERSONS WORKING IN THE TRANSHIPMENT YARD, MORADABAD.

394. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that men working in the Transhipment Yard at Moradabad submitted a joint representation on the 18th December, 1933 to their Divisional Superintendent at Moradabad, stating that they were required to work 15 hours instead of eight as was required under the duty hours' regulations and a was also being followed at other places?

(b) Will Government be pleased to state if anything was done to reduce the duty hours of the applicants, and if not, why, and further why were these men put to 15 hours' duty? Is it not against the Geneva Convention?

P. R. Rau: This has not been brought to the notice of Government. The staff in question have been required to work temporarily beyond the legal maximum due to exceptional pressure of work, I understand they will be eligible for overtime payments according to the regulations.

Mr. Mohan Lal Saksena: Will the Honourable Member make inquiries?

Mr. P. R. Rau: The Regulations provide that if they are required to work overtime, they will get payment for it.

Mr. Mohan Lal Saksena: Does not the Honourable Member think that they work for a longer period than 12 hours, there is a danger to public safety?

Mr. P. R. Rau: It is only a question of exceptional pressure of work or a short period.

Mr. Mohan Lal Saksena: If they are required to work for 15 hours a day, surely they can be required to work for 24 hours a day? Is there any limit for overtime work?

Mr. President (The Honourable Sir Abdur Rahim): This is arguing.

Mr. Mohan Lal Saksena: I want to put one more supplementary question.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DEMOTION OF CERTAIN DRIVERS ON THE EAST INDIAN RAILWAY.

395. ***Mr. Mohan Lal Saksena:** (a) Has the attention of Government been drawn to a joint representation dated the 11th January, 1935 from some twelve drivers, addressed to the Agent, East Indian Railway, protesting against cutting down their salaries without any previous intimation to them?

(b) Is it a fact that these men were demoted early in 1931 as a measure of economy and were given an assurance to the effect that they would be restored to their original grade and pay with full benefits for the intervening period when better times turned and that in accordance with the said undertaking they were actually given what they had lost and what they would have got but for their demotion?

(c) Is it a fact that in November last when they received their salaries for the month of October, 1934, they were paid less by rupees ten each and when they referred the matter to their Divisional Superintendent at Moradabad they were informed that their salaries had been fixed again with effect from the 1st August, 1934, in accordance with the Chief Operating Superintendent, East Indian Railway's letter No. OPD-202-A-II, dated the 6th September, 1934, which mentioned that the Accounts Department had objected under Fundamental Rule 26 to their being paid what they were actually given early in 1934 in pursuance of the assurance and undertaking held out to them when they were demoted?

(d) Are Government aware that the cut effected again, *vide* part (e) of this question, and refixation of their salaries in accordance with the instructions contained in Fundamental Rule 26 with effect from the 1st August, 1934 has affected them very adversely and that they were never warned at the time of their demotion in 1931 that their salaries on restoration shall have to be fixed in accordance with the provision of Fundamental Rule 26?

(e) Are Government aware that they definitely assured that they would be given what they may lose on return of better times?

(f) Are Government aware that this is fully admitted by the Chief Operating Superintendent, *vide* his minute sheet No. OPD-202-A-II, dated the 24th July, 1934, addressed to the Agent, East Indian Railway?

(g) Do Government propose to order refixation of their salaries, as per the undertaking held out to them originally and in conformity with the instructions issued by the Railway Board, *vide* their letter No. 683-E-9, dated the 3rd March, 1931? If not, why not?

Mr. P. R. Rau: With your permission, I shall answer questions Nos. 395, 396 and 397 together. I have called for information and will lay a reply on the table of the House in due course.

RACIAL DISCRIMINATION IN THE SUPPLY OF UNIFORMS AND OCCUPATION OF QUARTERS, ETC., IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

†396. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that racial discrimination still obtains in the East Indian Railway and particularly in the Moradabad Division of the said Railway in matters of supply of uniforms and occupation of quarters and running rooms?

(b) Is it a fact that European and Anglo-Indian Station Masters and Assistant Station Masters get full set of uniforms including double-breasted coats, pants, hats, night caps, and that the Indian Station Masters and Assistant Station Masters get only one closed collar coat?

(c) Are Government aware that the Divisional Superintendent, Moradabad, recommended to the Agent to supply full sets of uniform to Indian 'C' and 'D' class Station and Assistant Station Masters, but he (the Agent) declined to accept the Divisional Superintendent's recommendations on the plea that Indians wear *dhoties* or *pyjamas*?

(d) Will Government please state why there exists in the East Indian Railway the aforesaid discrimination in the matter of supply of uniforms and why the Indian Station and Assistant Station Masters are not supplied with *dhoties* or *pyjamas*?

RACIAL DISCRIMINATION IN THE USE OF RUNNING ROOMS ON THE EAST INDIAN RAILWAY.

†397. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that Mr. H. V. Singh, a Guard on the East Indian Railway, Moradabad, has been disallowed the use of European Guards Running Room on the ground that he was an Indian Christian?

(b) Will Government be pleased to state the circumstances under which the existing racial discrimination is allowed?

†For answer to this question, see answer to question No. 395.

FORTHCOMING CONSTITUTION ACT.

398. ***Mr. Mohan Lal Saksena:** Have Government issued any instructions to the various Local Governments regarding the implementing of the forthcoming Constitution Act? If so, will Government please lay on the table of this House a copy of the same?

The Honourable Sir Nripendra Sircar: The answer to the first part of the question is in the negative. The second part does not arise.

FORMATION OF CONSTITUENCIES FOR ELECTION TO THE PROVINCIAL LEGISLATURES UNDER THE NEW REFORMS.

399. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that Reforms Officers have been appointed in the different provinces and they are engaged in fixing up constituencies for election to the provincial legislatures under the new Act?

(b) Will Government please state on what basis the constituencies are being formed and whether public opinion will be consulted regarding the constitution of the proposed constituencies?

The Honourable Sir Nripendra Sircar: I refer the Honourable Member to the reply given to Sirdar Harbans Singh Brar's starred question No. 779 on the 20th April, 1934, to which I have nothing to add.

***Mr. Mohan Lal Saksena:** Will the Honourable Member read the reply to question No. 779 referred to by him?

The Honourable Sir Nripendra Sircar: The answer to question No. 779 is this:

"As the Honourable Member is aware, no proposals for the delimitation of constituencies were included in the White Paper; nor have any instructions yet been given by His Majesty's Government for work on that part of the electoral scheme to be taken up. In the meantime purely by way of exploration and without in any way prejudging Parliamentary decisions on the future franchise some preliminary examination of the delimitation of constituencies has been made by Provincial Governments. This preparatory work has not been controlled by the Government of India who are not in a position to supply information of the progress achieved province by province."

Mr. S. Satyamurti: Is the Reforms Office doing anything with regard to this matter of delimitation of constituencies?

The Honourable Sir Nripendra Sircar: Which matters?

Mr. S. Satyamurti: Matters referred to in part (a) of Mr. Saksena's question, namely, fixing up constituencies?

The Honourable Sir Nripendra Sircar: The answer to that is in the negative. No instructions have been issued.

Mr. S. Satyamurti: I am asking whether the Reforms Office of the Government of India is dealing with the delimitation of constituencies for elections to the Provincial Legislatures?

The Honourable Sir Nripendra Sircar: I require notice.

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Pandit Govind Ballabh Pant: There is no answer to the second part of the question, namely, whether public opinion will be consulted regarding the constitution of the proposed constituencies.

The Honourable Sir Nripendra Sircar: I do not find that in the question.

Pandit Govind Ballabh Pant: This forms the latter part of part (b).

Mr. S. Satyamurti: Public opinion is forgotten.

The Honourable Sir Nripendra Sircar: Whether public opinion will be consulted when the situation arises, I am not in a position to state now.

Pandit Govind Ballabh Pant: What is the Honourable Member not in a position to state now? As to when the situation will arise, or whether public opinion will or will not be consulted when the situation actually arises?

The Honourable Sir Nripendra Sircar: Firstly, whether the situation will arise, and, secondly, if it does arise, what will happen.

Pandit Govind Ballabh Pant: In both cases.

Mr. S. Satyamurti: Does the Honourable the Law Member say that the reforms can work without the delimitation of constituencies? He is unable to say whether the situation would arise. Does the Honourable Member think that the reforms can come into being without the constituencies being delimited?

The Honourable Sir Nripendra Sircar: The situation can only arise if the Bill is passed into law.

Mr. S. Satyamurti: Does the Honourable Member think that the Bill is not likely to be passed?

The Honourable Sir Nripendra Sircar: It is a matter of opinion. My Honourable friend knows better than myself.

Mr. S. Satyamurti: I am glad that the Honourable Member thinks that the Bill may not be passed.

Mr. Sami Venkatachalam Chetty: Is the Honourable Member aware that Ministers have been consulted about the delimitation of constituencies, whereas the Opposition parties have not been consulted, and no chance was given to the public to give their opinions about it?

The Honourable Sir Nripendra Sircar: They have not been consulted at the instance of the Government of India. The Government of India have no information about it.

Prof. N. G. Ranga: Will Government make enquiries?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DIFFERENCE IN AIR MAIL POSTAGE TO AND FROM THE UNITED KINGDOM.

400. *Babu Baijnath Bajoria: (a) Is it a fact that the rates of postage charged for bringing letters by air mail from the United Kingdom to India is 6d.?

(b) Is it a fact that at the current rate of exchange 6d. comes to Re. 0-5-4?

(c) Is it a fact that the rates of postage charged for carrying letters by air mail from India to the United Kingdom is seven annas six pies?

(d) If the answers to parts (a) to (c) be in the affirmative, will Government be pleased to state the reasons for this difference in the rates of postage charged for carrying letter by air between the same countries?

(e) Do Government propose to fix the same rates of postage both ways, from the United Kingdom to India and *vice versa*? If not, why not?

The Honourable Sir Frank Noyce: (a) The rate is 6d. per $\frac{1}{2}$ oz.

(b) Yes.

(c) The rate is seven annas six pies for the first $\frac{1}{2}$ oz.

(d) Each country is at liberty to fix its own charges and there is no element of reciprocity in this matter.

(e) Government have no power to fix the rate from the United Kingdom to India. The rate from India to the United Kingdom has been fixed so as to cover the expenses of the service and Government are unable to reduce the rate further at present.

COST OF CONSTRUCTION AND SUSPENSION OF TRAFFIC ON THE BALLY BRIDGE.

401. *Babu Baijnath Bajoria: (a) Will Government be pleased to state the cost of construction of the Bally Bridge connecting the East Indian Railway and Eastern Bengal Railway via Bally?

(b) Is it a fact that all traffic has been closed over the said bridge? If so, will Government be pleased to state the reasons why the bridge was ever constructed?

(c) Will Government be pleased to state when they propose to resume traffic over the said bridge?

(d) Will Government be pleased to state the amount of expenses that have been incurred on its repairs and renewals since the time the construction of the bridge was finished?

(e) Is it a fact that the said bridge was constructed to have through passenger traffic between Calcutta and Northern India?

(f) Will Government be pleased to state whether any through passenger trains were ever passed over the said bridge? If so, when and for what period? If not, why not?

(g) Is it a fact that the Bally Bridge has considerably sunk? If so, do Government propose to appoint a committee to enquire as to the reasons why, before traffic could be passed over the bridge it has sunk? If not, why not?

(h) Will Government be pleased to state the names of the officers who were responsible for its construction?

Mr. P. R. Rau: (a) The cost of constructing the Calcutta Chord Railway, of which the Willingdon Bridge at Bally forms a part, is estimated to be Rs. 354.59 lakhs, which includes a contribution of Rs. 34.62 lakhs by the Government of Bengal towards the cost of the roadways and footpaths.

(b) and (c). Traffic over the Willingdon Bridge has never been stopped, but owing to slips on the approach embankments, last rains, through running was suspended from 6th July to 10th July.

(d) No expenditure has been incurred on repairs to bridge proper beyond patchwork painting.

(e) No.

(f) No. Owing to the depression the passenger traffic can be handled without passing over this bridge.

(g) I would refer the Honourable Member to the reply given to Mr. S. C. Mitra in the House on the 21st November, 1933, to parts (d), (e) and (f) of question No. 1077.

(h) Engineers-in-Chief—

Mr. A. H. Johnstone.

Mr. A. I. Sleight.

Executive Engineers—

Mr. R. Mair.

Mr. B. L. Harvey.

Mr. A. E. Hubbard.

STATEMENT HEADED "ONLY THIRD CLASS" IN THE BOMBAY SENTINEL.

402. ***Mr. Ahmed Ebrahim Haroon Jaffer** (on behalf of Sir Ghulam Hussain Hidayatallah): Has the attention of Government been drawn to the statement headed "Only third class", appearing in the *Bombay Sentinel* in its issue of the 24th January, 1935, at page 2? If so, what steps do they propose to take to redress the grievances mentioned therein?

Mr. P. R. Rau: I would refer my Honourable friend to the reply I gave to Mr. Lalchand Navalrai's question No. 389 a few minutes ago.

Mr. Ahmed Ebrahim Haroon Jaffer: Does that refer to the grievances contained in the article?

Mr. P. R. Rau: Yes, Sir.

PROVISION OF BENCHES ON LAWNS NEAR THE VICTORY MEMORIAL ARCH,
NEW DELHI.

***Mr. M. Ananthasayanam Ayyangar:** (a) Are Government aware that the lawn on either side of the road named Kingsway, leading from the Prince Edward Place to the Irwin Stadium in New Delhi is used by a large number of Europeans and Indians in the mornings and evenings as recreation ground?

(b) Are Government aware that the public are greatly inconvenienced for want of suitable seating places on the lawns referred to above?

(c) Do Government propose to consider the advisability of providing wooden benches or benches made of cement or stone slabs at suitable places on the lawn, specially near the fountain at the Victory Memorial Arch?

The Honourable Sir Frank Noyce: (a) Yes.

(b) No.

(c) Yes.

INDIAN AND PROVINCIAL CIVIL SERVICE EXAMINATIONS HELD ON THE
1st DAY.

404. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that Indian Civil Service and Provincial Civil Service competitive examinations were held at Allahabad on the 1st day?

(b) Was it not possible to fix the examinations in a manner as to avoid 1st day? If not, why not?

(c) Are Government aware of the great excitement among the Mussalmans of Allahabad for the disregard of their religious sentiments in fixing the examinations on 1st day?

The Honourable Sir Henry Craik: (a) The Provincial Civil Service examination was held at Allahabad on the 1st day and also the Indian Civil Service examination at Delhi.

(b) The answer to the first part is in the negative. As regards the second part, it is not possible to forecast on which of two days the 1st will fall. Full consideration was shown, however, for the religious susceptibilities of Muslims, and each of the two possible days on which the 1st might fall was kept free for Muslim candidates until 2.30 o'clock in the afternoon.

(c) No. No such disregard of religious sentiment was shown.

SUBLETTING OF THEIR CONTRACT ON THE NORTH WESTERN RAILWAY BY
MESSRS. TEPLIZ AERATED WATER COMPANY, LAHORE.

405. ***Dr. Ziauddin Ahmad:** (a) Are Government aware that Messrs. Tepliz Aerated Water Company, Lahore who have the contract for the supply of ice and aerated water in the northern sections of the North Western Railway, from Lahore to Peshawar, sublet the contracts for a small section to Thakur Dass?

(b) What action, if any, have Government taken in this matter?

Mr. P. R. Rau: (a) The Agent, North Western Railway, states that the contract has not been sublet.

(b) Does not arise.

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IGNORING OF THE CLAIMS OF OLD TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

406. *Mr. Muhammad Anwar-ul-Azim: (a) Will Government please state whether by their recent decision to give the option of electing the old scale of pay to the old Travelling Ticket Examiners of the North Western Railway, it is contemplated to retain the strength of the higher posts in old cadre as an opening for their promotions in that cadre? If so, will Government please state whether they approve of the policy of the North Western Railway of appointing outsiders such as military pensioners, etc., and thus decreasing the chances of promotions of old Travelling Ticket Examiners in higher grades in their old scale which is now being restored to them?

(b) Is it a fact that a military pensioner has recently been appointed as an Inspector and the claims of all the old Travelling Ticket Examiners in one of the Division of the North Western Railway were ignored and that he has been given a pay which is more than three or four times of his pension?

(c) Is it a fact that there are rules of the Administration that the pension plus civil pay of an employee should not exceed his military pay? If so, do Government propose to take up the matter with the Agent and the Chief Accounts Officer of the North Western Railway and inform this House of the reasons for the breach of the rules in this case?

(d) Are Government aware that this military pensioner is a very junior man and has been appointed on a pay of Rs. 250 and has thus been enabled to supersede all the old Travelling Ticket Examiners including Inspectors of old Travelling Ticket Examiners?

(e) Will Government please state whether the appointment of Mr. Bhagat Singh is in the interests of economy, and whether they are aware that one of the old Travelling Ticket Examiners could have been promoted to the Inspector's post by giving him Rs. 10 per month extra in the new scale or by entrusting him with the supervising duties without any additional cost in the old scale, as has been done in the case of Mr. Hymerdinger lately Inspector in Delhi Division, Mr. Mohan Lal lately Inspector in Rawalpindi Division and Ferozepore Division, and Mr. Dars Shaw, the present Inspector of Special Ticket Examiners in Quetta Division?

Mr. P. R. Rau: With your permission, Sir, I propose to reply to questions Nos. 406, 407 and 408 together. I have called for certain information and will lay a reply on the table of the House in due course.

NON-MAINTENANCE OF THE STRENGTH OF THE OLD TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

†407. *Mr. Muhammad Anwar-ul-Azim: (a) Did the Governor General in Council give an assurance that the strength of the old Travelling Ticket Examiners will be maintained, vide Director of Railway Board letter No. 822-E. G., dated the 16th August, 1933, circulated to all Divisional Superintendents of the North Western Railway by the Agent, North Western Railway, under his letter No. 918-E./18, dated the 24th October, 1933?

(b) Is it a fact that the strength of the head Travelling Ticket Examiners was eight on the North Western Railway at the time of the transfer of the Department from the Audit to the Commercial control in the Divisions?

(c) What is the number of Group Inspectors on the North Western Railway at present? What is the reason for the difference?

(d) Do Government propose to abide by the terms of the Governor General in Council's decision referred to above? If so, when?

(e) Is it known to Government that the Agent, North Western Railway issued a circular letter to all the Divisional Superintendents North Western Railway in 1931 that the Group Inspectors in each Division will be of Class V, Group Incharges of Special Ticket Examiners of Class III and Special Ticket Examiners of Class II?

PROMOTION OF OLD TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

†408. *Mr. Muhammad Anwar-ul-Azim: (a) How many old Travelling Ticket Examiners are working now as Special Ticket Examiners on the North Western Railway since 1st June, 1931, in Class IV, and what is the sanctioned strength?

(b) How many old Travelling Ticket Examiners were recommended and declared fit for the higher grade by their various Superintendents of the North Western Railway Divisions since 1928?

(c) How many old Travelling Ticket Examiners have been getting the maximum pay, viz., Rs. 190 per month, and since when?

(d) Will Government please lay on the table a copy of the seniority list of such men referred in parts (a), (b) and (c) above?

(e) How many of them have worked as Group Inspectors or Head Special Ticket Examiners and for what period on officiating chances in Grade V?

CLAIMS OF THE MEMBERS OF THE INDIAN LEGISLATURE FOR RESIDENTIAL QUARTERS IN THE WESTERN COURT, NEW DELHI.

409. *Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state whether or not it is a fact that the residential quarters available in Western Court, and the garages attached to them are primarily intended for the use of Members of the Legislative Assembly and Council of State?

(b) If the answer to part (a) be in the affirmative, will Government please state whether they are aware of the fact that the best located suites of rooms, the best furniture and the more modern garages are, as a rule, offered to and occupied by officials residing at Western Court, many of whom are in no way connected with the Legislative Assembly or the Council of State?

(c) Do Government propose to take steps to remedy this state of affairs and to see that Members of the Legislative Assembly and the Council of State are not denied their prior claim to these rooms and the garages attached thereto? If not, why not?

†For answer to this question, see answer to question No. 406.

The Honourable Sir Frank Noyce: (a) No. Certain quarters are definitely reserved for the use of Government officers, and others for Members of the Legislature.

(b) The question does not arise. But to the best of my belief the statements made by the Honourable Member are not correct.

(c) No. I would refer the Honourable Member to my reply to part (a).

Lieut.-Colonel Sir Henry Gidney: Is it or is it not a fact that out of the 70 servants' quarters at the Western Court, 25 are given to the Members of the Legislative Assembly and the balance of 45 (including hotel servants) to officials?

The Honourable Sir Frank Noyce: I must ask for notice.

Lieut.-Colonel Sir Henry Gidney: I have asked these questions and I have got the figures before me, and I ask the Honourable Member whether these figures are correct. I have given ten days notice and still I have not got any information on the matter.

The Honourable Sir Frank Noyce: The Honourable Member has not put that question. If he had done so, I would have answered it.

Lieut.-Colonel Sir Henry Gidney: I have asked about garages that are reserved for officials as opposed to the Members of the Assembly. Is the Honourable Member aware of the fact that out of the 32 garages that are reserved in Western Court, 14 are given to Members of the Assembly who number 33, and 18 are given to officials who number 24?

The Honourable Sir Frank Noyce: I would invite my Honourable friend's attention to his own question. He wished to know "whether Government are aware of the fact that the best located suites of rooms, the best furniture and the more modern garages are, as a rule, offered to and occupied by officials"; he did not ask for any information in regard to the number of garages, he merely asked about their situation. If he had done so, I would have done my best to supply information which he apparently has already obtained. (Laughter.)

Lieut.-Colonel Sir Henry Gidney: Dealing with the point raised by the Honourable Member, will he inform this House in regard to the location of these rooms whether it is or is not a fact that the location of these rooms are as follows on the three floors of Western Court.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is furnishing information and not asking for information.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member state whether the following information is correct or not? Ground floor, there are three rooms reserved for Members of the Assembly, but sixteen rooms for officials. First floor, there are eight rooms reserved for Members of the Assembly, while 15 for officials. Top floor, there are 20 rooms for the Members of the Assembly and four for officials, and most of the official rooms are near the lifts.

The Honourable Sir Frank Noyce: My own preference is for top floor rooms if I can get them.

Mr. F. E. James: Is the Honourable Member aware that Members of 12 Noon. the Assembly do usually prefer the top floor? Is he also aware that the Members of the Assembly resident in the Western Court have greatly appreciated the installation of hot water in recent months and that they would even more greatly appreciate it if the smoke from the furnace did not come into the rooms and make everything so greatly dirty?

The Honourable Sir Frank Noyce: I am very grateful to the Honourable Member for one of the few marks of appreciation that I have had recently and I can assure him that the small complaint that he made at the end of his question will be attended to immediately.

CO-ORDINATION OF SCALES OF PAY OF THE SUBORDINATES OF THE OLD OUDH AND ROHILKUND AND EAST INDIAN RAILWAY SECTIONS.

419. *Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state the rules governing the co-ordination of scales of pay as between the subordinates of the old Oudh and Rohilkund and East Indian Railway sections of the East Indian Railway?

(b) Is it a fact:

- (i) that chargemen doing the same kind of work are in receipt of Rs. 350 as the maximum salary on the Oudh and Rohilkund section and Rs. 400 on the East Indian Railway section, and
- (ii) that different sets of overtime and holiday allowances are in force on both these sections of the same Railway?

(c) Is it a fact:

- (i) that employees of the Oudh and Rohilkund section, before amalgamation, were eligible for an unlimited number of passes on the home line and one foreign line pass in the year, and
- (ii) that, as a result of the decision of the Indian Railway Conference in its desire to secure uniformity of pass rules, the passes allowed to subordinates on the Oudh and Rohilkund section were restricted to three home line passes and one foreign line pass, as obtained on the East Indian Railway section?

(d) Will Government please state the reasons why, in the case of the co-ordination of scales of pay, the Oudh and Rohilkund men have been denied the privileges of a higher maximum salary and better allowances obtaining on the East Indian Railway section, whereas in the case of the issue of passes, their existing privilege was curtailed to the standard of the East Indian Railway section?

(e) Do Government propose to remove these anomalies and allow the Oudh and Rohilkund men to elect either the East Indian Railway Company scales of pay and allowances or the old Oudh and Rohilkund rates of pay? If not, why not?

Mr. P. R. Rau: (a) and (e). The Honourable Member is referred to the information laid on the table of the House on the 19th July, 1934, in reply to Rai Bahadur Lala Brij Kishore's question No. 746.

(b) Government have no information but I am willing to take it as correct from the Honourable Member. The scales of salary for the East Indian Railway and the Oudh and Rohilkund Railway were different in the old days and the difference will continue so far as the staff in employment, before the amalgamation, who have not accepted the revised co-ordinated scales of pay are concerned.

(c) (i) There was no restriction in regard to the number of passes admissible over the home line for staff drawing over Rs. 200 per month.

(ii) The restriction in regard to the number of passes, which varies according to the pay of the individual and the class of pass admissible, is in accordance with the orders of the Railway Board, and applies to all grades of employees on the State-managed Railways.

(d) As regards scales of pay, all staff were given the option of coming on to the co-ordinated scales of pay. Government cannot recognise any claim on the part of the Oudh and Rohilkund Railway staff to get the scales of pay in force on the East Indian Railway before amalgamation.

As regards passes, the curtailment, as I have already explained in my reply to part (c), affects employees of all State-managed Railways, some to a greater degree than others.

Lieut.-Colonel Sir Henry Gidney: Is it a fact that the Railway Board deputed one of its officers to settle these differences of pay, passes, etc., a few years ago?

Mr. P. R. Rau: I am not aware of that personally, but if my Honourable friend will put a question down on the paper, I will get him the information.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member kindly make himself aware of that fact?

SHORT NOTICE QUESTION AND ANSWER.

TRIBUNAL ON THE FINANCIAL CONSEQUENCES OF THE SEPARATION OF BURMA FROM INDIA.

Mr. T. S. Avinashilingam Chettiar: Will Government please state:

- the precise terms of reference of the tribunal, the appointment of which was recently announced by the Secretary of State for India, to go into and advise on the financial consequences of the separation of Burma from India;
- whether the appointment of the tribunal was made in consultation with and with the concurrence of the Government of India;
- when the tribunal is likely to make its report;
- whether the report will be made available to the Members of this House during the current Session;
- whether this House will be afforded the opportunity for the discussion of the report.

The Honourable Sir James Grigg: (a) A copy is laid on the table.

(b) Yes.

(c) and (d). These depend on how soon the Tribunal is able to complete its examination of the question and present its report. No definite timetable has been fixed.

(e) If when the report is published, Government find that there is a general demand for its discussion by the House, they will endeavour to provide the opportunity.

Press Communiqué.

In accordance with the recommendations of the Joint Select Committee on Indian Constitutional Reform in paragraph 482 of their Report the Secretary of State for India has appointed the Right Honourable L. S. Amery, M.P., the Right Honourable Sir Sidney Rowlatt, K.C.S.I., and Sir Walter Nicholson, K.C.B., to constitute a Tribunal to advise him on the formulation of a financial settlement between India and Burma in the event of separation.

The terms of reference to the Tribunal are as follows:

The Joint Select Committee of Parliament on Indian Constitutional Reform having recommended that Burma should be separated from India and that early steps should be taken for the determination by an impartial Tribunal of the principles of an equitable apportionment between the two countries of assets and liabilities, the Tribunal are requested.

- (1) to advise as to the basis on which a just financial settlement between the Government of India and the Government of Burma when separated should be made;

- (2) to indicate:

- (i) how their findings under the first term of reference should be applied to the position resulting from the provisions in the Government of India Bill (1935) for allocating to the Government of one country or the other the possession and control of certain properties and for imposing certain legal liabilities on the revenue of one country or the other; and (ii) so far as practicable the financial consequences of such application; and

- (3) to advise in the light of the findings under the first and second terms as to the lines on and the methods by which a complete financial settlement may be achieved between the Governments of India and Burma in respect of the assets and liabilities existing at the date of separation.

The Tribunal are now engaged on the investigation committed to them assisted by Mr. J. C. Nixon, C.I.E., I.C.S., representing the Government of India and Sir H. F. Howard, K.C.I.E., C.S.I., Sir S. A. Smyth, K.C.I.E., C.S.I., and Mr. T. Lister, C.I.E., I.C.S., representing the Government of Burma. Mr. Sidney Turner, C.B.E., F.I.A., Accountant-General, India Office, is the Secretary to the Tribunal.

The 16th February, 1935.

Prof. N. G. Ranga: Have Government received any representations as regards the grievances of Indians in Burma?

The Honourable Sir James Grigg: I believe that the Government of India have received representations as to the grievances of Indians in Burma, but I do not think those grievances have any relation to the financial terms of the separation of India and Burma.

Mr. T. S. Avinashilingam Chettiar: Are Government aware that a promise was given in the Round Table Conference that this Tribunal will be appointed with the consent of the Indian Legislature and with the Members of both the Indian and Burmese Legislatures or?

The Honourable Sir James Grigg: I understand that that was the recommendation of the Round Table Conference, but the Secretary of State has decided that, since the preliminary investigation has shown that the task of the tribunal is likely to be very long and very complicated, he does not think it practicable at the time when the Assemblies are sitting to ask members of the Finance Committees of both Legislatures to attend in London. The views of both Finance Committees on the matters in issue, as recorded in their discussions, have been among the material laid before the tribunal.

Mr. T. S. Avinashilingam Chettiar: Do I understand the Honourable Member's point to be that there is no reason for appointing a Member of the Legislature to the Committee? Could they not have been consulted over the appointment of the tribunal?

The Honourable Sir James Grigg: There was never any question of consulting over the personnel of the tribunal. There was a debate in the Assembly as to the actual constitution of the tribunal, and, as regards the question of the Members of the Legislature, Sir George Schuster said:

"Nevertheless that is the recommendation of the Round Table Conference and in the absence of any definite decision to change that, that recommendation will be carried out."

I have just explained that the Secretary of State has changed that decision.

Mr. B. Das: Was there not a suggestion made in the debate on the floor of this House that a member of the League of Nations should be President of this tribunal? Has that been accepted by the Secretary of State?

The Honourable Sir James Grigg: The three members of the tribunal are Mr. Amery, Mr. Justice Rowlatt and Sir Walter Nicholson, and I do not think any of them are members of the League of Nations. They may be members of the League of Nations Union.

Mr. B. Das: Does this mean that because all these three gentlemen belong to England and because England wants Burma to be separated, therefore the decision will go against India?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

ELECTION OF THE STANDING ADVISORY COMMITTEE FOR THE INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that U Thein Maung, Sir Darcy Lindsay and Khan Sahib Nawa Siddique Ali Khan have been elected to the Standing Advisory Committee for the Indian Posts and Telegraphs Department.

THE PAYMENT OF WAGES BILL.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the following motion moved by the Honourable Sir Frank Noyce on the 18th February, 1935:

"That the Bill to regulate the payment of wages to certain classes of persons employed in industry be referred to a Select Committee consisting of Mr. V. V. Giri, Mr. S. Satyamurti, Mr. Mohan Lal Saksena, Mr. B. B. Varma, Mr. H. P. Mody, Syed Ghulam Bhik Nairang, Mr. Amarendra Nath Chattopadhyaya, Mr. L. C. Buss, Mr. N. M. Joshi, Dr. F. X. DeSouza, Mr. J. Monteath, Mr. A. G. Clow, Mr. S. K. Hosmani, Mr. P. R. Rau and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Srijut N. C. Bardaloi (Assam Valley: Non-Muhammadan): Sir, I do not know much about the conditions of labour in other parts of India, but I know the conditions of labour in Assam. I suppose the number of labourers in the tea-gardens, oil-fields and also in other concerns in Assam is considerably greater than that of any other province in India. So I beg to submit for the consideration of the Select Committee certain matters which are involved in this Bill. The first is about the payment of wages. In clause 3, it has been said:

"All payments of wages, required to be made by section 5 of this Act, shall be made to persons employed:

(a) in factories and other industrial establishments:

(i) where there is a manager responsible to the employer, by the manager, and
(ii) in other cases, by the employer;"

So far as this clause goes, it ought to be modified, because, in the Assam tea-gardens, for example, there are many gardens with several sub-divisions and one manager; and one manager certainly cannot, in any circumstances, pay the wages of the labourers himself. So some change must be made here enabling the manager to appoint somebody else in his place or to authorise others to pay on his behalf, for which he will be responsible, because the manager cannot personally do it. There are tea-gardens in which there are two or three or four sub-divisions and there are thousands of coolies. In the Digboi oil-fields and the Margherita coal-fields, it is impossible for the manager to pay wages to the labourers. So this clause requires a little change. Then, sub-clause (2) (a) of clause 6 deals with deductions by way of fine. I would suggest that this fine should not be imposed on labourers who receive wages below Rs. 15. As a matter of fact, it is described here that those persons who draw pay below Rs. 100 will come under the purview of this Bill. That will also include the higher paid officials and the higher paid skilled men: the labourers generally do not get above Rs. 15 a month, and I should like that an exception should be made in the case of actual labourers. We all know with what great difficulty labourers are recruited to Assam; and if these labourers are so placed that these authorities can fine them, probably they shall be under the grip of the overseers and moharrirs and others who are above them, and they shall always be in trouble. As a matter of fact, I do not think that any labourers in any of these gardens or institutions are now fined as suggested in the Bill. As regards the other provisions regarding deductions of advances or things which the labourers take away and destroy or injure, the damages are slowly recovered from their pay: but to fine them for bad work or for not doing enough work—if that system is introduced, they shall be under the grip of persons below the rank of manager or assistant manager.

[Srijut N. C. Bardaloi.]

As regards the provision for giving notices and all that sort of thing, these coolies and labourers cannot read those notices; they shall not know what the notices are; and, under these circumstances, I propose that the imposition of fine should be restricted only to those cases in which the men draw above Rs. 15 as wages per month. Generally, they do not draw more than Rs. 15 a month: they are very poor and in a way they are controlled by several officers above them. If, therefore, this fine system is introduced legally, probably there will be no end of trouble for them. I suggest that this provision for fine should be modified.

As regards inspection also, I think that unless the men who go to inspect the garden factories are really responsible men occupying responsible positions, there will be abuses. The tea gardens as well as the other concerns have got their books and to show those books to anybody and everybody or to any officer who is not occupying a good position will be dangerous. Those books contain a lot of things regarding trade and business which the management would not like to show. In those cases, ordinarily nowadays it is the Deputy Commissioner or the District Magistrate himself who goes to the garden and inspects the garden and the garden accounts and not any other person. That is a sort of safeguard; but if anybody and everybody can go and even a man below the rank of factory inspector goes and inspects the accounts, it will bring in abuses.

These are the modifications I suggest for the consideration of the Select Committee. I do not find the name of any Assam Member in this Select Committee although Assam is full of these labourers who are recruited from other provinces: probably it is very well known to Members that the Assamese people do not work in those places, and, therefore, all these labourers are recruited from different provinces—from Sambhalpur, from Orissa, from Chota Nagpur and other places. Anyhow, I do hope, the Select Committee will consider this fact which I have just mentioned.

Mr. N. M. Joshi (Nominated Non-Official): Mr. President, the Bill before this House deals firstly with the question of payment of wages, and, secondly, deductions from wages. When we discussed the motion for referring the Mines Bill to a Select Committee, my Honourable friend, Mr. Clow, said that some of us, who were going to be in the Select Committee, need not have spoken on that occasion: perhaps he meant that I wasted the time of the House

Mr. A. G. Clow (Government of India: Nominated Official): On a point of personal explanation, Sir. I do not recollect having made any such statement.

Mr. N. M. Joshi: If my memory is correct, he did say that we could have made all those points in the Select Committee, and if he will refer to his speech, I am sure, he will find that he did refer to this subject . . .

Mr. A. G. Clow: May I say that I did refer to the fact that the Members who had spoken were on the Select Committee: but, to the best of my recollection, I said that it was, therefore unnecessary for me to deal in detail with the points that had been raised: I did not suggest that they should curtail their speeches.

Mr. N. M. Joshi: I am glad that the Honourable Member has not made that statement. If he did not make that statement, I need not refer to that matter at all. But I thought that if it is the opinion of some Members that those who are in the Select Committee need not speak in detail about the Bill, I am prepared to take their advice in so far that today I shall try not to deal with the sections of the Bill; but I shall try to place before this House the omissions of this Bill. This Bill deals with the question of the payment of wages and the deductions from wages. I would have preferred the Government of India to deal with the question of wages first and the question of the payment of wages though very important should have come after their dealing with the question of wages. I would have liked to deal with the question of establishing some kind of machinery for fixing minimum rates of wages. There are other questions regarding wages about which the Royal Commission has made recommendation such as the standardisation of wages. This Bill should have also contained some clauses dealing with the necessity for the employers keeping registers of rates of wages and exhibiting notices regarding the rates of piecework. While the Select Committee on the Factories Bill met, I raised the question that our Factory Act like the British Factory Act should contain a clause requiring the employers to put up notices regarding the rates of piecework. I was told at that time that it is a question of payment of wages. I, therefore, thought that that question would find place in this Bill. Then there are other questions regarding the payment of wages itself which are not included in this Bill. The Royal Commission on Indian Labour has recommended that payment of wages by *maistries* or jobbers due to the workmen should be stopped. They recommended that the wages should be paid directly by the employers to the employes. I do not know whether the Bill before this House deals with that subject. At least it does not deal with it adequately. Then the question of the interval between two payments of wages is of great importance. The Royal Commission had recommended that the Government of India should legislate for the fortnightly payment of wages. This Bill fixes the maximum interval of two payments of wages at one month while the Royal Commission had recommended a fortnightly payment of wages.

Then, Sir, the Royal Commission dealing with the question of Mines have, I think, recommended that payment should not be made on holidays. I do not think that this Bill prohibits the payment of wages on holidays. There are some employers who, in order to save their time, pay wages on Sundays or other holidays. That is very inconvenient to the workers, and, therefore, the Royal Commission recommended that payment of wages should not be made on holidays.

Then, Sir, this Bill deals with the question of prompt payment of wages of employees who are discharged or dismissed by the employers, but the Bill does not deal with the question of prompt payment of wages of workers who resign their jobs. In these cases also prompt payment of their wages is required. For instance, a man who leaves service on the 1st of a month will be paid his wages on the 15th or on whatever date that is fixed by the employer. This inconveniences the worker very greatly. Sometimes the workers resign their jobs and go to their native places, and when they do so, they do not get their wages sometimes for six months, and I know that in large industrial undertakings large amounts remain as unclaimed wages, and these after some time

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credited by the employers to their own account. It is on account of the failure of the payment of wages promptly to workmen who resign their jobs that a bad system called the system of *Howala* has come into existence in Bombay. A workman who has to go to his native village borrows money from some one and pays interest on it, and hands over authority to receive his wages from the employer. On account of this bad system the employees suffer to some extent. I thought, Sir, that the Government of India would have dealt with that question too.

Then, Sir, there is the question of the payment of wages to a deceased workman, which is also not dealt with in this measure. The Government of Bombay, in their opinion on this Bill, also, suggested that the Bill should make some provision for arranging for prompt payment of wages to the heirs of a deceased workman.

Then, there is the question of payment of wages of temporary workmen. For instance, in the textile industry in Bombay, if a weaver remains absent for a few days his place is taken by a temporary weaver. The system is that this temporary weaver is paid by the permanent weaver, and sometimes the temporary weaver does not get his full wages. Therefore, what is necessary is that there should be an obligation placed upon the employer to pay the wages of the temporary weaver directly.

I have shown thus far that there are a number of omissions in this Bill, and the Government of India should have made provision in this Bill for remedying the defects I have mentioned.

Then, Sir, the second part of this Bill deals with deductions from wages. My personal view is that no employer should be permitted to make any deductions from the wages of an employee unless the deductions are sanctioned by a law

The Honourable Sir Frank Noyce (Member for Industries and Labour): That, if I may point out to my Honourable friend, will be exactly the position if this Bill becomes law.

Mr. N. M. Joshi: Mr. President, what I meant to say was that this Bill regulates the deductions of wages. What I am suggesting is that we should not permit an employer to make any deductions from the wages except in certain cases, and if the Honourable Member had waited for a few seconds more, he would have seen what those cases were. An employer may be permitted to make deductions of income-tax. I have no objection at all. If there are laws for compelling the employee to contribute either to a Provident Fund or to a Health Insurance Fund or Unemployment Insurance Fund, the necessary deductions can be made. Excepting these deductions, I do not think the employer should be permitted to make any other kind of deductions. This Bill deals with all kinds of deductions, deductions of advances and deductions by way of fines. The Royal Commission on Indian Labour has suggested that the employer should not be permitted to deduct recruiting expenses. I do not find any mention in this Bill prohibiting the deductions of recruiting expenses from the wages of the employees.

Then, Sir, the Royal Commission found that on plantations in Southern India some employers follow the practice of not paying full wages to their employees every month. They make a partial payment of wages and credit the remaining sum to the account of the employees in their

accounts. The Royal Commission found that it was not a sound practice, and, therefore, suggested that that practice should be put a stop to.

Besides these deductions of advances from the wages, there are some deductions which are indirect, and I do not see any mention about these, such as the reduction of the rates of wages. This is a kind of deduction from wages, and the deduction of bonuses is also a deduction from wages. I do not see anything in the Bill dealing with these deductions.

Then, Sir, as regards the deductions from wages by way of fines, I had expressed my view in the Report of the Royal Commission along with my friends, Mr. John Cliffe and Mr. Chamanlal, that we would like the fines to be abolished altogether. We do not think that it is proper to give a right to an employer to make any deduction from the wages of an employee on account of fines. The employer has got his own remedy. If he does not approve of the services of an employee, he is entitled to discharge that employee after due notice, and I feel that the system of fines does not serve any useful purpose at all. It is wrong from the point of view of the employers themselves, and it is equally wrong to the employee as well. It may be said that fines are necessary to maintain discipline. My view is, Sir, that fines do not help in the maintenance of discipline at all. If the fines are small, as they must be small if the wages of the employees are not to be deducted materially, then these fines do not really serve the purpose of maintenance of discipline at all. I, therefore, feel that the system of fines is a bad system altogether. It is a kind of system of maintaining discipline which some parents, who do not know how to control their children, follow to cure the indiscipline of their children. They resort to caning or whipping. I, therefore, feel that the system of fines should be abolished altogether. As regards the various clauses of the Bill regarding the regulation of fines, I do not propose to deal with them here; I shall get an opportunity of dealing with them in the Select Committee.

I should like to say a word about the clauses of this Bill being an improvement. I admit very frankly that the omission of the power given to the employer to compel the weaver to take the cloth or pay the whole-sale price of the cloth when it is spoiled is a great improvement, and I am thankful to the Honourable Member for inserting that improvement in this Bill. At the same time, the Bill is not wholly an improvement. If the Bill had been entirely an improvement, my Honourable friend, Mr. Milligan, would not have called this Bill as an improved Bill. This Bill restricts the application of its clauses to a much smaller section of employees. The old Bill, which was introduced in this House two years ago, permitted the Local Governments to apply the clauses of that Bill to any industrial establishment. This Bill restricts the power given to the Local Governments only to a few industries. The industries mentioned are mines, plantations, quarry, workshop or other establishment, in which articles are produced, adapted or manufactured with a view to their use, transport or sale. I therefore feel that the power given to the Local Governments does not extend to industries, such as, docks; Local Governments will have no power to apply this measure to seamen who may be fined and who are fined. This Bill does not give power to Local Governments to apply its provisions to tramways or motor transport; also it does not apply to smaller unregulated factories. I feel that there is absolutely no reason why the application of this Bill should be restricted only to a few industries. The British Act extends to

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[Mr. N. M. Joshi.]

the Indian legislation regarding the payment of wages as well as the regulation of wages should also extend to all employees and it need not be restricted to a few industries. Again, I feel that instead of giving the power to Local Governments the Government of India should have made this measure immediately applicable to all the industries. I do not know why the Government of India should not apply the clauses of this Bill to organised industries like docks, or workshops coming under the Factories Act. I feel that the Government of India should have done that instead of waiting for the Local Governments to apply the clauses of this Bill to these industries. I have already stated that the power given to the Local Government need not have been restricted at all. I do not wish to say anything more on this occasion. Whatever I have to say as regards the different clauses of this Bill I shall say in the Select Committee.

The Honourable Sir Frank Noyce: The main criticism that has been brought against this measure is that it does not go far enough. That is a criticism to which we on this side of the House have to get used. Whatever measures we bring forward, they are hardly likely to satisfy the Members on the Opposition Benches.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Why not bring one at least?

The Honourable Sir Frank Noyce: I do not propose to deal in detail with the criticisms which have been raised in the course of the discussion. Those have been carefully noted and no doubt will be brought up and fully discussed in the Select Committee. I said, at the outset of my task before it, and I am more than ever convinced after what I have heard from my Honourable friend, Mr. Giri, and my Honourable friend, Mr. Joshi, that that will be the case. They have put forward a number of suggestions. My Honourable friend, Mr. Joshi, in accordance with his usual practice, complains that the Bill does not go far enough. He standardises wages and similar subjects. Here we have dealt with a very important problem but he blames us because we are not doing every thing at once! There is a limit both to our capacity and to the capacity of this House to pass labour legislation.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Question.

The Honourable Sir Frank Noyce: Other urgent business has to be placed before this House from time to time and I do not think the House would like a Session to be devoted entirely to labour legislation.

Prof. N. G. Ranga: The House has not authorised you to speak on its behalf.

The Honourable Sir Frank Noyce: There are just one or two criticisms raised by Mr. Joshi on which I propose to comment. He complains that in this Bill we have not dealt with the question of payment of wages in

mines on rest days. But he seems to have forgotten the recommendation of the Royal Commission on the subject, which was:

"The matter is one that might be left to the initiative of the managements; but, if, after a reasonable time, payment on a rest day has not been discontinued, Government should take steps to prohibit the practice."

Mr. N. M. Joshi: How do you prohibit the practice then?

The Honourable Sir Frank Noyce: "The matter is one which might be left to the initiative of the managements". The Commission did not make any suggestion for immediate legislation.

Mr. N. M. Joshi: That was four years back.

The Honourable Sir Frank Noyce: We have gone into the matter and we have discovered that the practice has practically ceased and that, therefore, there is no necessity for legislation. This is typical of the criticism that Mr. Joshi invariably brings against us on very slender foundations. My Honourable friend has complained that we have not included recruiting expenses in the clause relating to deductions

Mr. N. M. Joshi: The recommendation of the Royal Commission was that the deduction of such recruiting expenses should be made illegal.

The Honourable Sir Frank Noyce: That is exactly what we have done.

Mr. N. M. Joshi: Where?

The Honourable Sir Frank Noyce: If my Honourable friend will read clause 6 (2) of the Bill, he will see:

"Deductions from the wages of an employed person shall be made only in accordance with the provisions of this Act, and may be of the following kinds only,..."

Recruiting expenses are not among the deductions which can be made in accordance with the provisions of this Bill. Another complaint that my Honourable friend has made is that the scope of this Bill is more limited than that of the Bill originally introduced and that, therefore, this Bill can hardly be called an improvement on its predecessor. All that happened in that connection is, that we were pressed—and I think very rightly pressed—to give a definition of industrial establishments and that we have done. The original Bill did not allow Local Governments to extend its provisions to seamen. Neither does the present Bill. We have merely given a definition of industrial establishments. Although the Bill at present only extends to factories and to railways, it can be extended to other industrial establishments or any class or group of them. The point I wish to emphasize is this. As I said at the opening of our discussion, we are here breaking new ground. It is advisable to proceed with caution in this matter. The provisions of a Bill such as this involve considerable strain on the administrative staff, and, therefore, it is wise to limit its scope in the first instance and to make it apply to cases in which it is obviously most needed. Those cases are factories. I hardly think the necessity is so great in the case of railway administrations, but there, at any rate, the administration of the Act will be comparatively easy. Let us

[Sir Frank Noyce.]

try it out in the first instance in regard to factories and railway administrations and when we have done that we can go further and apply it to other industrial establishments that is, mines, plantations, quarries and the like, if we find that such a course is desirable. If I recollect what he said correctly, my Honourable friend, Prof. Ranga, suggested that we should have applied the Bill at once to agricultural workers generally.

Prof. N. G. Ranga: Why not?

The Honourable Sir Frank Noyce: He asks "why not"? He admitted himself that it would be extremely expensive to do so. It is suggested that we could reduce the expenses by employing honorary agencies such as village munsifs, honorary magistrates and the like. Well, Sir, there is a Latin maxim, "Quis custodiet ipsos custodes?" "Who is going to look after these guardians?", and, if I have a correct memory of my district experience, village munsifs and honorary magistrates frequently, more often than not, employ agricultural labour themselves.

Prof. N. G. Ranga: May I inform the Honourable Member for Labour and Industries that even now, in very many cases, workers do go to the village munsifs to complain against their employers and do very often get justice.

The Honourable Sir Frank Noyce: I am very glad to hear it. I do not think that one swallow makes a summer and in any case I do not think that my Honourable friend realises what it involves in the administration of this Act. Does he expect every employer of agricultural labour in this country to keep registers which are open to inspection by the village munsif or the honorary magistrate at any time? I think the answer to that question has already been furnished by a speaker on his own side, the Honourable Member from Assam, who talked about the danger of allowing irresponsible people to make inspections. There is also a further difficulty, that agricultural labour is frequently paid in kind and it would be extremely difficult to keep track of what had happened there. There is another point arising out of what Mr. Joshi said on which I should like to make a remark. He expressed his dissatisfaction with this measure because it did not prevent reductions in wages which in his view . . .

Mr. N. M. Joshi: I said 'rates'.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Does it provide for increase in wages?

The Honourable Sir Frank Noyce: That is an extraordinary doctrine. Does he maintain that wages once fixed should always remain at the same level?

Mr. N. M. Joshi: An employer, instead of fining the workman by two rupees may reduce his wages for a fortnight. He may reduce the rate for a fortnight in order to secure the fine. It will be the same thing.

The Honourable Sir Frank Noyce: That is not what I understand by reduction of wages.

Mr. N. M. Joshi: I said 'reduction of rates'.

The Honourable Sir Frank Noyce: That is a point which we can discuss in the Select Committee. It seems to me absolutely impossible to provide loopholes against every evasion of this Act, especially since as I said that the ground it covers is quite new. My Honourable friend, the Member from Assam, expressed regret that there is no representative from Assam on the Select Committee, but I would point out that for the time being at any rate the scope of the Bill extends only to factories and railway administrations and there are very few factories of those in Assam.

Srijut N. C. Bardaloi: What about the tea factories in Assam?

The Honourable Sir Frank Noyce: I should have said large factories. That, Sir, I think, concludes all that I need say. I would express my satisfaction that the House has approved of the reference of the Bill to a Select Committee and I can assure the House that all that has been said today and last week will receive the careful consideration of the Select Committee.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill to regulate the payment of wages to certain classes of persons employed in industry be referred to a Select Committee consisting of Mr. V. V. Giri, Mr. S. Satyamurti, Mr. Mohan Lal Saksena, Mr. B. B. Varma, Mr. H. P. Mody, Syed Ghulam Bhik Nairang, Mr. Amarendra Nath Chattopadhyaya, Mr. L. C. Buss, Mr. N. M. Joshi, Dr. F. X. DeSouza, Mr. J. Monteath, Mr. A. G. Clow, Mr. S. K. Hosmani, Mr. P. R. Rau and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (SECOND AMENDMENT) BILL.

The Honourable Sir Nripendra Sircar (Law Member): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908 (Insertion of new section 44A) for certain purposes, be taken into consideration."

Honourable Members will understand that the matter involved in this Bill is a very short and limited one and the history of the present legislation, put very briefly, is this. In 1924, in the month of February, the Government of India introduced a Bill further to amend the Code of Civil Procedure and the object of that Bill was to provide for the enforcement in British India of judgments obtained in the United Kingdom and in other notified parts of His Majesty's Dominions, as part of a reciprocal arrangement, the other part of which consisted of the extension to British India of the provisions of Part II of the Administration of Justice Act, 1920. The Bill was referred to a Select Committee. The Select Committee expressed the opinion that the Bill would not ensure a fair measure of reciprocity. The difficulty arose from the fact that under the British Act reciprocity could only be applied to judgments of the superior courts and most of the British Indian courts of limited civil jurisdiction like the district judges' and subordinate judges' courts would not have come within the meaning of "superior courts" as used in that Act. No amendment of the Indian Bill could have altered the position, and, for this reason, it was decided to drop the Bill. The position has now been altered by the passing of the Foreign Judgments Act of 1933, which provides for the extension of Part I thereof to His Majesty's Dominions outside the United Kingdom by Order in Council and also leaves it to an Order in Council to specify the courts which shall be deemed as superior.

[Sir Nripendra Sircar.]

Now, Sir, I propose to be very brief for this reason, that although the matter, I thought, was a very limited and short one, I gathered from informal conversations with many Honourable friends in this House that they preferred the matter to be discussed by a Select Committee. To that course I have not the slightest objection and I am accepting an amendment to that effect if and when it is moved, so that the little difficulties which might have struck certain Honourable Members can be fully discussed so as to find out whether they are worth pursuing. I will say only one word before I resume my seat and that is this. My Honourable friend, Mr. Gauba, gave notice of an amendment—in fact that was the first amendment—that instead of stating, as we have done, that a copy of the judgment and decree of the United Kingdom or of the Dominion, as the case may be, should be filed here, he wanted to change that into the decree being sent for execution. My Honourable friend is not here. I had an informal talk with him. Now that is not practicable for this reason, namely, that under this Act, this Foreign Judgments Act, there is a section,—I believe it is section 10—which provides for any person interested taking a certified copy of the judgment of the superior court together with a certificate containing all relevant particulars. As soon as the copy is taken, if this Bill is enacted, that certified copy will be filed in the district court, here and that will be executed like any other decree. What my Honourable friend, Mr. Gauba, wanted was that the decree should be sent to the district court from the United Kingdom or the Dominion as the case may be. Sir, the difficulty there is this, that the Act, the Foreign Judgments Act of 1933, on which we are relying for reciprocity, does not provide for the decree being sent for execution from the United Kingdom or any other part of the dominions to this country. We have our section 39 of the Civil Procedure Code under which a decree can be sent for execution in a particular way, but, unfortunately, that is not one of the provisions of the Foreign Judgments Act. Nor is there any practical difficulty, because there is no charm in the words, “the decree being sent for execution”, so long as certified copies of the judgment and of the decree are filed in the district court and upon which the execution proceeds. There is really no difficulty whatsoever from the point of view of the practical results. But I do not feel justified in taking up the time of my Honourable friends, as I have already indicated that I am quite agreeable to the suggestion of a Select Committee.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved.

“That the Bill further to amend the Code of Civil Procedure, 1908 (Insertion of new section 44A) for certain purposes, be taken into consideration.”

Notice of an amendment has been received from Mr. K. L. Gauba which proposes to refer the Bill to a Select Committee. He is not present.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Will you allow me, Sir, to move it?

Mr. President (The Honourable Sir Abdur Rahim): That cannot be done. The Chair has received notice of a similar motion from Mr. F. E. James, and it is prepared to accept that, suspending the Standing Order as regards the time within which the motion has to be filed.

Mr. F. E. James (Madras: European): I have your permission, Sir, to move my amendment?

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): I rise to a point of order, Sir. Under rule 77, clause (2) of the Manual of Business and Procedure, it is open to any Member to make a motion for the reference of a Bill to a Select Committee whenever a motion is made that the Bill be taken into consideration, and I submit that it is not necessary to give any previous notice of it.

The Honourable Sir Nripendra Sircar: I quite agree with him—that is, under Standing Order 39.

Pandit Govind Ballabh Pant: So I submit that it is open to Mr. Lalchand Navalrai or any other person who wants to make a motion of this character to make it and the giving of any previous notice is not a condition precedent to the making of such a motion. I want your ruling on the point, Sir, as the question may arise again. I myself intended to make a motion of this character today, but did not give notice as I felt satisfied from the terms of Standing Order 39 that it was open to me to do so without giving any formal notice of any such motion.

Mr. President (The Honourable Sir Abdur Rahim): As regards the point of order raised, the Chair has to point out that it is an amendment which is mentioned in paragraph 77 of the Manual; and as regards amendments, the provision is made in Standing Order 46:

“If notice of a proposed amendment has not been given two clear days before the day on which the Bill is to be considered, any Member may object to the moving of the amendment, and such objection shall prevail, unless the President, in the exercise of his power to suspend this standing order, allows the amendment to be moved.”

And that has also been the general practice in this Assembly. The Chair, therefore, rules that it is necessary to suspend the Standing Order when no notice has been given beforehand. Mr. James.

Mr. F. E. James: Sir, I beg to move:

“That the Bill further to amend the Code of Civil Procedure, 1908 (Insertion of new section 44A) for certain purposes, be referred to a Select Committee consisting of the Honourable Sir Nripendra Sircar, Mr. Bhulabhai J. Desai, Mr. M. A. Jinnah, Mr. Fakir Chand, Mr. Lalchand Navalrai, Mr. K. L. Gauba and the Mover, with instructions to report by the 10th March, 1935, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be three.”

It is not necessary for me to say anything on the merits of the Bill at this stage, inasmuch as I understand that the Honourable the Law Member is prepared to accept the reference of the Bill to a Select Committee. There are, however, just two points which I would like to mention. The first is that it has been represented to me that it is desirable that the word “decree” which is not ordinarily used in England should be substituted by the word “judgment”. That point involves, therefore, an explanation as to the meaning of the term “judgment”. Those two points can well be discussed in the Select Committee and I would say no more on them at this stage.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Code of Civil Procedure, 1908 (Insertion of new section 44A) for certain purposes, be referred to a Select Committee consisting of the Honourable Sir Nripendra Sircar, Mr. Bhulabhai J. Desai, Mr. M. A. Jinnah, Mr. Fakir Chand, Mr. Lalchand Navalrai, Mr. K. L. Gauba and the Mover, with instructions to report by the 10th March, 1935, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be three."

Mr. Lalchand Navalrai: Sir, as the Bill is now going to the Select Committee, I shall not be lengthy in giving my views on it. Only one section is going to be amended, but it involves a very important question. As it is said that this Bill is based on reciprocity having been obtained from the United Kingdom, it is very necessary to critically examine it. However, as it has been left to the Select Committee to go into these points and as I will also be there, I think I shall have an opportunity to say more on it then. But I would like to draw the attention of Honourable Members to one point. There is no doubt that at the time of the former Bill this question was not gone into. The question then was that the Court may be defined. In other words, what was meant by the superior Court? Now, that having been done, there arises another question. According to this Bill, it is only a certified copy that can be sent from England or other places mentioned in it to the district Court or the superior Court here and, *ipso facto*, it will be executed here. Now, what does the decree contain and also what would a certified copy contain? It would show that according to a certain judgment a certain decree has been made and a certain amount of money has to be paid or some other kind of remedy is to be given. Now, that is decree. If that decree comes before the Court, the question always arises in the execution whether that decree or any part of it has been satisfied or not. Then, there are several other questions that arise before the execution takes place, and, in those executions, there are several questions to be considered, such as, any compromise having been made between the parties or any adjustment of that decree having been made. Now, these questions are considered by a particular procedure which is provided in the Civil Procedure Code when a decree is sent for execution to another Court in India. Now, Sir, I would refer to Order 21, rules 5, 6 and 7 of the Civil Procedure Code. Under these rules, it is apparent that the decree has to be sent to the Court for execution with a certificate. Unless I misunderstood my Honourable friend, he did say that the certified copy would show whether any payment has been made or whether any other conditions have been satisfied. But that cannot possibly be, under the Civil Procedure Code at least, because the certified copy of the decree does not show on the back of it that money has been paid in a particular manner or an adjustment has been made. It does not even show whether the decree has been made by a Court having jurisdiction or whether it was rightly made. Only a true copy would come up. Therefore, the question arises that if the decree is not transferred—because what this Bill says is "where a certified copy of a decree to any superior court has been filed in court"—what will happen? Of course, the words ought to have been—and I am saying this subject to the consideration of it in the Select Committee—that the decree, when it is transferred to that Court, will be executed.

The Honourable Sir Nripendra Sircar: May I ask the Honourable Member how that will be done? Under what provision of the English law will it be done? Suppose I have got a decree in England, under what provision will that decree be sent here in the sense of section 79 of the Civil Procedure Code?

Mr. Lalchand Navalrai: I have understood the point raised by the Honourable the Law Member and I will give him a reply. As to how it is sent under the Civil Procedure Code is plainly laid down. The point is whether the English Act provides for the sending of the decree to India for execution or not. The Honourable Member says that there is no such provision in the English Act. Now, whose fault is this. In the same breath, the Honourable Member says that there is reciprocity. I maintain, Sir, that there is absolutely no reciprocity. On the contrary, the Honourable Member, before bringing this Bill, should have asked those concerned in England to have enacted in that manner and then he would have been justified in saying that this Bill be passed on the ground of reciprocity. Sir, Order 21, rule 6, says:

"The Court sending a decree for execution shall send a copy of the decree and a certificate setting forth that the satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed or where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted and a copy of any order for the execution of the decree or, if no such order has been made, a certificate to that effect."

* Thus in filing a copy merely, all these preliminaries will not be complied with. If it is clear from the rule of the United Kingdom that they will give all these requirements on the decree itself, then it amounts to a transfer. Therefore, I submit that I will not make any further comments on this point but would reserve them for the Select Committee, but I do say that it is not so simple a point as the Honourable the Law Member seems to think. Therefore, I submit that I am in favour of the Bill being sent to the Select Committee.

Pandit Govind Ballabh Pant: Sir, my task has been made lighter by the statement of the Honourable the Law Member that he is willing to refer this Bill to a Select Committee. I confess that I do not appreciate the urgency of this measure and I do not see any adequate reasons for rushing it through the House and for suspending the usual procedure of the scrutiny of Bills in the Select Committee. Sir, this measure has a long history, and for its genesis you have to go back about 25 years. In the year 1911, the Imperial Conference passed a resolution to the following effect:

"That the Imperial Government should consider in concert with the Dominion Governments whether and to what extent and under what conditions it is practicable and desirable to make mutual arrangements with a view to the enforcement in one part of the Empire of judgments and orders of the courts of justice in another part including judgments or orders for the enforcement of commercial arbitration awards."

In pursuance of this resolution, the Judicature Act was passed by Parliament in 1920. In the trail of that Act, a Bill was introduced in this Assembly, to which reference has been made by the Honourable the Mover, in February, 1924. The Bill was almost in the same terms in which the

[Pandit Govind Ballabh Pant.]

present Bill has been introduced. Only a few more Courts have been added in Explanation No. 1 which did not find place in the Bill as it was originally introduced in 1924, with the result that if this Bill is enacted by this House now, then it will empower the Courts here not only to execute decrees passed by the Courts that were mentioned in the original Bill, but also by such others as have been included in the present Explanation No. 1, appended to clause 44-A. That Bill of 1924 went to the Select Committee stage. As I submitted, the wording did not differ in substance from that of the present Bill, but after scrutiny, the Select Committee dropped the Bill. That by itself would be sufficient ground for referring the present Bill to the Select Committee. There is no reason why we should precede with undue haste which in a case like this, where a measure has such a long history and has given rise to such controversies seems to be not only undue but even indecent. Certainly where a measure after having been once dropped is brought before the House again, we should give serious thought and consideration to it. Then, I may state here that there is hardly any difference between the Judicature Act of 1920 and the Act of 1933 known as the Foreign Judgments Act. Under both, the power of extending the scope of these Acts is vested in His Majesty in Council by means of an Order in Council and both empower the courts in England to execute only such decrees as emanate from superior Courts. So, in substance, there is no difference at all between the two Acts except this, that the original Act of 1920 was primarily meant for Dominions while the subsequent Act of 1933 is primarily meant for foreign countries. I have no grievance if we are bracketed with the latter, that is the foreign country and not with the former, that is the Dominions, for in fact we do not enjoy the status or privileges of a Dominion and I see the hand of Providence in our being grouped with foreign countries instead of with the Dominions. So, to that extent, I welcome this change and it seems to be more in accord with the hard though unpleasant realities of the situation. So, Sir, in this respect I have no quarrel. We are told here in the Statement of Objects and Reasons that the Government of India have ascertained that the Lord Chancellor has no objection to the Act being applied to all Indian Courts possessing unlimited original civil jurisdiction. This correspondence between the Government of India and the Lord Chancellor has not been published and we do not know exactly what the Lord Chancellor has said. We are told in this statement that the Bill of 1924 had to be dropped because the superior Courts did not include the Courts of unlimited original jurisdiction in this country. So far as I am aware the Parliament in England has not passed any measure defining the expression "Superior Courts" so as to cover the Courts of original jurisdiction in this country. We have to depend then on the interpretation or the courtesy whatever it may be of the Lord Chancellor who is said to be prepared to accept the original Courts of unlimited jurisdiction in this country as "Superior Courts". I may tell this House that in this Act of 1933, great emphasis is laid on the principle of reciprocity. So even the Imperial Government which have plenary control over us and have unlimited jurisdiction to make any laws for us with predominant authority in this country to the exclusion of every other law that we may frame, even that British Parliament would not empower its executive to extend the courtesy of executing the decrees of Courts in India unless and until we have passed a measure here accepting our duty of enforcing the decrees

of the Courts of England. I do not at all understand this principle of reciprocity. My Honourable friends belonging to the European Group and many others there drawing very fat salaries are here in our House, by virtue, I do not know of right, or of historical accident or because it pays them to be here.

Mr. F. E. James: You are not referring to my salary.

Pandit Govind Ballabh Pant: I do not know. You are not getting anything to my knowledge from the Government, but there are many ways of obliging and helping each other. We know that the trading interests in India from other countries have always been treated with more than usual consideration. Leaving that aside, the fact remains that in the British Parliament, in the House of Commons there is no Indian ever sitting and so, there is no reciprocity at all. I do not know if you can in any way control the course of legislation there, whether we can do anything to divert the funds there from one channel to another

Mr. President (The Honourable Sir Abdur Rahim): How long will the Honourable Member take?

Pandit Govind Ballabh Pant: I will conclude very shortly. If the Honourable Members are tired

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got the right to go on, if he chooses to.

Pandit Govind Ballabh Pant: I will conclude just now, Sir.

I submit, Sir, that if Government had the intention of proceeding with the consideration of this Bill without referring it to a Select Committee, they ought to have published the correspondence between them and the Lord Chancellor in order to assure this House that the impediment which had stood in the way of the previous Bill had now been effectively removed. But that would not have satisfied me. I would insist on the British Parliament defining the words "Superior Courts" by way of an amending Bill to the Foreign Judicature Act of 1933 in such a manner as to make it absolutely unambiguous and clear that the words "Superior Courts" in that law included the Courts of unlimited original jurisdiction in this country. When even those powerful gentlemen are so very cautious and suspicious and ever so anxious to safeguard themselves, we, who are under their thumb in every matter, cannot afford to be reckless. So I suggest that, before proceeding with the measure further, the Select Committee should examine the position and satisfy itself that there is no danger ahead. I may also inform the House that under the Foreign Judicature Act it is open to the Council to revoke an order, but, so far as we are concerned, the power of amending this Bill once it is enacted might be vested in His Excellency the Governor General to be exercised by him in his discretion, absolute and arbitrary, and the so-called illusory Federal Chamber may never have any authority even to amend it except by his sufferance and with his leave. So I support the proposal for referring this Bill to the Select Committee.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I wish to make a few observations on this Bill. If this Bill is based upon the question of reciprocity, there is not that reciprocity which is set out in the Statement of Objects and Reasons, nor do we find it obligatory on the authorities in the United Kingdom to extend reciprocity to us. In view of that, the proposed amendment of section 44 has to be considerably modified. The wording of the proposed section is:

"Where a certified copy of a decree of any of the superior courts of the United Kingdom or any reciprocating territory has been filed in a District Court, the decree may be executed in British India as if it had been passed by the District Court."

It is not stated here that it is obligatory upon the United Kingdom to give reciprocity. Therefore, as in the English Act, this clause must be recast in general terms. The words "United Kingdom" need not be introduced there for the present; and it should be left open to this Government or to the Governor General under certain limitations to extend it to any foreign territory or to any reciprocating territory so long as that territory reciprocates. This is not a new suggestion that I make, for, in the English Act itself, it makes it clear that the power to allow foreign judgments to be executed in the United Kingdom, as if those judgments were passed in the United Kingdom itself, is restricted to the period in which the other countries reciprocate likewise and the judgments passed by the United Kingdom as judgments of those foreign countries themselves. Section 1 of the English Act says:

"His Majesty, if He is satisfied that, in the event of the benefits conferred by this Part of this Act being extended to judgments given in the superior courts of any foreign country, substantial reciprocity of treatment will be assured as respects the enforcement in that foreign country of judgments given in the superior courts of the United Kingdom, may, by Order in Council, direct that this Part of this Act shall extend to that foreign country."

Here, even if for some reason subsequently the Order in Council of His Majesty should be withdrawn, if this Bill is passed, it will be obligatory upon the British Courts in India to enforce the judgments of the United Kingdom, that is irrespective of the question whether the reciprocity continues or not. Therefore, it is absolutely necessary to modify it so as to make it obligatory upon the United Kingdom to reciprocate so long as their judgments are in force as judgments of the British courts in India. Further, it must not be left to the discretion of the authorities here. Some conditions have also to be imposed restricting the discretion thus: that it must be made clear that only so long and so far as the reciprocation is allowed for the judgments passed in this country by the United Kingdom authorities, the authorities in India should be allowed to execute those decrees of the United Kingdom to that extent and nothing more.

Then, again, executing a foreign judgment in courts in British India may lead to many dangers. Unless the powers of execution are limited and larger powers are given to the judgment-debtor to come and object to the want of jurisdiction and to say in the British Indian courts that the

judgment of the foreign court was obtained by fraud or collusion, or that those judgments or decrees were satisfied in full, unless these restrictions are made, it might lead to danger. You can see the consequences that will arise if those rights are not given by the Statute—by the Civil Procedure Code to the judgment-debtors in this country. As the Civil Procedure Code stands, at present, when once a decree is passed, in the execution stage, none of these objections are allowed to be set up. Under this clause, when once the judgment of a foreign court is filed in a district court in British India, it becomes automatically a decree passed by that court: it need not be sent for execution to that court, because under the terms of the Bill it becomes a decree passed by that court itself: therefore, under section 39, it is open to that court to execute it in any one or other of the modes which are set out by the Civil Procedure Code. This Code imposes a restriction upon the judgment-debtor's right to set up objections to the decree. When once a decree is passed, no objection of any kind relating to jurisdiction or the manner in which the judgment was obtained is allowed to be raised in execution proceedings. Therefore, it will be easy for any person in the United Kingdom to obtain a decree, even without a proper notice to the parties, behind the back of the judgment-debtor; and when once a decree like that is sent to this court, it will be clothed with all the authority of a decree properly passed within the jurisdiction of this court, and, therefore, whereas a person who obtains a decree in the United Kingdom can easily execute it, if this Bill is passed, in India against the judgment-debtor, the judgment-debtor would not be allowed to raise those objections here: he will be driven to the necessity of going to the United Kingdom and then raise the objections in those courts. Therefore, the judgment-debtor will be placed in a great and huge difficulty. These difficulties were anticipated and proper provision made in the English Act. In the English Act, before a decree of a foreign court is allowed to be executed, it must be filed in that court and it must be registered as a judgment of that court: and before a foreign judgment is registered in that court these points are all taken into account and if the decree holder does not satisfy the court the judgment is not ordinarily registered. It is only after that registry is made that it is allowed to be executed. Section 2 of the English Act says:

"A person, being a judgment creditor under a judgment to which this Part of this Act applies, may apply to the High Court at any time within six years after the date of the judgment, or, where there have been proceedings by way of appeal against the judgment, after the date of the last judgment given in those proceedings, to have the judgment registered in the High Court, and on any such application the Court shall subject to proof of the prescribed matters and to the other provisions of this Act, order the judgment to be registered."

The main points that are taken into account in registering a judgment—I refer only to the main points—are:

"Provided that a judgment shall not be registered if at the date of the application it has been wholly satisfied."

Therefore, before the Court is satisfied, a copy of the execution proceedings or the latest order of the Court which passed the decree has to be filed in the United Kingdom before that judgment can be registered there. It also says:

"or it could not be enforced by execution in the country of the original court."

[Mr. M. Ananthasayanam Ayyangar.]

Therefore, unless those restrictions are imposed here and provisions are made in this Bill for a preliminary registry of the document or judgment, before it can be made a judgment or decree of that Court, many difficulties might arise. It is well known that if satisfaction or payment is made towards a decree, and that payment is not recorded in Court within three months after the payment is made, subsequently, in execution proceedings, those payments would not be taken note of in India; it would not be open to the judgment-debtor to come and say: "I made payment more than three months ago and that it should be credited to me." Therefore, if in a foreign court the major portion of the amount was paid more than three months before, still it will be open for the decree-holder to enforce and realise the entire amount from the judgment-debtor here, in India, unless the satisfaction had been recorded already there. Therefore, this provision for registering a payment which is found in the English Act, is a wholesome provision and a similar provision should be incorporated in this Bill.

The question of jurisdiction also must be allowed to be raised. The question as to whether a decree is properly obtained or by undue influence or fraud, must also be allowed to be raised.

Then, as regards the question of limitation also, difficulties will arise. If a judgment of a foreign court becomes the judgment of this Court, the question is, whether this judgment relates to the date when that foreign judgment was passed, that is whether the starting point for limitation commences from the date when the judgment was passed in the District Court or it starts from the date when the judgment was passed in the other court. Ordinarily more than 12 years are not allowed here. He may have a shorter period of limitation in the foreign courts. These matters also have to be taken into consideration so as not to allow undue length of time for decree-holders who may merely want to delay the proceedings, and then after a lapse of time come and pounce upon the judgment-debtor. In the same way, when the decree-holder has a right to execute his decree by the law of a foreign country, that period also ought not to be unnecessarily restricted.

Sir, there is also another matter which has to be taken into consideration. If a judgment is passed in the United Kingdom it may not be competent for a decree-holder to execute it against the person in the United Kingdom in a case where he obtains a decree for money. Here in India he may easily execute a decree by arrest of the person himself. Therefore, if the decree is sent from the United Kingdom for execution here, the decree-holder may have many more rights. These points also have to be taken into consideration in the Select Committee. Therefore, Sir, I submit that unless the provisions of this section are so altered as to ensure due reciprocity for the execution of decrees passed by British Indian Courts, and unless substantial modifications are made, this legislation ought not to be proceeded with.

The Honourable Sir Nripendra Sircar: Sir, as the matter is going to the Select Committee, I do not desire to discuss in detail the various points that have been raised by the three speakers who preceded me, but without expressing any opinion, I am quite prepared to admit that the points raised by the last two speakers including my Honourable friend, Mr. Pant, require serious consideration, and the proper place to do that is the Select Committee.

As regards the last speaker's remarks about an opportunity not being given to show whether a foreign decree was obtained by fraud or undue influence, I believe the Honourable Member has in mind section 13 of the Code of Civil Procedure under which,—

"a foreign judgment shall be conclusive as to any matter thereby directly adjudicated upon between the same parties or between parties under whom they or any of them claim litigating under the same title except—(a) where it has not been pronounced by a Court of competent jurisdiction, (b) where it has not been given on the merits of a case, (c) where it appears on the face of the proceedings to be founded on an incorrect view of the international law or a refusal to recognise the law of British India in cases in which such law is applicable, (d) where the proceedings in which the judgment was obtained are opposed to natural justice, (e) where it has been obtained by fraud, and (f) where it sustains a claim on a breach of any law in force in British India."

I believe my Honourable friend's point is,—he will correct me if I am wrong,—he seems to be under the impression that whereas at present one cannot execute a foreign decree and he has to bring a suit on a foreign judgment, and when he brings his suit on a foreign judgment, all these defences are open to the defendant, but the defendant here will lose all his right if as a matter of fact merely on the filing of a decree the decree becomes executable. That is just the point that has got to be considered. I may remind my Honourable friend that a similar question has arisen,—I have no desire now to go into all those cases,—in connection with section 44 of the Civil Procedure Code, to which I would draw his attention.

Mr. M. Ananthasayanam Ayyangar: Sir, I would like to make my position clear. No doubt, there are some rulings which say that objection to a judgment can be raised in execution proceedings under section 44 if a decree is executed and if that decree is passed by a Native State court which for the purposes of the Civil Procedure Code is in a foreign country, but this is not made clear in the Statute itself.

The Honourable Sir Nripendra Sircar: My friend has anticipated me. I was going to refer to those rulings for the purpose of contending that as a matter of fact there will be no disadvantage here, but surely that is one of the matters to be considered by the Select Committee, and, therefore, I do not feel justified in taking up the time of this House any further, because all these matters will be considered in the Select Committee. I would only say one word. My friend, Mr. Pant, suggested that we are rushing through this legislation. I can assure my friend that there was no deep-seated plot or any sinister motive in bringing forward this proposal.

Mr. Govind Ballabh Pant: I did not insinuate any.

The Honourable Sir Nripendra Sircar: As a matter of fact, opinions differ even among elected Members, and this will be clear from this fact. When I wanted to ascertain what the views of the Members of this House were on this question, my friend Mr. Pant, said that he would like this matter to be referred to a Select Committee. There were others who thought there was nothing in it, and there was no need to refer the matter to a Select Committee, but as soon as I found there was a desire on the part of some section of the House that the matter should be referred to a Select Committee, I at once agreed that the matter which

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have been raised by some Honourable Members are worthy of serious consideration in the Select Committee. Therefore, Sir, I don't think I shall be justified in taking up the time of the House any further.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Code of Civil Procedure, 1908 (Insertion of new section 44A) for certain purposes be referred to a Select Committee consisting of the Honourable Sir Nripendra Sircar, Mr. Bhulabhai J. Desai, Mr. M. A. Jinnah, Mr. Fakir Chand, Mr. Lalchand Nava'rai, Mr. K. L. Gauba and the Mover, with instructions to report by the 10th March 1935, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be three."

The motion was adopted.

RESOLUTION RE DRAFT CONVENTION OF THE INTERNATIONAL LABOUR CONFERENCE CONCERNING UNEMPLOYMENT INSURANCE AND OTHER FORMS OF RELIEF.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the following Resolution moved by the Honourable Sir Frank Noyce on the 13th February, 1935, as also of the amendment moved by Mr. Joshi:

"That this Assembly, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that he do not ratify the Draft Convention, nor accept the Recommendation."

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Mr. President, I listened with great attention to what the Honourable the Mover had to say on this subject. It seemed to me that he was blowing hot and cold in the same breath. He said that the number of labourers to whom this may be applied in India may be so few that we need not take up the question just now, but at the same time he said that the cost for this programme would be very much, and so it is not advisable to proceed with this matter. At the same time, he said.

The Honourable Sir Frank Noyce (Member for Industries and Labour): No, Sir. My Honourable friend has misinterpreted what I have said. I did not say that the number affected by this Convention would be small. The number affected would be the total number of industrial labourers employed in India, which is a very large number. The number actually receiving unemployment benefit, at any particular time, might be small. This is a different matter.

*"That for the words 'that he do not ratify the Draft Convention, nor accept the Recommendation' the following be substituted:

'that such steps, legislative and otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable.'"

Mr. T. S. Avinashilingam Chettiar: I am glad to be corrected. At the same time, he said that the mere fact that we are not ratifying this Convention does not mean that we are not going to do anything in the way of unemployment insurance. If the Government are prepared that if we do not pass this Convention now, it does not mean that we are not going to do anything in this matter, then I think the difference between the object of my Honourable friend the Mover of the amendment and that of the Mover of the Resolution is very little indeed. So, I submit that the Government can very easily accept the amendment moved by Mr. Joshi, for this very reason that they themselves say that they want to do something in this line. It seems to me that the money required for this programme is not very much indeed. My Honourable friend quoted the other day, and I shall quote again, the views of Sir M. Viswesvarayya, whose name is not unknown to this House. He is a great man, he has done good work in the various States in this country, and his name and his books are fairly familiar. He said that if two crores of rupees were reserved for this purpose, we could immediately have a huge plan of insurance benefits. Let me submit to this House that, after all, the finding of two crores of rupees is not a very difficult job. The cut, which the Honourable the Finance Member announced the other day would be removed, would give a sum of Rs. 92 lakhs, and, if the Government are really prepared to do something in the way of giving unemployment insurance benefits, if they are prepared to serve the great mass of people who are the labourers of this country, if the cut is not restored, then we have already a crore of rupees in our hands which can be very easily utilised for this great purpose. Government, many times in season and many times out of season, say that their heart is with the masses, with the teeming millions of this country, the labourers and artisans and everything that is low and everything that is poor. I heard even the other day when the Governor General was addressing us, that they were just now doing great work for the villages, and at the same time we were hearing, as counter propaganda to the great work that Mahatma Gandhi has started, that they are themselves trying to do something for the villagers, for the poor people and the labourers. (An Honourable Member: "They do nothing.") I now say that this is a splendid opportunity when they can say that not only do they care for their own highly paid staff with their fat pays, but also for the poorer sections of humanity in this country. The Honourable the Home Member suspected the other day that the village organisation that Mahatma Gandhi has started has some political move. The only political move that I can see in this is that it will make people to be independent and have some self-respect and that political ideas will gradually enter into their minds and make them stronger and nobler. I suspect when even such a moderate amendment as has been moved by my Honourable friend, Mr. Joshi, is opposed by the Government, it seems to me that every programme which wants to make people more independent, more self-reliant, which will provide them with more food and more leisure to devote themselves to other avocations of life—it seems to me as if they are against every measure which will bring about an amelioration of the poverty-stricken condition of the people. The amendment does not say that the Convention should be at once ratified; it only says that steps, legislative and otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable. It is as vague as the Government would like it to be. It does not put any time limit within which it should be done. The amendment does not say that it should be made practicable at once,

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[Mr. T. S. Avinashilingam Chettiar:] but only to take some steps. Even if such a moderate amendment is opposed, it is really unfortunate that we should have a Government the Members of which oppose such a moderate amendment. Now, they themselves accept that merely not passing this Convention does not mean that they are not doing anything in the way of unemployment insurance benefits. They themselves accept that they want to do it. If they want to do so, this is a very good beginning, and I would request the Government to accept the amendment with good grace, and begin this humanitarian work at once.

Sir Cowasji Jehangir (Bombay City Non-Muhammadan Urban): Mr. President, my Honourable friend who has just sat down talked about our genuine feelings and our anxiety to help the working classes of this country, and I trust that he will not doubt my good intentions if I rise to point out to him and to other Honourable Members some of the dangers that do not appear to have been realised.

Mr. A. K. Fuzlul Huq (Bakarganj cum Faridpur: Muhammadan Rural): Dangers from the Government Resolution or the amendment?

Sir Cowasji Jehangir: Dangers from men like my Honourable friend who sits behind me.

Mr. A. K. Fuzlul Huq: Not the speaker!

Sir Cowasji Jehangir: . . . who always says one thing and means another.

Mr. A. K. Fuzlul Huq: You have read into my mind!

Sir Cowasji Jehangir: This Convention has been admitted on all sides as one which cannot be ratified.

An Honourable Member: Question.

Another Honourable Member: On all sides? Which side?

Sir Cowasji Jehangir: It was admitted by Mr. Joshi in his speech, it was admitted by the Honourable Member who spoke just now, that the Convention, as it stands, cannot possibly be ratified immediately. It is an impossibility, and the issue that is before the House is whether this Convention should be ratified or not. That is the first issue, and I take it that we all agree that this Convention cannot be ratified today.

An Honourable Member: Question.

Sir Cowasji Jehangir: My Honourable friends say, question. My Honourable friend the Professor says, question. It appears to me that my Honourable friend has not understood what this Convention means. Are you ready for an insurance scheme immediately? (A few Honourable Members on the Congress Party Benches: "Certainly.") The question is, are we? We are not. (Interruption from Congress Party Benches.) There is no use of my being interrupted.

by bringing in absolutely irrelevant matters. It is not going to stop me from saying what I have to say, it is not going to stop me from putting forward my point of view before the House. (Interruption by Mr. S. Satya-murti.) Here is another Honourable Member who wants to interrupt.

The President (The Honourable Sir Abdur Rahim): The Honourable Member ought to be allowed to go on with his speech uninterrupted.

Sir Cowasji Jehangir: I am afraid we have got into the habit of not allowing anybody to have his say, who, it is believed, will express an opinion different to our own. I believe that one of the principles advocated by my Honourable friends is tolerance, and if that is so, and if they desire that we should hear them patiently, and respectfully, even if we disagree with them, I trust that they will extend the same courtesy to us even if we have to express opinions different from their own. I will now proceed. The Convention, I maintain, cannot be ratified, and that is the Resolution that has been moved from the Government Benches. I may be wrong, but I think the amendment of my Honourable friend, Mr. Joshi, rather side-tracks the issue.

Mr. N. M. Joshi (Nominated Non-Official): No, no.

Sir Cowasji Jehangir: He desires that we should go into questions of legislation which will lead up to its ratification.

Mr. N. M. Joshi: You are right.

Sir Cowasji Jehangir: Now, that is a very tall order indeed. The ramifications of this Convention are of a character which we cannot at present visualise in a country like India. India is not an industrial country; India is an agricultural country. This Convention was framed for countries which are highly industrialised like Great Britain, Germany and some others. It was never framed with the intention that it should directly and immediately apply to a huge and vast country, an agricultural country, like India. That is my first argument, and I will not be surprised if many countries refuse to ratify it—many countries which have not gone in, for years past, for schemes of insurance and schemes of relief in order to meet unemployment. I do not know whether Japan will ratify this Convention.

Mr. F. E. James (Madras: European): No.

Sir Cowasji Jehangir: That is what I also believe. They will not. Since we have been able to decide on the main issue, namely, that immediate ratification is impossible, then we can deal with my Honourable friend's amendment. I have already said, when I was being interrupted, that it was of a very wide and sweeping character. Mr. Joshi desires this House to be committed to legislation which will lead up to the ratification of this Convention. There is nothing in this amendment which states that an experiment should be made, that we should go slowly, that we should make a beginning. There is nothing of the sort in this amendment. There is a good deal of that sort in the speech of my Honourable friend which I did not have the pleasure of hearing but which I have read through very carefully. I admit, in his speech, he talks a great deal about

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going slowly and of making a beginning in the matter of collecting statistics, but that does not support his amendment which commits this House here and now to legislation to be brought forward to enable this Convention to be ratified. This Convention deals with industrial labour. There are many kinds of labourers, we are all labourers, who require relief. What about the middle classes? Do they not require relief? They are the people who require relief most in this country, today, people drawing Rs. 50, 60 or 80 a month. A man getting Rs. 84 a month pays income-tax and that is the man that requires relief first and foremost. It is not the industrial labourer that requires relief so much as the man who earns Rs. 84 or Rs. 90 or Rs. 50 or Rs. 60 a month. That is the man who is really suffering in India today.

Mr. N. M. Joshi: Have unemployment insurance for that class also?

Sir Cowasji Jehangir: That is the class of man that deserves our sympathy and when the Finance Bill comes up in this very Session, we shall see if we can give them some relief of taxation by raising the income-tax limit from Rs. 1,000 to Rs. 2,000. I trust that we shall be able to do that and that is the class of people who have my full sympathy today. Then, Sir, there is another point about our industrial workers. Our industrial workers today, all over India, are agriculturists. At least in Bombay a large majority of them are by profession agriculturists who go back to the land whenever there is unemployment and even go back to the land periodically whether there is unemployment or not. They are born agriculturists and they will ever remain agriculturists and nothing that we have been able to do have made them into an industrial population. When there is unemployment they go back to the land for whatever it is worth.

Mr. N. M. Joshi: What is it worth?

Sir Cowasji Jehangir: It gives them something at least to live on. (Some Honourable Members: "No".) It is not that kind of unemployment that big industrial countries have to suffer whose workers cannot possibly go back to the land. That is a point I wish to make. I do not mean to say that their lot is not hard. The lot of the agriculturist is bad enough. I admit, today, in India, in these depressed times, but the industrial worker has two strings to his bow, at least in my part of India, where he can go back to the land when there is unemployment. It is only a point that I desire to make. Then, Sir, coming back to my friend, Mr. Joshi, I find in his speech he advocated very strongly making a small beginning with which we have all sympathy and which was embodied in a Resolution as has already been pointed out to this Honourable House, not very long ago and accepted by the House. But the principles he advocates in his speech he has not embodied in his amendment. I will quote his own words:

"I would like the Government of India at least to make a beginning on a small scale. I quite realise that if you start a system of unemployment insurance, everybody in this country it will be difficult. Let the Government of India make a beginning with their own employees on railways, the Government printing presses, Government factories, ordnance factories and several other factories which the Government of India themselves own."

May I ask whether that is embodied in the amendment that my Honourable friend has moved? My Honourable friend tries to commit this House to legislation which will lead up to the acceptance of this Convention, which is going much further, which is committing us to something quite different from what he suggested in his speech. If he had embodied something of this sort in his amendment, I think he might have had the sympathy of this Honourable House, but surely my Honourable friend does not wish to commit us to something we do not understand, something we do not realise, the cost of which we do not know—legislation and schemes which will lead up to the ratification of this Convention. I strongly urge this House, however much we may sympathise with the speech made by my Honourable friend, not to accept his amendment which goes much further than what he ever intended and what my Honourable friend who has just sat down intends. Now, Mr. President, I will give another short quotation from my Honourable friend's speech which I think is a very strong argument against his amendment. This is what he says:

"If there is unemployment in agriculture there is bound to be unemployment in a country like India in industry and if the middle class people want some relief from unemployment, let them remember that unless agriculture improves and unless industry in this country also improves, there is not going to be much more employment for them."

Poor consolation from a man like my Honourable friend, Mr. Joshi, to the poor and really starving middle classes of this country! He says, "you can wait" . . .

Mr. N. M. Joshi: I did not say that.

Sir Cowasji Jehangir: "You can wait and you will get your turn when industries improve, and when agriculture improves, but if industries improve, you will naturally get less unemployment amongst the industrial workers. If agriculture improves, industry will improve, and naturally the lot of the middle classes will improve." But, while he is prepared to give relief to the industrial worker, he asks the poorer middle classes of this country to wait till better times come. It is a vicious circle.

Mr. N. M. Joshi: The Honourable Member has misunderstood me.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member wants to rise on a point of personal explanation, he knows how to do it.

Sir Cowasji Jehangir: Sir, I have read the Honourable Member's speech. He asks certain classes to wait till better times come when, naturally, they will get more employment, and he says, in other words, that when his industrial workers get more employment, the others will naturally follow, but when none of them get employment, he wants to assist his industrial workers and make who pay, Mr. President? The middle classes and the agriculturists pay for the relief that he desires to give to his industrial workers!

Mr. N. M. Joshi: The middle classes pay very little.

Sir Cowasji Jehangir: I am surprised to hear that admission; it is an admission that I am not prepared to make, that the middle classes contribute very little to the taxation of this country, and I will hold him to that statement when the time comes. (Laughter.) Without going very much further into this question, I would ask the House to realize what it will do if it passes Mr. Joshi's amendment. It will commit us to something much more than what Mr. Joshi himself intends and what some of my Honourable friends here intend: it will commit us to legislation of a character which will enable us to ratify this Convention, which is only intended for industrial countries like England and Germany and never intended for India. It will bring us towards the ratification of a Convention which Japan will not ratify.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Sir Cowasji Jehangir: Thank you, Sir, I will take only two minutes more, and, therefore, Sir, while we express, and I personally, if I may say so, not mere lip sympathy towards the legitimate grievances of the workers of all classes in this country, I will be the last to commit a Legislature like this to the radical change contemplated in this amendment. Mr. President, we work in this House and have been working in an atmosphere of irresponsibility. We are not responsible for anything; the Benches opposite are.

An Honourable Member: Are they?

Sir Cowasji Jehangir: They are responsible.

An Honourable Member: How are they responsible?

Sir Cowasji Jehangir: They are responsible to somebody—the Secretary of State. We are not responsible to anybody and we have been working in this atmosphere of irresponsibility the whole time.

Mr. N. M. Joshi: No, no.

Sir Cowasji Jehangir: That is my contention all along against this Constitution that we have no responsibility. And what are we asking for? What does my Honourable friend, Mr. Joshi, ask for? He has been asking that we shall now bear the responsibility that is our due—the responsibility of governing our own country—and that we shall not let that responsibility be shared by anybody else; and my complaint is that we have been working for all these years, on this side of the House, in this atmosphere of irresponsibility,—which has enabled us to support many an amendment and many a cut which would otherwise never have been supported, and which, I say, we shall continue to support as long as this condition of irresponsibility lasts (Hear, hear), and this is one of those amendments, Mr. President, which will be supported, although we are realizing the danger, the real significance of it, because we know that we are not responsible, that we shall never be made responsible. (Hear, hear.) It is this atmosphere of irresponsibility that makes it possible for such amendments to be actually moved even by a sensible man like my friend, Mr. Joshi. (Laughter.)

Although we have no share in, and no responsibility for, the government of our own country, still, the time will come, when we shall be made responsible; and I for one desire earnestly,—and I have always desired that,—that we should begin at the earliest opportunity of acting as if we were responsible. But I know it is very difficult in this House, Mr. President, with a Government Bench, which we can never replace. (Hear, hear.) I realize it is very difficult, but I do desire that, at least in this case, we shall act as if we were responsible (Laughter), and as if we really intend that Government shall bring in legislation at the earliest opportunity to ratify this Convention; and, believing that Government will pay some attention to this amendment if it is passed, I desire strongly to oppose it; but if Government intend to pay no attention to it, then I am quite prepared to give my support to it. (Hear, hear.)

Mr. F. W. Hockenhull (Assam: European): Sir, in rising to support the Resolution, I have to express my surprise at the amount of opposition it has raised. Surely, no Government of India, whatever its constitution, could accept the Draft Convention at the present time for this country. If, however, as I surmise, such opposition in the debate is intended to furnish an indication of dissatisfaction at the tardy progress towards the solution of the problem, there is something to be said for it. My only comment is that perhaps more helpful suggestions might have been forthcoming in the attempt to arrest this serious and growing evil. Merely to say that some steps should be taken, something should be done, that Government should make a start with its own employees, is carrying us nowhere at all.

Mr. N. M. Joshi: Why?

Mr. F. W. Hockenhull: I ask you a very pertinent question, Sir. What are we, each of us, contributing to the amelioration of this ever-growing trouble of unemployment? Now, Sir, the suggestion has been made that industrial unemployment might be isolated and tackled on lines similar to those operating in Europe and America. For a variety of reasons, Sir, this is quite untenable. In the first place, that class of unemployment is relatively very small. Secondly, a large proportion of industrial labour is fluid. It is a feature of unskilled labour in factories in this country that it works for limited periods, returning to the land, to be replaced by others, who, in turn, do likewise. Again, no scheme of unemployed benefit for industrial workers only, based on contributions by Government, by the industries involved and by labour itself, will find acceptance in this country. For obvious reasons, Government cannot contribute. The very circumstances which make for unemployment at the present time preclude any contribution by the industry. Those who are in close touch with labour of the unskilled and semi-skilled type realize their aversion to any such contribution. I have even found amongst better educated classes that no response has been forthcoming for a scheme of contribution to the provident fund benefit organised on a voluntary basis, not even when a like contribution is added by the employing company. Only when compulsory acceptance of such a scheme is made a condition of employment, in the case of new appointments, has it been found possible to organise provident benefits with success. But, because we reject a cut and dried scheme founded on Western practice, we are not precluded from investigating some of the causes of unemployment, the incidence of which promises to increase.

[Mr. F. W. Hockenbuhl.]

rather than diminish; and these investigations should be undertaken without delay. Population is steadily increasing. Medical and sanitary science have lengthened the average expectation of life, by controlling disease, by removing in a large measure the ravages of epidemics and by lowering the rate of infantile mortality. Overseas emigration has almost come to a standstill, and present portends suggest the improbability of a revival. The spectre of famine is almost forgotten owing to increased and better communications and the rapidly extending advantage of irrigation. How, in these circumstances, is unemployment to be averted? Is our educational system all that it might be, when on every side we find educated youths, in increasing numbers, fitted only for blind-alley appointments if indeed they succeed in finding employment at all? Even in industry, the expansion of which appears to be our best hope for the future, mechanization is proceeding at a rapid pace. Competition from other countries compels the industrialist to reduce the cost of production by the introduction of automatic machines, mechanical transport, gravity conveyors and every possible labour saving device, thus reducing manual operations to a minimum. Are we moving with the times, or is our outlook that of twenty-five years ago? Over-production in every department of agriculture is another menace. Here again science is in large measure responsible and scientific control, as a logical corollary, seems almost neglected. Improved cultivation, the discovery and application of chemical fertilizers, improved *jats* of seed, better drainage or irrigation as the case may be, all contribute: yet we lag behind in the matter of orderly, informed, scientifically controlled regulation and marketing. Do not these methods appear to be a way out towards the desirable end of raising prices, with increased purchasing power and consequent greater employment? Mention has been made of plantations. I have a lengthy association with the tea plantations of Assam where there is no unemployment. The industry is mainly agricultural but it has its industrial side. As is only too well known, we have had our hard times and these are by no means over. Hitherto the worst that has happened to labour is a limited, very limited, measure of partial employment. I exclude from these considerations contractors and all kinds of casual labour which works at its own convenience. The earnings of permanent labour all round are considerably higher than they were fifteen years ago and the cost of living is very much lower. Benefits have been voluntarily conferred such as the regulation of the maximum price of food-stuffs to the labourer, free feeding of the young and the sick, and maternity benefits to women. Like others, we have suffered from the evils of over-production and we have endeavoured to rectify the position by evolving a scheme of limiting exports, regulating production, and taxing ourselves for purposes of propaganda. It seems to me that the remedy for industrial unemployment lies primarily in the direction of self-help and reorganisation within the industry itself. Unemployment generally cannot be solved by measures which merely aim at alleviating the lot of the unemployed. Every reasonable scheme which aims at economic recovery is a step in the direction of solving the problem of unemployment even if its immediate aims do not go beyond the prevention of increased unemployment. Any industry which is taking active steps to set its house in order and work towards the goal of equilibrium between supply and demand should receive encouragement and the active assistance of Government so long as the means

which it adopts are designed to achieve, in the ultimate, true economic recovery and not merely a temporary and illusory prosperity.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadian Rural): Sir, I rise to support the amendment moved by my Honourable friend, Mr. Joshi. But before doing so, with your permission, I would like to make a few preliminary observations. Firstly, I must formally record my protest against that rule of procedure which precludes me from speaking in Hindustani, my mother tongue and the recognised national language of India, for the simple reason that I happen to be acquainted with a foreign language. Therefore, I hope Honourable Members will kindly excuse me for inflicting on them a language with which I am not fully conversant and over which I have no command. Sir, I will also request the Honourable Members not to mind my plain-speaking, even if at times it be a bit shocking to them,—to their refined susceptibilities and to their aristocratic tastes.

Sir, the other day, the Honourable Mr. Mody was pleased to tell us that we on this side of the House do not use as decorous language as Honourable Members on the other side would have done if they were sitting on this side. Sir, I could not exactly understand what was the meaning of Mr. Mody's remarks. If thereby Mr. Mody meant that we are not using flowery and flattering language, we are not using euphemistic expressions and phrases and we are not using mere platitudes. I shall say that we cannot help it. We have come from the people and we have worked and lived amongst them. We are here to voice their grievances and to safeguard their interests and we are not ashamed to speak their language or to use their phraseology. Sir, I must say that we have come face to face with misery and destitution that obtains today in the slums and villages of India. Our knowledge is not derived from the blue books and the Government reports, and, therefore, we cannot be misled by the incorrect statements that are often made from the other side. Sir, I must also admit that our hearts are full of righteous indignation and bitterness against the system of foreign Government which has reduced our people to the present state of poverty, degradation and impotence. Sir, if we are not able to exercise the same amount of self-restraint as our Leader and to use as dignified language as he does, I will only say that we should be excused. But if by the remarks the Honourable Member, Mr. Mody, meant to say, that we use a language which is in any way improper or unjustified or unparliamentary, I would only commend to this Honourable House the language of Mr. Buchanan which he used in the House of Commons the other day on a similar occasion in regard to the Prime Minister of England, when a Bill relating to the unemployed was under discussion. Sir, we, on this side of the House are precluded from using that kind of language because of our creed of non-violence, although the House will agree with us that the Government of India has been more guilty of negligence in this matter than the Government of England. (Hear, hear.) I would also remind the Honourable Members of the language, tone and the manner of the Leader of the House in the speech that he made on the occasion of the Joint Parliamentary Committee Report consideration.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address himself now to the question before the House.

Mr. Mohan Lal Saksena: I would also refer to the atmosphere of unreality to which our friend, Sir Cowasji Jehangir, referred and which makes one feel that it is no use wasting one's breath in a House the constitution of which is such that more than one-fourth of its Members are not even elected, nor do many of them possess any representative character. They are here because they have succeeded in winning the favour of the Government House and its hangers-on. Their opinions remain uninfluenced, of course, I would say with a few honourable exceptions like my Honourable friend, Mr. Joshi.

Mr. R. S. Sarma (Nominated Non-Official): The same constituency that elected Dr. Deshmukh elected Sir Cowasji Jehangir also

Mr. Mohan Lal Saksena: Their opinions remain uninfluenced by arguments advanced on the floor of the House and they exercise their votes with one and one consideration, that is, they should not in any way incur the displeasure of their patrons. Sir, what adds to the unreality of this atmosphere still more is the irresponsible and irremovable executive which sits on the other side. The other day the Honourable the Home Member was not even abashed to tell us

Mr. President (The Honourable Sir Abdur Rahim): The Chair would now ask the Honourable Member to speak to the Resolution before the House.

Mr. Mohan Lal Saksena: I am coming to the amendment. I had to refer to the unreality of this atmosphere because Sir Cowasji Jehangir was pleased to say that there was an atmosphere of irresponsibility prevailing on this side of the House. I am going to prove that the atmosphere of irresponsibility prevails on the other side. The other day the Honourable the Home Member was pleased to tell us, to our very face, that the responsibility for carrying on the Government was theirs and that the House had no remedy against the executive if it did not accept its Resolutions and decisions. The Honourable the Home Member is not present here, but I would tell him that the executive may not have any stake in the game that it is playing here, but still the defeats which it has been sustaining, day in and day out, must tell on its morale as well as cause not a little irritation. We have not come here with any delusions or false hopes. We have come here with a definite aim and a set purpose

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member will not speak to the Resolution, the Chair will have to ask him to resume his seat. He must address himself to the question before the House.

Mr. Mohan Lal Saksena: Let us now see what did the Honourable Member for Industries and Labour say when he moved his Resolution. I have got here the cutting from the *Statesman*, I am not so fortunate as Sir Cowasji Jehangir to secure a proof copy of the speech. I see the Honourable Member for Industries and Labour said that he had brought forward this Resolution, because, in India, the problem of unemployment of industrial workers, apart from the agricultural and middle class workers, was not so serious as to justify the acceptance of this Convention. That again reminded me of a very interesting story which I read in my school

days. It was advertised in London papers that a certain eminent gentleman would deliver a lecture on a certain date and the subject was "Snakes in Iceland". On the day of the meeting, the House was packed to the full and all the audience was anxiously waiting to hear the speaker. The speaker rose amidst loud cheers and said: "Ladies and gentlemen, I have to thank you for having come to hear me speak about 'Snakes in Iceland', but ladies and gentlemen, I have only to tell you that there are no snakes in Iceland". The problem of unemployment in all its forms, whether amongst industrial workers or amongst agricultural workers or amongst the middle classes, has been agitating the best minds of the world for the past so many years. It is on this issue that the fortunes of many a Government have been made or marred. It has been engaging the attention of the International Labour Office for a number of years, for, as was pointed out in this House that it was as early as 1919 that a resolution was passed at Washington session of International Conference that every State Member should have a scheme of unemployment insurance. It was again, Sir, in 1926 that the International Labour Conference asked its governing body to prepare a scheme on that subject. It was in 1933 that this Convention was approved by the Conference, but it was decided that it should be placed before the next session of the Conference for a second consideration, and it has been considered and passed a second time. Today the Honourable Member stands up here and says that there is no serious problem of unemployment amongst the industrial workers. Sir, may I ask him what is the basis for his saying so? Has he been able to collect any statistics? Did he consult any Chambers of Commerce? Did he consult any labour association? Did he make any enquiry? Has he got any figures? Supposing for a moment, this problem is not so serious as to justify the acceptance of the Convention. I would say, even if there was one family which was affected by it, if there was one family which was starving and which had to go unemployed for want of work, not for refusing to work, but for want of proper work, even then I think it is the duty of the Government, it is the responsibility of the Government to find work for that family. Sir, unemployment has been causing so much starvation and idleness and starvation and idleness are not only unnatural and inhuman, but they are the greatest danger to the peaceful and ordered growth of society. My Honourable friend, Sir Cowasji Jehangir, was warning us against the dangers of passing this amendment of Mr. Joshi. I would warn the House against the consequences of not accepting this amendment. (Hear, hear.) There is a proverb which says that the idle mind is the devil's workshop and to that I would add that the pangs of hunger recognise no law either ethical or statutory. I would challenge the Honourable Members of this House that 99 per cent. of us, who are sitting here and who profess high religious and moral principles, will forget them, if we are starved or semistarved for a number of weeks.

Sir Cowasji Jehangir: No, never.

Mr. Mohan Lal Saksena: I am submitting that even the law of society recognises this fundamental law of human existence. And the fundamental law of society is, that everybody should exist and has the right to exist; and it is on the basis of this that even the law of the land recognises and grants the right of self-defence to a person to the extent that he can take the life of another provided he does so in self-defence and his life is

[Mr. Mohan Lal Saksena.]

in imminent danger of extinction. If you will follow the fortunes and fate of the unfortunate family which I have assumed for the sake of argument has alone been affected by unemployment problem. We will assume for the sake of argument that the family consists of only four members. The head of the family has been thrown out of employment and has not been able to find any work for no fault of his, although he is ready to work and work for even longer hours than the normal hours of work now recognised by civilised society, still he is not able to get work. What will he do? He will go and sell off his property, his moveables, the ornaments of his wife and whatever sundries he has got. But if even after selling them he is not able to support his family, he can do one of three things. Either he will take to drink and thus forget his worries and thereby he will fall into evil ways, for he must do something to exist; or he may be arrested and sentenced under the security sections for not having any ostensible means of livelihood; or he can go and commit suicide. In either case we know that the society or Government cannot contemplate with equanimity or tolerate such a state of affairs.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Mohan Lal Saksena: I would request the Honourable the President to consider that I am speaking for the first time here, and I am not talking mere platitudes or paying formal compliments. I am talking hard facts, and I hope the Chair will allow me a little latitude.

Sir, I was saying that supposing this family had one head of the family, one wife and a boy in school and a baby who is being fed on the mother's milk, what will happen? When there is no food in the family, when the head of the family has been arrested or he has committed suicide or he has taken to a life of felony, what will happen to that unfortunate woman? She is herself starving, she will have no milk to feed the child and the child shall consequently die. I put it to you, will that unfortunate woman not be justified in regarding the Government of India and its spokesmen as starvers of babies and ourselves as abettors? Again, Sir, the boy reading in the school has to give up his studies, and there is the greatest danger. Here is a future citizen of India and at the very start he is deprived of education and he has to go on the streets and beg for alms and carry on somehow. In these circumstances what will the woman do? I can boldly assert that 99 per cent. of even the so called society women will have forcibly to take to evil ways. That is the way in which the Government of India and its spokesmen are allowing families to die of starvation and we are promoting and encouraging infamy and felony and starving babies and children. I say this is surely not a state of affairs which exists only in my imagination. I would request Honourable Members to accompany me to the slums and villages. It is not, as the Honourable the Leader of the House told us, that we go to the villages and work amongst them only when we are properly fed and clothed,—as he insinuated,—out of the Tilak Swaraj Fund proceeds. I am not going to hit back because my leaders have asked me not to do it. But I have certainly a right to tell them and to ask them, "You are properly fed, you are properly clothed, you are properly and handsomely paid. What are you doing for the villagers? I do not want your figures and your

speeches, and our speeches also will not convince you. Let us go to any village and to any industrial area you choose. If you find there are people starving, you must move in the matter. And, I say, that the time has come when the State should do something in the matter. The Honourable the Home Member has been telling us that he is afraid of rebellion, he is afraid of revolt, and he is not making the Red Shirt Organisation and other organisations lawful because there is a danger to the public peace. I may tell him, once for all, that it is not in the interest of an ordinary citizen to join the forces of disorder or disruption. No grievance proceeds to rebellion unless it is founded and grounded on a sense of wrong. And what is that sense of wrong? What is the moral case against this Government that the people have no affection for this Government? It does not require a Jawahar Lal Nehru or an Abdul Ghaffar Khan or even a Gandhi to preach disaffection against this Government. This Government, by their very acts and by their very policy, have lost all claim to the affections of the people. And what is that sense of wrong? The sense of wrong is this that this Government have taken away the means of livelihood of the people. Whether we take into consideration the railway policy or the military policy or the industrial policy, I say, by every one of these policies you have been increasing the number of the unemployed. I will seek your indulgence, Sir, to refer to the state of affairs in Muhammadan times. Sir, I come from Lucknow and the Education Secretary also comes from Lucknow and he will bear me out when I say that the practice in that City, even today is that when small shopkeepers open their shop and artisans go to their work, they say: "Jisko na de Maula usko de Asafuddowlah." "To whomsoever even God does not give, Asafuddowlah gives". And who was this Asafuddowlah? He was one of the Nawabs of Oudh who have been condemned right and left by the British historians; and what was it that makes these simple folk remember him even today? It is because that benevolent ruler took special care of the poor and of the middle classes and those who were starving. That big *Imambara* is only a monument to the regard which this Nawab had for suffering humanity; and it is said that it was built at a time when famine was raging and during the night the men of the middle classes used to come and work and it used to be demolished and during the day time the labourers used to come and work. And why did he ask the middle classes to come and work at night? It was because he cared for the susceptibilities of the persons who were unemployed. He knew that the middle classes would not like to do the work of labourers in day time. So I say that Asafuddowlah has passed away and even today people swear by his name. And why? These poor simple folk do not know that the reins of Government no longer rest in the hands of that benevolent ruler but have passed into the hands of a wooden, heartless, irresponsible, alien bureaucracy.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has had a good deal of time—much more than he is entitled to. The Chair hopes he will now conclude.

Mr. Mohan Lal Saksena: I will resume my seat any minute you want me, Sir: I will now conclude. I was submitting that this . . .

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Mr. President (The Honourable Sir Abdur Rahim): It is not fair to other Honourable Members who want to speak.

Mr. Mohan Lal Saksena: With these words, I would request Honourable Members to weigh the consequences of accepting the motion that has been placed by the Industries Member, and I would ask them to support the motion of my friend, Mr. Joshi. (Opposition Cheers.)

Mr. A. K. Fuzlul Huq: Sir, the House has listened to the Government point of view: it has listened to the capitalist point of view as reflected in the speech of Sir Cowasji Jehangir, and I hope the House will have a little patience to hear the purely people's point of view. I am not a belted Knight like Sir Cowasji Jehangir; but I have got sense enough to be able to distinguish night from day. I am a mere commoner and I have got no more letters after my name than the University was pleased to give me: but I have lived and moved amongst the people: I am one of them and I love to dwell with them: I love to be with them, and, if God so pleases, I will do my very best to reflect their views here in this House.

Now, the question before us is of the simplest character. The Resolution moved by the Honourable Member recommends that the Geneva resolution be not ratified and that nothing should be done. This is, on the face of it, a confession of weakness and imbecility of which a mighty Government like the Government of India ought to be ashamed. The amendment is, on the contrary, of an entirely modest character. My friends, Mr. Joshi and Prof. Ranga, say that the Convention ought to be ratified as a first step and that, as far as possible, steps should be taken as soon as possible—which may be as distant as eternity—in order that something should be done or may be done to give relief to the unemployed. Now, as my friend sitting over there pointed out, I do not see much difference between the original Resolution and the amendment: only the original Resolution says that nothing should be done, while the amendment is so very vague that for all practical purposes nothing will be done. (Laughter.)

Coming to the next point, there are various classes of unemployed in this country, and if I could follow correctly the trend of speeches of Honourable Members who are supporting the Government Resolution, it amounted to this: that the problem was so vast and so stupendous that it is impossible to tackle it with the resources at our disposal. I agree that under present conditions our resources, although vast on paper, are very limited in scope; and why? Because whatever money the Government of India can have as revenues is spent most extravagantly by an irresponsible bureaucracy. We would have money to give relief to all classes of people, labourers, artisans, agriculturists, middle classes, even aristocrats like Sir Cowasji Jehangir, if only the bureaucracy would stop short in their reckless career of extravagance in dealing with the money which really belongs to the people of India. Stop this extravagance, cut down your expenses; and you will have money for everything. But if you go on, as soon as the money comes, filling your pockets—beginning with Rs. 80,000 a year and then going down gradually to Rs. 70,000 and Rs. 60,000, till practically the whole of the revenues of India are exhausted is it anything strange that nothing is left for other things?

The Honourable Sir Nripendra Sircar (Law Member): Will my Honourable friend allow me to remind him that he was drawing Rs. 64,000 a year as Minister?

Mr. A. K. Fuzlul Huq: Yes, but then the times were different. (Laughter.) And then I knew that if I surrendered that money, it would go to the common till and would be used for other purposes to which I take objection. If the Government had only agreed to earmark it for expenses for the people of India, I might have surrendered my pay.

Now, coming to the exact point, after all, there is not much difference between the original Resolution and the amendment. I ask, why should there be this bickering over nothing? I would ask the Honourable Member to consider whether he cannot see his way to accept the amendment. After all so far as we are concerned, on this side of the House, we are not going to press him to give effect to the Resolution even if the amendment is accepted: we will take the words "as soon as possible" to mean "as long as possible" (Laughter) and if that assurance is accepted, I think the Government will not have any objection to accepting it. Anyway, after having read the amendment and the original Resolution, honestly speaking, I cannot but support the amendment of Mr. Joshi.

Mr. A. G. Clow (Government of India: Nominated Official): Sir, we have had and are having a very interesting debate. I may allude for one moment to the Honourable Member who offered us a maiden speech, the speech before the last. I must say that I did not notice any difficulty in his command of what he asserted was to him a foreign language; I envied at times the facility he showed. But I would like to suggest to him that I think towards the end of his speech he was hampered, not by ignorance of the language, but by what he was pleased to describe as "righteous indignation". Indignation no doubt it was; but I would ask him to believe that it is extremely dangerous when you find people to whom you are politically opposed, and extremely easy to assume that the righteousness is always on one's own side and that the other side is acting through immorality. I do not want to enlarge on this point: I would merely say, that listening to his speech, I also felt a certain amount of indignation which, I venture to maintain, is every bit as righteous as the indignation he felt, and that I do not think we really are dealing seriously with what is admittedly a very serious question when we treat it in a fashion like that; still less, may I say, did the Honourable the ex-Minister who spoke last when he said: "It really does not matter: Accept it: it means anything you like: we are perfectly willing to treat it as meaning that you can take as long as possible". I submit that that attitude of flippancy is altogether unworthy of the subject we are discussing, and I do not believe either, that Members of the Party opposite or the Mover of the amendment would accept that emendation of his words. I suggest that it is important to realise what actually is involved in Mr. Joshi's amendment. The point was put, I think, by Sir Cowasji Jehangir and by no other speaker who has followed. It really amounts to this: that you must take, as soon as possible, the steps necessary, not merely to ratify the convention but to accept the recommendation; and I would ask Honourable Members to read the first Article in the recommendation which reads:

"In countries where compulsory insurance against unemployment is not in operation, steps should be taken to create such a system as soon as possible."

[Mr. A. G. Clow.]

In other words, we are to be definitely committed to a proposal that all industrial workers in factories, in mines, in docks, in railways, or in any industrial employment you like, shall be subjected to a system of compulsory insurance, whether they wish it or not

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): They wish it.

Mr. A. G. Clow: I question that seriously, Sir. We have been dealing this morning with a Bill to prevent deduction in wages, and I believe that another deduction such as this would involve would be resented by the ordinary competent workmen in this country for reasons which I propose to develop later.

Now, the Honourable Member from Lucknow said: "do not examine the figures". Let indignation take the place of figures, I gathered, was his line of argument. Sir, I am perfectly well aware that as a civil servant I am peculiarly open to the temptation of looking at questions in too detached a spirit; I admit it readily. But I suggest to those who feel strongly on this subject,—and I think I am one of them—that emotion is an extremely unsafe guide by which to choose your direction. Choose your direction with as much detachment as possible and apply your emotion to getting energy and enthusiasm for the cause you choose. Therefore, I am going to refer again to the figures which were quoted by my Honourable friend who moved the Resolution, because I don't think they have really been appreciated. He referred to the fact that during the last five years, taking the three most important categories with which we are concerned at the moment, factories, mines and railways, there had been a diminution of about 12 per cent. in the numbers employed, or perhaps 2½ per cent. a year. I think any one who is familiar with industrial life will bear me out when I say that in factories at least, and I think in mines also, the number of fresh recruitment during that period was greatly in excess—I would be inclined to say ten times the number—of that diminution. In other words, on the average, for every man thrown out of employment there has been, during that corresponding period, about ten vacancies. I do not want to be unfair. I am perfectly willing to admit that it does not necessarily follow, that that will always apply to individual industries or in all provinces. You cannot expect a man thrown out of employment in one industry in one province to find a place easily in another industry in another province, but I would ask the House to accept two propositions. The first is that in normal times, overlooking the last few years that we have been dealing with for the moment, in normal times a competent workman in this country has been able to get employment continuously if he wanted it

Prof. N. G. Ranga: Question.

Mr. A. G. Clow: in industry. It is surely pretty obvious . . .

Prof. N. G. Ranga: It is not obvious.

Mr. A. G. Clow: It is, so as far as we can see, leaving out of course the last few years. For the numbers have risen year by year, and I think that any captain of industry in this House will tell you that. The second proposition is this, that even in the last few years, the worst years ever known, the number of competent industrial workers who have had to remain unemployed for substantial periods has been extremely small. The Honourable Member from Lucknow seemed to lay the blame on the Government,—an easy thing to do. I venture to say that this number has been smaller than in any other country of industrial importance with the possible exception of Japan

Prof. N. G. Ranga: Because you don't want to do anything here. You are callous.

Mr. A. G. Clow: In every other country industrial unemployment has been much greater. Are all Governments equally callous?

Prof. N. G. Ranga: Ours is.

Mr. A. G. Clow: I do not believe it for a moment.

Prof. N. G. Ranga: It has been so.

Mr. A. G. Clow: Might I be allowed to proceed with my speech without such interruptions?

Mr. President (The Honourable Sir Abdur Rahim): Honourable Members should not make many comments. Let the Honourable Member who is on his legs proceed with his speech without interruption. It is not fair to interrupt him like that.

Mr. A. G. Clow: Now, the answer to this I understood Mr. Joshi to give was that although there may be a small number out of employment, it is a serious matter, and where humanity is concerned, it is right more or less to ignore the cost. Now, if Mr. Joshi merely maintains that the value of human life cannot be measured in terms of money, there is not a single Member of this House who will not agree with him. But I submit that you cannot evade the real difficulty by a sentiment of that kind. There is not a Member of this House who, if he were given a lakh, two lakhs, three lakhs or four lakhs, would not be able to save human lives that would otherwise be lost and to enrich human life not merely in quantity but in quality also; and it is really a question of the direction in which you are going to spend your money. Now, there was a suggestion made by one Honourable Member that if the five per cent. cut were not restored, it would provide the Government with two crores which he thought was necessary to provide

Mr. T. S. Avinashilingam Chettiar: I never said two crores. The five per cent. cut amounts to 92 lakhs, and I said that adding the Railways, it would be about two crores.

Mr. A. G. Clow: At the same time, my friend, Mr. Joshi, said, make a start with the Government servants. In other words, take away the five per cent. cut and give it to them in another form. As far as I can see, the two suggestions together amount to taking money from one pocket to put into another and, in the meantime, losing a considerable amount in administrative expenses. The fact is, that the cost of administration of this is going to be extremely heavy. In a country so scattered it is going to be out of all proportion to the benefits that may be expected to accrue.

If you think of it, there are normally three parties who will be asked to contribute. Taking the first party, the workmen, I speak subject to correction, but it is my honest belief that the ordinary workman in this country would resent having a weekly or monthly deduction for the benefit of a limited class in which, if he is at all competent, he does not ordinarily expect to find himself.

Prof. N. G. Ranga: Wrong belief.

Mr. A. G. Clow: Well, there is one test of the belief, and it was referred to by the Honourable the Mover of the Resolution, and that test is that in other countries this has started from the workmen themselves: they have contributed to put by something for a rainy day. In this country I have seen no such sign. It is perfectly open to the Honourable Member to test it by starting an experiment himself. If the two crores were handed over to the Congress, I do not believe that they would start a scheme of unemployment insurance,—they will say there are other and more urgent things on which the money should be spent, and that is my own point of view

Prof. N. G. Ranga: May I tell the Honourable Member that unemployment insurance

Mr. A. G. Clow: My time is very limited, and I do not wish to be interrupted. Now, coming to industry, if we brought in a Bill to levy a cess on any industry, we should be told, with some show of justification, that we were dealing such a blow to industry as would create more unemployment than we were trying to cure. When I come to Government, Sir, I would ask the House to consider, that although we speak of Government finding the money, it is the taxpayer who finds the money, it is the masses of the country who find the money. It would fall mainly on agriculturists, and I ask if, in the opinion of this House, the ordinary agriculturist is in such a secure position as the man whom you are asking him to subsidise. Is he so safe, so wealthy that you are entitled to say: "You shall now contribute in order to provide for the unfortunate accidents by which your friends in the city may be thrown out of employment".

In conclusion, Sir, I want to strike a somewhat wider note. I am speaking entirely for myself. I do feel that the whole principle of insurance in the present connection is extremely questionable. The Whitley Commission said that there was no basis for insurance. That statement has not been questioned, but I think some Honourable Members are under the impression that if only you had the statistics you would have a basis. I think that they overlook the distinction between the real function of insurance and the calamities through which we have been passing in recent years. Suppose we had had those figures in 1929, suppose they

had gone back over a whole generation, I think they would have provided no basis would have carried you through the last five years. Our resources in this country are seriously limited, and I suggest that you will employ them better if you attempt prevention rather than cure, if you try as far as possible to swell the volume of employment instead of waiting for men to be unemployed and paying them benefit for being idle. There have been suggestions, I think the Honourable Member who spoke last said, that Government wish to do nothing. It is precisely the contrary. They are taking those steps which will stimulate our industries, which will increase throughout India the volume of employment, and I believe, that that is the best insurance you can provide, and it is a sounder method of proceeding than this suggestion of insurance on a western model. (Loud Applause.)

Mr. Umar Aly Shah (North Madras: Muhammadan): Mr. President, I support the amendment of my Honourable friend, Mr. Joshi. Many Honourable Members gave lectures on this amendment, but I shall tell you a few words. I am an Independent Party man. My Party's Leader is Mr. Jinnah, and some of the papers and politicians call us as Jinnahites. Jinnahites in Arabic means devils. (Laughter.) We are not devils, nor are we angels; we are mere human beings. And, as a human being, I can tell you, as far as I know in India that there are several Indian poor people and many unemployed scholars who wander from door to door and street to street as beggars. No body helps them and no body is able to support them. In this miserable condition of theirs, the Government must support them and provide them. If not, as ancient history tells us:

"Mandhata cha Mahipati Kritayuga—lankara Bhutogata".

"Many Kings came into this world and went away as Mandhata."

Sir Lancelot Graham (Secretary, Legislative Department): Let the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is that the question be now put.

The motion was adopted.

The Honourable Sir Frank Noyce: My Honourable friend, Mr. Clow, has stated the position of Government in this matter so clearly that I have very little to add. The fact is that, in more senses than one, I provide an ample target for the slings and arrows of my Honourable friends opposite. (Laughter.) If I had brought forward a Resolution suggesting that this Convention should be ratified, I should have been accused, and I think with some justice, of intending to inflict on industry in this country an intolerable burden with some sinister motive. I cannot believe that a motion of that kind would have met with the approval of my Honourable friends opposite including more especially my Honourable friend, the representative of the Southern India Chamber of Commerce. Because I am not prepared to accept the amendment moved by my Honourable friend, Mr. Joshi, I am accused, or the Government which I represent here are accused, of being callous and hard-hearted in regard to the problem of unemployment. I am quite prepared to admit that any unemployment is an evil, and that to the individual it is naturally a very serious evil. But that is not the question which arises here today. The question which now arises is whether India

[Sir Frank Noyce.]

can afford a system of insurance relief, for, as Mr. Joshi himself has rightly pointed out, implicitly, if not explicitly, in his speech, it is unemployment insurance that we are dealing with; it is not the question of allowances. The whole Convention and Recommendation have as their basis unemployment insurance and the House has very rightly confined itself to that point. It would have been perfectly easy for me to take the line of least resistance which has been suggested by my Honourable friend, the ex-Minister from Bengal. It would have been perfectly easy for me to accept this amendment on behalf of the Government and to leave the burden with my successor who, in two or three years' time, would be faced with the plaintive complaint that invariably goes up from my Honourable friend on my right, "What, Mr. President, have the Government done," or, "Why, Mr. President, have the Government not done?" That would not have been treating either this House or the country honestly. I am firmly convinced that India is not ripe for a system of unemployment insurance. I am firmly convinced that such a system would be a very expensive business. Mr. Joshi's suggestion is that we should make a beginning, that we should "take steps, legislative or otherwise" but he has not suggested what steps we should take, what legislative steps we should take, nor has any other Honourable Member suggested those steps

Mr. A. K. Fuzlul Huq: We will leave it to you to take the steps.

The Honourable Sir Frank Noyce: I would point out to the House that no steps that we could take would enable us to ratify this Convention unless they were steps which would enable every unemployed worker in this country to be insured. That is the problem before us. As I pointed out to the House in my speech last week, we are nearing the era of provincial autonomy. Even this House has accepted the principle of provincial autonomy

Mr. S. Satyamurti (Madras City Non-Muhammadian Urban) No.

The Honourable Sir Frank Noyce: with reservations. I am not going to argue that, though I understand that that was the result of the decision of the House the other day. That is merely by the way. I maintain that we are looking forward to an era of provincial autonomy when unemployment will become a purely provincial subject. I ask, would it be honest for me on behalf of the Government to accept a Resolution which commits the provincial Governments of the near future to the heavy burden that would be imposed on them by implementing Mr. Joshi's amendment? That is the problem I put to the House, and I for one am not prepared to agree that Provincial Governments should start the new era with this millstone round their neck. That is the problem before the House. Wide sympathy has been expressed by Honourable Members opposite on behalf of the unemployed and that sympathy I share, but I want the House to realise the practical aspects of the problem and these I have endeavoured to put before them. (Applause.)

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That for the words 'that he do not ratify the Draft Convention, nor accept the Recommendation' the following be substituted:

'that such steps, legislative and otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable'."

The Assembly divided:

AYES—52.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U.
Banerjee, Dr. P. N.
Baqui, Mr. M. A.
Bardaloi, Sriji N. C.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Fakir Chand, Mr.
Fuzlul Huq, Mr. A. K.
Gadgil, Mr. N. V.
Giri, Mr. V. V.
Gupta, Mr. Ghansham Singh.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.

Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Satyamurti, Mr. S.
Shafi Daudi, Maulvi Muhammad.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Singh, Mr. Ram Narayan.
Sinha, Mr. Satya Narayan.
Thein Maung, Dr.
Thein Maung, U.
Umar Ali Shah, Mr.
Varma, Mr. B. B.

NOES—52.

Abdul Aziz, Khan Bahadur Mian.
Ahmad Nawaz Khan, Major Nawab.
Allah Bakhsh Khan Tiwana, Khan Bahadur Nawab Malik.
Ayyar, Rao Bahadur A. A. Venkatarama.
Bajpai, Mr. G. S.
Buss, Mr. L. C.
Chatarji, Mr. J. M.
Clow, Mr. A. G.
Craik, The Honourable Sir Henry.
Dalal, Dr. R. D.
DeSouza, Dr. F. X.
Drake, Mr. D. H. C.
Gajapatiraj, Maharaj Kumar Vijaya Ananda.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Gidney, Lieut.-Colonel Sir Henry.
Graham, Sir Lancelot.
Grigg, The Honourable Sir James.
Hockenhull, Mr. F. W.
Hossack, Mr. W. B.
Hudson, Sir Leslie.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Jehangir, Sir Cowasjee.
Jinnah, Mr. M. A.
Kirkpalani, Mr. Hiranand Khushiram.

Lindsay, Sir Darcy.
Mehr Shah Nawab Sahibzada Sir Sayad Muhammad.
Metcalf, Mr. H. A. F.
Milligan, Mr. J. A.
Monteath, Mr. J.
Morgan, Mr. G.
Mukharji, Mr. N. R.
Mukherjee, Rai Bahadur Sir Satya Charan.
Nayar, Mr. C. Govindan.
Noyce, The Honourable Sir Frank.
Owen, Mr. L.
Raisman, Mr. A. J.
Rajah, Rao Bahadur M. C.
Rau, Mr. P. R.
Sarma, Mr. R. S.
Scott, Mr. J. Ramsay.
Scott, Mr. W. L.
Sher Muhammad Khan, Captain Sardar.
Siddique Ali Khan, Khan Sahib Nawab.
Singh, Mr. Pradyumna Prashad.
Sircar, The Honourable Sir Nripendra.
Sloan, Mr. T.
Swithinbank, Mr. B. W.
Tottenham, Mr. G. R. F.
Tylden-Patterson, Mr. A. E.
Vissanji, Mr. Mahandas.

Mr. President (The Honourable Sir Abdur Rahim): The "Ayes" are 52 and the "Noes" are 52. (Loud Applause.) I cast my vote in favour of the amendment. So the motion is adopted. (Loud and Prolonged Cheers.) Order, order. The Chair will now put the Resolution as amended. The question is:

"That this Assembly, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that such steps, legislative and otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable."

The Assembly divided:

AYES—53.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U.
Banerjee, Dr. P. N.
Baqui, Mr. M. A.
Bardaloi, Srijut N. C.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Fuzlul Huq, Mr. A. K.
Gadgil, Mr. N. V.
Giri, Mr. V. V.
Gupta, Mr. Ghansham Singh.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe Mr. K. M.

Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Satyamurti, Mr. S.
Shafi Daudi, Maulvi Muhammad.
Sham Lal, Mr.
Shaikat Ali, Maulana.
Singh, Mr. Ram Narayan.
Sinha, Mr. Satya Narayan.
Thein Maung, Dr.
Thein Maung, U.
Umar Aly Shah, Mr.
Varma, Mr. B. B.

NOES—54.

Abdul Aziz, Khan Bahadur Mian.
Ahmad Nawaz Khan, Major Nawab.
Allah Bakhsh Khan Tiwana, Khan Bahadur Nawab Malik.
Ayyar, Rao Bahadur A. A. Venkatarama.
Bajpai, Mr. G. S.
Bhore, The Honourable Sir Joseph.
Buss, Mr. L. C.
Chatarji, Mr. J. M.
Clow, Mr. A. G.
Craik, The Honourable Sir Henry.
Dalal, Dr. R. D.
DeSouza, Dr. F. X.
Drake, Mr. D. H. C.
Gajapatiraj, Maharaj Kumar Vijaya Ananda.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Gidney, Lieut. Colonel Sir Henry.
Graham, Sir Lancelot.
Grigg, The Honourable Sir James.
Hockenhull, Mr. F. W.
Hossack, Mr. W. B.
Hudson, Sir Leslie.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Jehangir, Sir Cowasjee.
Jinnah, Mr. M. A.
Kirpalani, Mr. Hiranand Khushiram.
Lindsay, Sir Darcy.

Mehr Shah, Nawab Sahibzada Sir Sayad Muhammad.
Metcalfe, Mr. H. A. F.
Milligan, Mr. J. A.
Monteath, Mr. J.
Morgan, Mr. G.
Muhammad Nauman, Mr.
Mukharji, Mr. N. R.
Mukherjee, Rai Bahadur Sir Satya Charan.
Nayar, Mr. C. Govindan.
Noyce, The Honourable Sir Frank.
Owen, Mr. L.
Raisman, Mr. A. J.
Rajah, Rao Bahadur M. C.
Rau, Mr. P. R.
Sarma, Mr. R. S.
Scott, Mr. J. Ramsay.
Scott, Mr. W. L.
Sher Muhammad Khan, Captain Sardar.
Siddique Ali Khan, Khan Sahib Nawab.
Singh, Mr. Pradyumna Prashad.
Sircar, The Honourable Sir Nripendra.
Sloan, Mr. T.
Swithinbank, Mr. B. W.
Tottenham, Mr. G. R. F.
Tylden-Patterson, Mr. A. E.
Vissanji, Mr. Mathuradas.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Friday, the 22nd February, 1935.

LEGISLATIVE ASSEMBLY.

Friday, 22nd February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

PROPOSED REMOVAL OF THE LOCO. SHOPS FROM LUCKNOW TO JAMALPUR.

411. *Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state whether it is a fact that they propose to dismantle the Locomotive Shops at Lucknow, including the major portion of the new structure built in 1929, and remove them to Jamalpur?

(b) If the answer to part (a) be in the affirmative, will Government please state how they propose to deal with the staff who were engaged in these shops?

(c) Are Government aware of the discontent that prevails among the Oudh and Rohilkund staff in regard to the treatment they receive in the matter of their promotions from the East Indian Railway officials, especially when they are pitted against East Indian Railway men?

(d) Do Government propose, when dealing with the staff of the dismantled shops, to transfer to the Jamalpur shops only those who were drafted into the Lucknow and other Oudh and Rohilkund shops from the East Indian Railway sections and to absorb the Oudh and Rohilkund men in their own section?

Mr. P. R. Rau: (a) and (b). The Honourable Member is referred to the Annexure to the Proceedings of the Meeting of the Standing Finance Committee for Railways, held at New Delhi, on the 19th April, 1934, Vol. XI, No. 1, copies of which are available in the Library of the House, which contains full details of the proposals of Government.

(c) The whole position was re-examined recently by the Agent, East Indian Railway, and he has reported to the Railway Board, that the interests of the old Oudh and Rohilkund Railway employees are not neglected. In the system of promotion to higher grades on the basis of recommendations made by Divisional Selection Boards, old Oudh and Rohilkund Railway employees are given just consideration on the basis of efficiency and they should feel doubly assured by the fact that, except for very brief periods, old Oudh and Rohilkund Railway officers have been holding the positions of Divisional Superintendents on the Lucknow and Moradabad Divisions.

(d) I will convey the Honourable Member's suggestion to the Agent, East Indian Railway, who is fully competent to deal with the matter, for such action as he may consider necessary.

Mr. M. Ananthasayanam Ayyangar: What is the cost of the building?

Mr. P. R. Rau: The cost will be found in the proceedings to which I have already referred my Honourable friend. I am sorry I do not remember the exact figure at the present moment.

TRANSFER OF DHANWANTRI, AN ACCUSED IN THE DELHI CONSPIRACY CASE, TO THE ANDAMANS.

412. *Mr. Sham Lal: (a) Will Government be pleased to state if it is a fact that Dhanwantri, an accused in the Delhi Conspiracy Case was convicted under section 307, Indian Penal Code and sentenced to seven years' rigorous imprisonment?

(b) Is it a fact that after undergoing the sentence for one year, he was sent to the Andaman Jail?

(c) Is it a fact that prisoners of such short terms are not generally sent to the Andaman Jail?

(d) Are there any other cases in which prisoners undergoing sentence of seven years or less have been sent to the Andamans? If so, how many and to what province do they belong?

(e) Have any special facilities for interviews been provided to the relations of such prisoners? If so, what?

(f) Are Government prepared to transfer Dhanwantri to any jail in the Punjab?

The Honourable Sir Henry Craik: (a) and (b). Yes.

(c) and (d). In the case of persons convicted of offences in connection with terrorist outrages who are sent to the Andamans, the minimum period of sentence is five years. There are at present in the Andamans 139 such prisoners who are undergoing sentences of seven years or less, of whom 132 are from Bengal, four from Bihar and Orissa, and one each from Madras, the Punjab and Delhi.

(e) These prisoners are allowed one interview every three months subject to good behaviour.

(f) No.

Mr. A. K. Fuzlul Huq: Are these persons from Bengal connected with the terrorist movement or are they ordinary convicts?

The Honourable Sir Henry Craik: Yes, Sir. They have all been convicted in the Courts.

DEFECTS IN THE MINTO ROAD QUARTERS, NEW DELHI.

413. *Sirdar Jogendra Singh: (a) Are Government aware that in several of the quarters recently constructed near the Minto Road, New Delhi, the flooring has sunk and is sinking?

(b) Are Government aware that the floor inside the rooms of these quarters is so damp that no matting or *durries* can be spread on it without damaging these articles?

(c) Are Government aware that the temperature inside the rooms of these quarters is much lower than it would be if the floor were covered with *durries*, etc.?

(d) Will Government please state the reason for this excessive dampness and the sinking of the floor in these quarters? Are they due to the fact that the cement and concrete used in the flooring has not been rammed to solidity?

(e) Are Government aware that no iron gratings are provided for the fire-places inside the rooms in at least the orthodox 'D' type quarters?

(f) Are Government aware that without iron gratings, the fire-places cannot be safely used as such?

(g) If the replies to part (e) and (f) be in the affirmative, will Government please state the purpose for which these fire-places are constructed, and whether their construction has added to the cost of the quarters?

(h) Are Government aware that the tenants cannot use charcoal in a closed room without prejudicially affecting the health of the inmates?

(i) Will Government please state if any provision has been made in the electric wiring, the fuses and the metres, in these quarters for the use of heaters? If not, why not?

(j) If the reply to part (i) be in the negative, will Government please state whether they are aware that due to the defects pointed out in parts (b), (f), (h) and (i), the inmates of these quarters are being put to serious inconvenience and hardship, especially in the present severe cold weather? If so, do Government propose to take any action in order to remove this inconvenience of their tenants, and if so, what and when?

The Honourable Sir Frank Noyce: (a) and (b). No complaints on this point have so far been received by the Central Public Works Department.

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

(e) Yes.

(f) No.

(g) Does not arise.

(h) I am aware that charcoal should not be used in a closed room, but all rooms are provided with doors and most rooms have windows also.

(i) No separate circuits have been provided for heaters, but the ordinary type of plug is provided and is suitable for the normal type of heater.

(j) Government are not aware that the occupants of the new Minto Road quarters have been more affected than others by the recent severe cold and do not propose to take any special action in the matter.

DISCRIMINATION IN THE SUPPLY OF FURNITURE IN MINTO ROAD QUARTERS, NEW DELHI.

414. *Sirdar Jogendra Singh: (a) Are Government aware that among the newly constructed clerks quarters near Minto Road, New Delhi, some have been furnished completely with new furniture and the rest with old or old and new mixed?

(b) Will Government please state if the same rate of rent for furniture is being charged from the tenants of both classes of quarters?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government please state the reason or reasons for the discrimination pointed out in part (a) above?

(d) Are Government aware of the impression in the tenants' minds that all persons who could exert influence on the Government staff in charge of furniture, either through private source or by directly approaching the higher authorities, viz., the Executive Engineers, etc., got their quarters furnished with new furniture? If so, do they propose to take any action in the matter? If not, why not?

(e) If the reply to part (d) be in the negative, are Government prepared to institute an independent enquiry into the matter?

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

(c) There was a certain amount of old furniture in stock in good and serviceable condition, and it would have been a waste of money not to make use of it.

(d) There is no foundation whatever for the suggestion made by the Honourable Member.

(e) No.

DEPTHS OF FOUNDATIONS OF MINTO ROAD QUARTERS, NEW DELHI.

415. *Sirdar Jogendra Singh: Will Government please state the depth of the foundations of the newly constructed quarters on and about the Minto Road in New Delhi (i) as provided in the sanctioned estimates, and (ii) as actually constructed?

The Honourable Sir Frank Noyce: The depth of the foundations of the newly constructed quarters near Minto Road in New Delhi for which provision was made in the sanctioned estimates was 2 feet 6 inches. As actually constructed it varied from 2 feet 8 inches to 8 feet, according to the nature of the soil.

THIRD CLASS CARRIAGES PLYING ON THE BROAD GAUGE RAILWAYS.

416. *Prof. N. G. Ranga: (a) Will Government be pleased to state the total number of third class carriages plying on the various broad-gauge railways in India?

(b) What has been the decennial increase in their number during the last forty years?

(c) What are the different types of the carriages used on various Railways and their numerical strength and the prices paid for them?

(d) What is the price of the Bengal Nagpur Railway's carriage No. 1891?

(e) What is the expense to be incurred in order to rebuild all the other carriages of other types on the model of that carriage?

Mr. P. R. Rau: (a) The information required will be found in part B of statement 10 in the Report by the Railway Board on Indian Railways for 1933-34, volume II, on pages 80 to 85.

(b) to (e). I regret the information is not readily available. I can say the price of a carriage varies roughly from Rs. 30,000 for a broad gauge third class coach to approximately Rs. 60,000 for a broad gauge first class bogie.

BENGAL NAGPUR RAILWAY MODEL CARRIAGE No. 1891.

417. *Prof. N. G. Ranga: Will Government state if the Bengal Nagpur Railway's carriage No. 1891 is considered by the Railway Engineers to be the best suited to the Indian conditions? If not, has any better model been developed? If so, what is the difference in price between that latest model and the Bengal Nagpur Railway's model 1891?

Mr. P. R. Rau: With reference to the first and second parts, Bengal Nagpur Railway Bogie brake luggage and third carriage No. 1891 contains two third class compartments 16'-6" long which accommodate 30 passengers each. Two lavatories 4'-6" long by 3'-6" wide are provided. The current Indian Railway Standard bogie luggage and third consists of one-third class compartment 31'-9" long and provides accommodation for 64 passengers. Two lavatories 4'-6" long by 3'-3" wide are provided. The Indian Railway Standard is considered the better design as it provides increased accommodation for the same floor area. Government are enquiring from the Bengal Nagpur Railway particulars of the seat backs fitted in carriage No. 1891 with a view to considering the desirability of their adoption as an Indian Railway Standard. In reply to the third part of the question, the difference in price is negligible.

PROPOSALS OF THE MADRAS AND SOUTHERN MAHRATTA AND SOUTH INDIAN RAILWAYS RE THIRD CLASS CARRIAGES.

418. *Prof. N. G. Ranga: Have Government received any proposals from the Madras and Southern Mahratta Railway and South Indian Railway to increase the number and to change the types of the third class carriages? If so, what action is proposed to be taken on those proposals?

Mr. P. R. Rau: The only demand for additional third class carriages received from the Madras and Southern Mahratta and South Indian Railways during the past two years, has been for five bogie third class carriages from the former railway which has been agreed to. No proposal to change the types of third class carriages has been received.

Prof. N. G. Ranga: Is it not a fact that many of these third class carriages have been scrapped?

Mr. P. R. Rau: I want notice of that question. If they have been scrapped, it is possible that steps have been taken to replace them to the extent necessary.

Prof. N. G. Ranga: Is the Honourable Member aware that the number of third class carriages on the M. & S. M. and S. I. Railways has gone down during the last two years?

Mr. P. R. Rau: I cannot answer that without notice.

REMODELLING OF THE LAVATORIES IN THIRD CLASS CARRIAGES ON CERTAIN RAILWAYS.

419. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact that several local Railway Advisory Committees have been complaining of lack of space, want of handles and other accessory conveniences in the lavatories provided in third class carriages?

(b) Will Government be pleased to state the cost per carriage to be incurred in remodelling the lavatories in third class carriages, at least on the lines of the Bengal Nagpur Railway's lavatories, and the total estimated cost to be incurred if all the third class carriages on the Madras and Southern Mahratta Railway and South Indian Railway are to be provided with the new model lavatories?

Mr. P. R. Rau: (a) Government are aware of representations made by the Railway Advisory Committees on these subjects.

(b) The types of third class carriages on different railways and even on the same railway are so many and so varied that Government regret their inability to make the calculation required.

Mr. Lalchand Navalrai: Will Government consider the advisability of converting these lavatories and making them into a better condition in some of the railways to begin with and then do all?

Mr. P. R. Rau: The Railway Administrations are alive to that.

Prof. N. G. Ranga: Is it not a fact that on some of the S. I. Railway lines, there are no latrines at all provided in the third class carriages?

Mr. P. R. Rau: The Indian Railways Act requires that latrines should be provided on all trains which go for a certain distance.

Prof. N. G. Ranga: Is it not a fact that the Railway Board Report, Vol. II, gives out that only 40 per cent. of the third class carriages are provided with latrines and the rest are not?

Mr. P. R. Rau: If the rolling stock is used only for short distances, I believe they are not provided with latrines.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that since only 40 per cent. of the third class carriages are provided with latrines on most of the important trains which are in service, the third class carriages may not be provided with latrines?

Mr. P. R. Rau: I do not think that necessarily follows, but I have no information as to the exact position.

Dr. T. S. S. Rajan: Can the Honourable Member give me any idea of the short distance in miles for which these lavatories are not required?

Mr. P. R. Rau: I think it is in the Indian Railways Act, but I cannot say that I know the exact distance.

CLEANING OF THIRD CLASS CARRIAGES AND LAVATORIES AT JUNCTION STATIONS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

420. ***Prof. N. G. Ranga:** (a) Are Government of India aware of the fact that on the Madras and Southern Mahratta Railway, the station staff and the guards on duty refuse to send even at junction stations for sweepers to clean third class carriages and lavatories?

(b) Will Government be pleased to state whether it is a fact that regular instructions are sent to the station masters and guards on duty to see that at every junction the third class carriages and the lavatories therein are cleaned? If not, do Government propose to consider the advisability of issuing such instructions?

Mr. P. R. Rau: (a) Government have received no complaints in the matter.

(b) Government have been informed that lavatories in running trains are cleaned at regular intervals and that exhaustive instructions in regard to this matter have been published in a circular issued to the staff.

Prof. N. G. Ranga: When was that circular issued?

Mr. P. R. Rau: I think within the last two years.

Prof. N. G. Ranga: Will Government consider the advisability of exhibiting that circular in regular places where these railway circulars are exhibited in stations?

Mr. P. R. Rau: I will have that suggestion considered.

REPRESENTATIONS REGARDING THE GRIEVANCES OF THIRD CLASS PASSENGERS.

421. ***Prof. N. G. Ranga:** (a) Are Government aware of the existence of the Railway Passengers' Associations at Bezvada and Madras? If so, what complaints of the third class passengers have so far been brought by these associations to the notice of the Railway authorities and what action has been taken on them?

(b) Do Government propose to consider the advisability of placing on the table of this House, along with the reports of the meetings of the Railway Advisory Committees, the representations made by such associations regarding the grievances of the third class passengers and papers showing the action taken thereon?

Mr. P. R. Rau: (a) Government are aware that there are several Railway Passengers' Associations in the Madras Presidency, but have no information as regards representations made by them to the Railway Administrations concerned.

(b) A statement is published every quarter in pamphlet form showing the subjects discussed and the conclusions arrived at at meetings of Local Railway Advisory Committees. Copies of this pamphlet are placed in the Library of the House and are also supplied to Honourable Members.

Prof. N. G. Ranga: Is the Honourable Member aware that when the Passengers' Associations make their representations about the grievances of third class passengers, the Railway Authorities refuse to give any replies?

Mr. P. R. Rau: I am not aware that representations made by the Passengers' Associations are not considered by the Railway Administrations. I do not think that that is so.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that when the Andhra Passengers' Association made representations about the various grievances of third class passengers, the Agent and the Traffic Superintendent of the Madras and Southern Mahratta Railway replied saying that these grievances should be brought before the Local Advisory Committee and should not be placed directly before these officers?

Mr. P. R. Rau: That, Sir, seems to me to be a very practical suggestion.

Prof. N. G. Ranga: Is the Honourable Member aware that the members of these Local Advisory Committees usually are not at all interested in the conveniences necessary for third class passengers?

Mr. P. R. Rau: I hope not; there is no reason why they should not be interested.

Prof. N. G. Ranga: Does not the Honourable Member think it advisable that the local Passengers' Associations should be given an opportunity of directly approaching these Railway Authorities about the grievances of third class passengers?

Mr. P. R. Rau: That is a question of opinion. But it seems to me that when a Local Railway Advisory Committee has been formed for the special purpose of bringing to the notice of the Administration the grievances of passengers, it is desirable that action should be taken by them as far as possible.

Prof. N. G. Ranga: Is there any office for these Local Advisory Committees?

Mr. P. R. Rau: I do not think the members of the Local Advisory Committees live in so secluded a fashion that they are not accessible to the members of the public.

MAINTENANCE OF COMPLAINT BOOKS AT RAILWAY STATIONS.

422. ***Prof. N. G. Ranga:** (a) Are Government aware of the recommendation of some of the Railway Advisory Committees that complaint books shall be kept in a prominent place of every Railway station wherein passengers can note down their grievances? If so, what action have Government taken to implement this recommendation?

(b) Has any experiment been made by any Railway authority to keep such a complaint book? If so, what has been its experience? If not, does Government propose to consider the advisability of making such an experiment for a year in at least all the junction stations?

Mr. P. R. Rau: (a) and (b). Such a recommendation has been made, so far as I am aware, by the Bengal and North Western Railway's Advisory Committee. The Bengal and North Western Railway Administration introduced complaint books at important stations, which are taken down the length of each passenger train. Government have no information as to how this arrangement has worked but I am having enquiries made with a view to considering whether the Honourable Member's suggestion should be brought to the notice of other Railways.

Prof. N. G. Ranga: When that information is obtained, will that be placed on the table of the House?

Mr. P. R. Rau: Yes, Sir.

INADEQUATE SUPPLY OF DRINKING WATER AT RAILWAY STATIONS.

423. ***Prof. N. G. Ranga:** (a) Are Government aware of the complaints made by various Railway Advisory Committees about the serious complaint of supply of drinking water at most of the Railway stations? If so, have Government considered doing anything to remove this complaint? If so, have Government done so far anything to arrange an adequate supply of drinking water at the Railway stations?

(b) Will Government be pleased to state (i) the total number of stations on different Railways, (ii) the number of stations on different Railways where water taps are installed for the benefit of the third class passengers, apart from the customary drinking water pots, (iii) the number of stations where local charitable gentlemen are supplying water, and (iv) the maximum and minimum temperatures recorded or experienced between 15th May and 30th June every year, at those stations where no supply of drinking water is organised?

Mr. P. R. Rau: (a) Government understand that, in accordance with instructions issued by them, Railway Administrations consult their Local Advisory Committees at the beginning of each hot weather as regards the arrangements to be made for the supply of drinking water. The question of improving these arrangements receives constant attention, and particulars of what Railways have done in this respect are embodied in the Railway Board's Report for each year.

(b) Government regret the information required is not readily available and cannot be compiled without a considerable amount of labour and expense.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that, in the Report of the Railway Board, no information is supplied as to the number of stations where drinking water is provided and the number of stations where such facilities are not provided?

Mr. P. R. Rau: I think the Administration Report contains information as regards additional facilities provided every year for passengers.

Prof. N. G. Ranga: May I ask the Honourable Member to supply us with the information as regards existing facilities for the supply of drinking water?

Mr. P. R. Rau: I shall consider that, Sir.

INSUFFICIENT ACCOMMODATION FOR THIRD CLASS PASSENGERS IN THE TRAINS OF CERTAIN RAILWAYS.

424. ***Prof. N. G. Ranga:** Are Government aware of the complaints made by the Railway Advisory Committees of want of proper accommodation for third class passengers in the trains of Eastern Bengal Railway, East Indian Railway and North Western Railway? If so, what have Government done to increase the accommodation on the said Railways?

Mr. P. R. Rau: I presume my Honourable friend is referring to the cases to which a reference is made in the "Statement showing particulars of meetings of Local Railway Advisory Committees" published quarterly, which also indicate the action Railway Administrations have taken or propose to take in cases brought to notice. I may assure my Honourable friend that Railways have this matter under constant examination and are doing all they can to meet demands for accommodation to prevent overcrowding in trains.

Prof. N. G. Ranga: Will the Honourable Member be pleased to state how many additional third class carriages have been placed on this railway in the last four or five years?

Mr. P. R. Rau: I think I shall require notice of that question. I cannot say off-hand.

Prof. N. G. Ranga: Has any attempt been made at all to increase the accommodation in the last four years?

Mr. P. R. Rau: I think I mentioned to the House the other day that the accommodation now is very much the same as it was some years ago.

Prof. N. G. Ranga: On this railway?

Mr. P. R. Rau: On which? There are three railway lines mentioned here.

CONGESTION IN THIRD CLASS CARRIAGES OF THE MADRAS AND SOUTHERN MAHRATTA AND SOUTH INDIAN RAILWAYS.

425. ***Prof. N. G. Ranga:** (a) Are Government aware of serious congestion in third class carriages of Madras and Southern Mahratta Railway during the paddy transplantation and harvesting seasons and chillies and groundnut harvesting seasons?

(b) If so, what steps have so far been taken by the Railway authorities concerned to relieve such congestion?

Mr. P. R. Rau: (a) No.

(b) Government have no information, but I am sending to the Agents of the Madras and Southern Mahratta and South Indian Railways a copy of the Honourable Member's question for consideration.

Prof. N. G. Ranga: Is the Honourable Member aware that the alarm chains on the South Indian Railway trains are removed because of the practice followed by many of these passengers that, whenever there is overcrowding, these chains are being pulled?

Mr. P. R. Rau: I am sorry, Sir. I am not aware of that.

Prof. N. G. Ranga: Is the Honourable Member not aware that if alarm chains are removed from these trains, there is a real danger for the passengers?

Mr. P. R. Rau: Possibly, Sir; I am not a mechanical expert.

INTRODUCTION OF WEEK END TICKETS ON THE MADRAS AND SOUTHERN MAHRATTA AND SOUTH INDIAN RAILWAYS.

426. ***Prof. N. G. Ranga:** Have Government considered the advisability of introducing cheap week-end third class and inter class return tickets between any two stations on the Madras and Southern Mahratta Railway and South Indian Railway on the same lines as on the Bengal Nagpur Railway?

Mr. P. R. Rau: I will communicate the Honourable Member's suggestion to the Agents of the Madras and Southern Mahratta and South Indian Railways for consideration.

COUPON TICKETS FOR THIRD CLASS PASSENGERS ON CERTAIN RAILWAYS.

427. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state if the practice of issuing coupon tickets for third class passengers to encourage travelling among the industrial and commercial communities prevails on any Railway?

(b) If so, what has been the experience of that Railway regarding the profitableness and utility of such a system? If not, do Government propose to consider the advisability of experimenting with it?

Mr. P. R. Rau: (a) No.

(b) The first part of the question does not arise. As regards the second part, the question has already been considered and the view taken is that it would be inadvisable to make the experiment suggested.

Prof. N. G. Ranga: In view of the fact that these coupon tickets are issued for the benefit of second and first class passengers, do not Government think it advisable to issue them for the benefit of third class passengers also?

Mr. P. R. Rau: There is serious difference of opinion as to the advisability of issuing coupon tickets for first and second class passengers, and, at the present moment, there are only one or two railways that do issue such tickets.

Prof. N. G. Ranga: What is their experience? Do they find it profitable?

Mr. P. R. Rau: Many railways consider that it is unprofitable.

Prof. N. G. Ranga: Have many people applied for these coupon tickets?

Mr. P. R. Rau: Yes, certainly.

REPRESENTATION OF THE LEGITIMATE RIGHTS OF INDIAN SETTLERS IN
CEYLON TO THE COMMITTEE APPOINTED BY THE GOVERNMENT OF
CEYLON.

428. *Prof. N. G. Ranga: (a) Are Government aware of the decision of the Government of Ceylon to appoint a Committee to enquire into the extent to which the Ceylonese have been replaced in various occupations by Indians?

(b) If so, will Government please state the terms of reference of that Committee?

(c) Has that Ceylonese Committee begun its enquiries?

(d) Have Government made any representation to the Government of Ceylon about the legitimate rights of Indian settlers in Ceylon to be represented on that Committee?

(e) Have Government considered the advisability of taking adequate steps to present the case of Indian settlers of Ceylon for equitable treatment in Ceylon? If so, what steps have so far been taken to prepare and present the case of the Indian settlers?

Mr. G. S. Bajpai: (a) to (e). The Honourable Member presumably refers to the resolution recently passed by the State Council of Ceylon, requesting His Excellency the Governor to appoint a Commission to enquire into the question of non-Ceylonese workers in Ceylon. As far as the Government of India are aware no action has yet been taken on this resolution.

(d) and (e). The Honourable Member's suggestions will be carefully considered, should developments necessitate this.

Mr. B. Das: Is the Agent at Ceylon watching the situation?

Mr. G. S. Bajpai: That is so.

Mr. B. Das: If any Committee is appointed, will the Agent give evidence on behalf of the Government of India?

Mr. G. S. Bajpai: As a matter of fact, we hope that, if the Government of Ceylon decide to appoint a Commission, the Government of India will receive due notice through their Agent.

Mr. B. Das: And who will give evidence?

Mr. G. S. Bajpai: That will depend upon the terms of reference and the situation generally. As to whether it will be merely giving of evidence or something more, I cannot say just now.

Prof. N. G. Ranga: Does the Honourable Member mean to say that the Committee has not been appointed yet?

Mr. G. S. Bajpai: That is so, Sir.

INDIAN COLONISATION IN VARIOUS PARTS OF THE BRITISH COMMONWEALTH.

429. *Prof. N. G. Ranga: (a) Are Government aware of the organisation and existence of the Indian Colonial Corporation to explore the possibilities for colonisation of Indians in various parts of the British Commonwealth?

(b) Have Government considered the advisability of offering their support and sympathy to this and such other associations in furtherance of Indian colonisation?

Mr. G. S. Bajpai: (a) Yes.

(b) No.

ORGANISATION OF SEPARATE INDIAN COLONIES IN BRITISH GUIANA, NEW
GUINEA AND NORTH BORNEO.

430. *Prof. N. G. Ranga: (a) Are Government aware of the recommendation made by the Young's Report from South Africa that separate Indian Colonies ought to be organised in British Guiana, New Guinea and North Borneo?

(b) If so, what action has so far been taken by Government to implement that recommendation?

Mr. G. S. Bajpai: With your permission, Sir, I will answer questions Nos. 430, 431 and 433 together. The Government of India have communicated their views on the recommendations made by the Indian Colonisation Enquiry Committee to the Government of the Union of South Africa with whom rests the next move in the matter.

Prof. N. G. Ranga: When did they make their representations to the Government of South Africa?

Mr. G. S. Bajpai: I think we communicated with the Government of South Africa on the 22nd December.

Prof. N. G. Ranga: Has any reply been received?

Mr. G. S. Bajpai: No, Sir.

Mr. B. Das: What is the exact nature of the recommendations of the Government of India? Do they want a full committee to inquire into the situation of the Indians in South Africa or do they accept this temporary Colonisation Committee's Report?

Mr. G. S. Bajpai: No, Sir; the Government of India do not accept the temporary Colonisation Enquiry Committee's Report. They have explained the situation to the Government of the Union after full consultation with the Standing Emigration Committee and appreciation of the public view in this country, and as I stated in reply to the main question, the decision now rests with the Government of the Union as to what the next step should be.

Prof. N. G. Ranga: Have the Government of India approved of the recommendations made in this Report?

Mr. G. S. Bajpai: I think my Honourable friend has read the Report and he will recognise that the Committee was appointed by the Government of the Union and made its recommendations to the Government of the Union: the Government of India have merely reviewed the thing generally and communicated their views to the Government of the Union.

Prof. N. G. Ranga: What is the opinion of the Government of India?

Mr. G. S. Bajpai: I have already said that the opinion of the Government of India is that it is for the Government of the Union to consider whether they want any action to be taken.

INDIAN COLONISATION IN BRITISH GUIANA.

†431. ***Prof. N. G. Ranga:** What action has been taken to encourage Indians in South Africa and India to colonise British Guiana?

FUNDS LAPSED TO GOVERNMENT OF INTESTATE EMIGRANTS FROM THE BRITISH COLONIES.

432. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state the total decennial amounts of money in cash and value of estates of intestate emigrants that have lapsed to Government from the various Colonies in the British Commonwealth during the last 50 years?

(b) Are such funds kept as a separate fund, and if so, to what use have they been put to?

(c) Have Government considered the advisability of utilising such funds, lapsing to them from intestate emigrants, specially for the benefit of Indians in the various Colonies?

Mr. G. S. Bajpai: (a) to (c). The attention of the Honourable Member is invited to the answer given by me to question No. 1279, asked by Mr. Gaya Prasad Singh in this House on the 5th December, 1933. Very little of the amounts referred to by the Honourable Member probably comes to the Government of India and what comes would be quite inadequate for conferring any real benefit on Indians in the various colonies.

Prof. N. G. Ranga: Will the Honourable Member be pleased to read out the reply given to Mr. Gaya Prasad Singh?

Mr. G. S. Bajpai: I do not happen to have the text of the reply before me now; but I can tell my Honourable friend the substance: we said that such estates lapsed to the Crown in the various colonies, and the Government of India had no information of the amount involved.

Prof. N. G. Ranga: Will the Government of India try and obtain that information hereafter?

Mr. G. S. Bajpai: No; I do not think so, because in those countries, to which emigration is no longer in progress, it is not really a matter for the Government of India to make inquiries; and, as regards Malaya and Ceylon, information is available.

Mr. Muhammad Azhar Ali: Is it possible for the Government of India to publish in the Gazette such intestate cases to enlighten the public of India about the amount and the persons who have died intestate?

Mr. G. S. Bajpai: I gather that the sale proceeds of unclaimed and escheated property are shown in table 48 under the head Administration of Justice: separation between those who died intestate after having returned from the colonies and those who have not been to the colonies, I do not think, is feasible.

†For answer to this question see answer to question No. 430.

APPOINTMENT OF A JOINT COMMISSION SUGGESTED IN THE REPORT OF THE INDIAN COLONISATION COMMITTEE.

†433. ***Prof. N. G. Ranga:** Will Government be pleased to state when the Joint Commission, the appointment of which was suggested in the report of the Indian Colonisation Committee, is likely to be appointed to undertake the suggested investigations to report to the Union Government and the Government of India?

CIVIL DISOBEDIENCE PRISONERS UNDERGOING IMPRISONMENT.

434. ***Mr. Basanta Kumar Das:** (a) Will Government be pleased to state separately, province by province, the number of civil disobedience prisoners who are still undergoing imprisonment?

(b) Will Government be pleased also to state the date of conviction of each of these prisoners and the term of imprisonment to which each of them was sentenced?

The Honourable Sir Henry Craik: I would refer the Honourable Member to the reply which I have given to Pandit Govind Ballabh Pant's starred question No. 346.

Srijut N. C. Bardaloi: Will Government state whether high class ladies who were sentenced to long terms of imprisonment in connection with picketing liquor shops are still in the Sylhet jail?

The Honourable Sir Henry Craik: I think I am right in saying that there are no women prisoners now in Assam.

Srijut N. C. Bardaloi: Are Government aware that there were about half a dozen ladies there by the end of 1932 who had been sentenced to two and three years' rigorous imprisonment with babies, for picketing liquor shops?

The Honourable Sir Henry Craik: There are no prisoners of any kind left in Assam—male or female.

Dr. T. S. S. Rajan: In view of the fact that the second Civil Disobedience Movement has been abandoned, will Government see their way to release such of them as still remain in jails early?

The Honourable Sir Henry Craik: I think I have already answered that. The process of release is still proceeding, but I cannot give any undertaking that the remainder will be released at once.

DETENUS IN DIFFERENT DETENTION CAMPS AND IN THE ANDAMANS.

435. ***Mr. Basanta Kumar Das:** Will Government be pleased to state the number of detenues detained up to date in the different detention camps in Bengal, Deoli and in the Andamans under the Bengal Criminal Law Amendment Act and also the number of detenues detained in Assam jails under the Assam Criminal Law Amendment Act?

The Honourable Sir Henry Craik: There are at present 974 detenues under the Bengal Criminal Law Amendment Act, in detention camps in Bengal and 497 in the Deoli Camp Jail. Seven detenues are confined in jail under the Assam Criminal Law Amendment Act, 1934. There are no detenues in the Andamans.

†For answer to this question see answer to question No. 430.

Mr. Basanta Kumar Das: Will Government consider the desirability of having a separate detention camp for Assam instead of keeping these detenus in jail?

The Honourable Sir Henry Craik: There are only seven detenus in Assam: it is not worth while having a separate camp there.

OIL-FIELDS FOR THE SUPPLY OF PETROLEUM.

436. *Mr. Basanta Kumar Das: (a) Will Government be pleased to state what the oil-fields in India, including Burma, are for the supply of petroleum and what was the yield of oil from each of these fields during the last five years?

(b) Was any oil-field abandoned as an exhausted field during the course of the last ten years? If so, will Government be pleased to state when and under what circumstances it was abandoned and where it was?

The Honourable Sir Frank Noyce: (a) A statement showing the oil-fields in India and their production during the years 1929—1933 is laid on the table.

(b) The Badarpur oil-field in Assam was abandoned in 1933 on account of its decreased productivity.

Statement showing the Oil-fields in India (including Burma) and the Production of Petroleum from them during the years 1929—1933.

Names of fields.	1929.	1930.	1931.	1932.	1933.
	Gals.	Gals.	Gals.	Gals.	Gals.
<i>Assam.</i>					
Badarpur	2,036,275	2,841,381	1,985,042	847,217	55,867
Digboi	31,497,054	43,968,666	53,407,990	54,198,185	52,716,120
Masimpur	5,360	520			
Patharia		3,314	153,431	89,854	
<i>Burma.</i>					
Akyab (a)	1,980		13,068	13,237	14,350
Kyaukpada (a)	15,034	14,616			
Minbu	5,815,252	5,638,476	3,993,633	3,850,716	3,718,250
Singu	91,481,726	95,368,470	85,478,378	88,941,939	82,613,112
Yenangyaung	746,221	503,811	577,840	464,326	434,572
Padaukpin	2,796,560	2,858,096	2,777,102	4,040,690	3,052,778
Indaw	2,606,935	2,117,276	3,372,104	3,355,650	4,224,958
Yenangyat	15,000,000	17,760,000	16,437,000	19,711,994	19,257,024
Lanywa	134,936,816	132,893,282	131,265,443	127,191,743	135,685,855
<i>Punjab.</i>					
Khaur	19,208,880	7,662,200	5,557,720	5,900,480	4,236,136
	306,148,093	311,030,108	305,018,751	308,606,031	306,009,022

(a) District.

Mr. Basanta Kumar Das: Was any inquiry made before the oil-field at Badarpur was abandoned, as to whether the supply was going to diminish or not?

The Honourable Sir Frank Noyce: By whom does the Honourable Member consider that such inquiry should be made?

Mr. Basanta Kumar Das: It is for the Government to say who abandoned the oil-field.

The Honourable Sir Frank Noyce: No: it is obviously a matter entirely for the company, which is working the oil-field, to decide whether it should be abandoned or not: it is not a matter for the Government.

Mr. Basanta Kumar Das: Is it the position that the lessee has abandoned the oil-field?

The Honourable Sir Frank Noyce: If a firm does not find it profitable to work, there is no reason why it should be compelled to keep on doing so.

Mr. Basanta Kumar Das: My question is whether Government made any inquiry before the lessees were allowed to abandon the oil-field.

The Honourable Sir Frank Noyce: No: there was no necessity to do so.

SUPPLY OF PETROLEUM FROM ASSAM.

437. *Mr. Basanta Kumar Das: When was the first oil-well drilled in Assam? Is it a fact that after the separation of Burma, Assam will be the chief source of the supply of petroleum in India?

The Honourable Sir Frank Noyce: Boring operations for oil in Assam commenced in 1866. The great bulk of the oil produced in India, excluding Burma, comes from Assam.

CAPACITY OF VARIOUS OIL-FIELDS IN INDIA FOR THE SUPPLY OF PETROLEUM.

438. *Mr. Basanta Kumar Das: Was the efficiency factor of the Indian petroleum mines ever determined, or was any survey made by the Geological Survey of India to determine the capacity of the various oil-fields in India and to ascertain how long they might continue to be active sources for the supply of petroleum? If so, will Government be pleased to place the report of the survey on the table of this House and state what action was taken on the report?

The Honourable Sir Frank Noyce: I regret I do not know what is meant by "the efficiency factor of the Indian petroleum mines". No technical method has yet been discovered by which the capacity of oil-fields, i.e., the reserves of available oil, can be satisfactorily determined. The Geological Survey have made a study of the oil-fields of India and the results were published in the Memoirs of the Geological Survey of India, Volume XL, parts 1, 2 and 3.

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Mr. Basanta Kumar Das: Was any geological expert consulted before answering this question, in order to know what is meant by the efficiency factor of an Indian petroleum mine?

The Honourable Sir Frank Noyce: Obviously I am a layman in these matters, and I should not attempt to answer a question of this character without obtaining expert advice.

Mr. Basanta Kumar Das: Am I to take it that it is the answer of the geological expert that he does not understand what is the efficiency factor of an Indian oil mine?

The Honourable Sir Frank Noyce: The answer is my answer: I am responsible for it. I consulted the Director General of Geological Survey and I asked him if he could tell me what is the efficiency factor in an oil mine: he said he did not understand the expression.

Prof. N. G. Ranga: Has any recommendation been made by any Government experts that these oil wells should be exploited by the Government themselves?

The Honourable Sir Frank Noyce: Not that I am aware of.

Prof. N. G. Ranga: Will Government consider the advisability of working these oil wells by themselves?

The Honourable Sir Frank Noyce: Certainly not: in my opinion, this is not a matter for State enterprise.

Prof. N. G. Ranga: In view of the answer given by the Honourable the Commerce Member that the efficiency factor is really very low, does he not think that it is advisable that the State should work the oil-fields and thus conserve the natural resources of the country?

The Honourable Sir Frank Noyce: Is the Honourable Member asking me a question or he is asking the Honourable the Commerce Member?

Prof. N. G. Ranga: I ask the Treasury Bench.

The Honourable Sir Joseph Bhore: I think the Honourable gentleman accused me of making a statement. I am afraid I never made such a statement.

The Honourable Sir Frank Noyce: I made no statement that the efficiency factor of petroleum mines was low. I said I did not know what was meant by the efficiency factor of the Indian petroleum mines, and I cannot understand why the Honourable Member should attribute to me words which I did not utter.

Mr. N. M. Joshi: May I ask, Sir, if any further development has taken place in regard to the finding of oil in some parts of the Bombay Presidency?

The Honourable Sir Frank Noyce: I should require notice of that question, Sir.

Mr. Basanta Kumar Das: One supplementary question, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DEVELOPMENT OF THE OIL RESOURCES OF INDIA.

439. ***Mr. Basanta Kumar Das:** Is there any scheme drawn up on behalf of Government to develop the oil resources of India? If so, what steps have Government taken on the scheme? If not, do Government propose to consider the desirability of taking any steps in that direction?

The Honourable Sir Frank Noyce: No: the development is undertaken by those holding concessions for oil-bearing areas and the Government of India see no need for according special assistance to them in the matter.

Mr. S. Satyamurti: May I know the reasons as to why the Government do not consider the desirability of taking on the development of oil resources in their own hands?

The Honourable Sir Frank Noyce: That development is a matter for private enterprise, and the oil industry is in such an advanced stage that there is no reason to believe that it is not fully aware of any possible openings for enterprise.

Mr. S. Satyamurti: May I know if the Government have made inquiries and satisfied themselves that, if they take on this matter in their own hands, there will be no advantage to the country or to the Government?

The Honourable Sir Frank Noyce: My Honourable friend is asking me to embark on a discussion of policy in reply to a supplementary question, but I may say at once that it has never been suggested that the State in India should undertake the development of mines as a national enterprise.

Mr. S. Satyamurti: Have Government made any inquiry in the matter?

The Honourable Sir Frank Noyce: No, Sir.

WORKING OF OIL MINES IN INDIA.

440. ***Mr. Basanta Kumar Das:** What are the terms and conditions on which oil companies have been permitted to work the various oil mines in India?

The Honourable Sir Frank Noyce: The grant of prospecting licences and mining leases for oil in British India is regulated by the Mining Rules. A copy is in the Library of the House.

Mr. S. Satyamurti: Are these oil companies yielding the best terms to the Government under the conditions of licences?

The Honourable Sir Frank Noyce: I presume so. I presume they are yielding the terms laid down in their licences.

Mr. S. Satyamurti: Are Government satisfied that they are getting the best terms that they can get?

The Honourable Sir Frank Noyce: I have no reason to believe that they are dissatisfied with the results.

Prof. N. G. Ranga: What per cent. of these oil companies are worked by Indians and what per cent. are worked by Europeans?

Mr. President (The Honourable Sir Abdur Rahim): That does not arise out of this question.

STAFF FOR WATCHING AND CONTROLLING THE OPERATIONS IN OIL MINES IN INDIA.

441. ***Mr. Basanta Kumar Das:** Is there any staff of officers, either under the Government of India or under the Governments of the provinces in which oil mines are situate, for watching and controlling the operations in oil mines and preventing wasteful operations in them? If so, will Government be pleased to state the number and qualifications of the officers of that staff?

The Honourable Sir Frank Noyce: There are no oil mines, properly so called, outside Burma, but I assume that the Honourable Member intended to refer to oil-fields. Special staff of the kind mentioned is maintained only in Burma, where there is a Resident Geologist and a Warden of the oil fields who is a member of the Indian Civil Service. The latter is at times assisted by an Assistant Warden.

Mr. Basanta Kumar Das: What is the exact duty performed by the staff?

The Honourable Sir Frank Noyce: The Resident Geologist acts in an advisory capacity. The Warden is charged with the duty of administering the Burma Oil Fields Act, a copy of which my Honourable friend will find in the Library of the House.

LEGISLATION FOR THE WORKING, PROTECTION AND DEVELOPMENT OF OIL MINES IN INDIA.

442. ***Mr. Basanta Kumar Das:** (a) Are Government aware of the various legislations, based upon up-to-date scientific investigations, passed in the United States of America relating to the working, protection and development of oil mines? If so, do Government propose to consider the desirability of undertaking legislations on the lines of those legislations in the United States of America?

(b) Pending the undertaking of legislations suggested in part (a), do Government propose to consider the desirability of appointing a committee of officials and non-officials with expert and technical knowledge on the subject to consider the petroleum situation in India and to suggest ways and means for the conservation, preservation and development of the petroleum resources of India?

The Honourable Sir Frank Noyce: (a) My attention has been drawn to certain articles in the Press dealing with the recent American oil legislation. The Burma Oil Fields Act, 1918, gives the Government of Burma adequate powers to regulate all matters connected with or subsidiary to any operations for the winning of oil or gas or both. In the Punjab and Assam the oil concessions are operated almost entirely by single companies, whose conservation arrangements are based on the experience in Burma. There is no need for further legislation.

(b) Does not arise.

Mr. Basanta Kumar Das: Is the Burma legislation enacted on the lines on which the United States Act was enacted?

The Honourable Sir Frank Noyce: I am sorry I cannot hear my Honourable friend.

Mr. Basanta Kumar Das: Was the Burma Act enacted on the lines on which the Act in the United States was enacted?

The Honourable Sir Frank Noyce: The Burma Act, Sir, dates from 1918 and is, therefore, previous to the American legislation.

Mr. S. Satyamurti: In view of that answer, will Government state the reasons as to why they do not propose to consider the desirability of appointing a Committee as suggested in clause (b) of the question?

The Honourable Sir Frank Noyce: Because, Sir, they do not consider it necessary, but as my Honourable friend has raised the point, I would venture to quote the opinion of the leading industrial Paper in England, the *Petroleum Times*, on this subject. The *Petroleum Times* says:

"There is general evidence that the importance of oil and gas conservation and the prevention of every form of waste (that is in India including Burma) is fully realised. The wise Government supervision in force is welcomed by enlightened directorates and field staffs, and co-operation seems to be the keynote."

Mr. S. Satyamurti: Are Government getting the best return out of the working of these oil fields or won't they get better results if they investigate the matter

The Honourable Sir Frank Noyce: I have already replied to that question. I have already pointed out that this is a matter for the Provincial Governments, and I imagine that, especially in Burma, revenue is so very important that they are getting the best terms that they possibly can get.

Mr. Basanta Kumar Das: Another supplementary question, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

REVENUE FROM EXCISE DUTY ON PETROLEUM.

443. ***Mr. Basanta Kumar Das:** Will Government be pleased to state the amount of revenue obtained by them during each of the last five years in the shape of excise duty on petroleum produced by each of the provinces in which petrol mines are worked?

Mr. A. J. Raisman: I lay on the table a statement showing the required information.

Statement showing the gross revenue obtained during each of the last five years from Excise Duty on Motor Spirit and Kerosene according to Province of production.

Year.	Punjab. Rs. (000).	Assam. Rs. (000).	Burma. Rs. (000)
1929-30	25.82	36.65	3,14.34
1930-31	10.78	54.30	3,47.06
1931-32	6.29	1,10.63	4,79.08
1932-33	14.31	1,19.84	5,36.03
1933-34	9.41	1,23.08	5,90.94

AMOUNT OF ROYALTY RECEIVED ON PETROLEUM.

444. *Mr. Basanta Kumar Das: (a) Will Government be pleased to state the amount of royalty received during the last five years on petroleum by the Government of each of the provinces in which oil mines are worked?

(b) Will Government be pleased to state the rates at which royalty is realised from the oil companies and also the basis on which the rates are fixed?

The Honourable Sir Frank Noyce: (a) The income is provincial and I have no particulars of the amount received in the provinces, except in Burma. The royalties on petroleum collected in Burma during the five years 1929—1933 amounted to Rs. 1,53,72,607.

(b) The rate is specified in Schedule A to the Mining Rules. It has been fixed with a view to securing a reasonable return to Government without discouraging enterprise.

PETROLEUM IMPORTED FROM FOREIGN COUNTRIES.

445. *Mr. Basanta Kumar Das: Will Government be pleased to state the quantities of petroleum imported from foreign countries during the last five years?

The Honourable Sir Joseph Bhore: The Honourable Member is referred to the Accounts relating to the Sea-borne Trade and Navigation of British India for the year ending March 1933, Volume I, and for the month of March, 1934, copies of which are in the Library of the Legislature.

Mr. S. Satyamurti: Have Government considered the possibility of reducing, if not annihilating the import and the development of the oil resources of this country?

The Honourable Sir Joseph Bhore: I do not know, Sir, how that arises nor am I concerned with the development of the oil resources of the country.

†446*.

Mr. Sami Vencatachalam Chetty: Question No. 446, Sir.
(After a pause.)

(Mr. Metcalfe was going to answer this.)

The Honourable Sir Nripendra Sircar: Will you please allow me to answer this tomorrow?

Mr. President (The Honourable Sir Abdur Rahim): This question will answer over till tomorrow.

CATERING FOR THIRD CLASS PASSENGERS ON THE GREAT INDIAN PENINSULA AND OTHER RAILWAYS.

447. *Mr. Nabi Baksh Illahi Baksh Bhutto: Will Government be pleased to state:

- whether their attention has been drawn to the leading article in the *Bombay Sentinel*, dated the 24th January, 1935, under the caption "Only Third Class";
- whether it is a fact that the Chief Traffic Manager, Great Indian Peninsula Railway, Bombay, has recently increased the rentals of tea, food, fruit and sweetmeat stalls by about 400 and 500 per cent.;
- if the answer to part (b) be in the affirmative, whether it is not a fact that such an increase is bound to cause deterioration of the catering services provided for third class passengers which stand in need of encouragement and improvement rather than fresh burdens; and
- whether they are prepared to hold an enquiry into the whole business of catering for third class passengers on the Great Indian Peninsula Railway and other railways and revise rentals of stalls according to the conditions prevailing?

Mr. P. R. Rau: (a) to (d). I would refer my Honourable friend to the reply I gave to Mr. Lalchand Navalrai's question No. 389 on the 21st February, 1935.

Mr. A. K. Fuzlul Huq: May I put these questions, Sir?

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member got written authority?

Mr. A. K. Fuzlul Huq: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then he cannot put them.

†This question will be answered on the 23rd February, 1935.

STAFF IN THE REFORMS OFFICE.

448. *Mr. Muhammad Anwar-ul-Azim: (a) Will Government please state if it is a fact that the Reforms Office has been in continuous existence since 1930?

(b) Is it a fact that the staff employed in that Office enjoys all such concessions and privileges as are admissible to the staff of other Secretariat Departments of the Government of India?

The Honourable Sir Henry Craik: The reply to both parts of the question is in the affirmative.

VACANCIES IN THE MINISTERIAL ESTABLISHMENT OF THE REFORMS OFFICE.

449. *Mr. Muhammad Anwar-ul-Azim: Will Government be pleased to state how many vacancies in the different grades of the ministerial establishment of the Reforms Office occurred since October, 1934?

The Honourable Sir Henry Craik: A statement giving the information asked for is laid on the table.

Number of Vacancies in the Reforms Office since October, 1934.

Grades.	Number.	Vacancies actually filled.	By whom filled.
Superintendent	1	1	1 Muslim.
Assistants	6	4	3 Hindus. 1 Muslim.
II Division Clerks	3	3	1 Hindu. 1 Muslim.
III Division Clerks	3	3	1 Indian Christian. 1 Hindu. 1 Muslim.
Stenographers	2	2	1 Sikh.* 2 Hindus.

* Since left. Vacancy unfilled.

FILLING UP OF VACANCIES IN THE REFORMS OFFICE.

450. *Mr. Muhammad Anwar-ul-Azim: (a) Is it a fact that the Reforms Office is supplied with a list by the Public Service Commission of suitable candidates for employment?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state how many of the vacancies which recently occurred in that Office were filled up by candidates whose names were on the waiting list of the Public Service Commission?

The Honourable Sir Henry Craik: The reply to part (a) is in the negative.

(b) The Reforms Office is a temporary organization renewed from year to year and recruitment to its ministerial establishment is not, therefore, made through the Public Service Commission. It is difficult in practice to retain the services of men selected from the Public Service Commission's waiting list since the Reforms Office cannot offer them permanent appointment.

APPLICABILITY OF THE HOME DEPARTMENT OFFICE MEMORANDUM FIXING THE PERCENTAGE OF MINORITY COMMUNITIES TO THE REFORMS OFFICE.

451. *Mr. Muhammad Anwar-ul-Azim: (a) Will Government be pleased to state whether the Home Department Office Memorandum fixing the percentage of minority communities in services is applicable to the Reforms Office?

(b) If the reply to part (a) be in the affirmative, will Government please state how far the orders contained in that Office Memorandum have been carried out by the Reforms Office in regard to the majority minority community?

The Honourable Sir Henry Craik: (a) Yes.

(b) The orders have been fully carried out as will be seen from the statement I have just laid on the table.

PROMOTION OF UNQUALIFIED TEMPORARY CLERKS IN THE REFORMS OFFICE.

452. *Mr. Muhammad Anwar-ul-Azim: Is it a fact that there are certain temporary clerks employed in the Reforms Office who appeared and failed even in the Third Division Clerks' Examination of the ministerial establishment, but have recently been promoted to the next higher division? If so, will Government please state:

- (i) the names of such clerks;
- (ii) the number of times each of them appeared in the examination and failed;
- (iii) their educational qualifications; and
- (iv) the specific reasons which led to their promotion?

The Honourable Sir Henry Craik: There are two such clerks and I do not think any public purpose would be served by mentioning them by name. Both are matriculates of the Punjab University and were recently promoted from the Third to the Second Division as they were found suitable for the work required of a Second Division clerk. They appeared twice for the examination held by the Public Service Commission.

RECRUITMENT OF A MUSLIM STENOGRAPHER IN THE REFORMS OFFICE.

453. *Mr. Muhammad Anwar-ul-Azim: (a) Are Government aware that there is no Muslim stenographer at present employed in the Reforms Office who is in receipt of a special pay?

(b) If the reply to part (a) above be in the negative, do Government propose to remove this grievance of Muslim community? If not, why not?

The Honourable Sir Henry Craik: (a) and (b). At present there are three posts of stenographers to which special pay is attached. One is held substantively by a Muslim who is at present on foreign service but has a lien on his appointment in the Reforms Office.

COMMUNAL COMPOSITION OF INFERIOR SERVANTS IN THE REFORMS OFFICE.

454. ***Mr. Muhammad Anwar-ul-Azim:** Will Government be pleased to state community and grade wise the total strength of inferior servants in the Reforms Office on the 1st February, 1934?

The Honourable Sir Henry Craik: A statement is laid on the table.

Statement showing the total strength of the Inferior Servants in the Reforms Office on the 1st February, 1934.

Grade.	Number.	By whom filled.
Dutries	2	1 Muslim. 1 Hindu.
Jamadar	1	Hindu.
Peons	14	10 Hindus. 3 Muslims. 1 Sikh.

EFFECT OF THE VOTE OF THE LEGISLATIVE ASSEMBLY TO TERMINATE THE INDO-BRITISH TRADE AGREEMENT.

455. ***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- whether Government have considered the effect of the vote of the Assembly requesting the Government to terminate the Indo-British Trade Agreement forthwith;
- if they propose to terminate the Agreement, and if not, why not; and
- whether Government propose to take any other action thereon?

The Honourable Sir Joseph Bhoré: I would refer the Honourable Member to the replies given to the series of supplementary questions asked by him in connection with his starred question No. 206, on the 13th February last.

Mr. S. Satyamurti: I want a categorical answer to part (a) of my question, as to whether the Government have considered the effect of the vote of the Assembly requesting the Government to terminate the Indo-British Trade Agreement forthwith?

The Honourable Sir Joseph Bhoré: I answered that question quite fully on the last occasion.

Mr. S. Satyamurti: I want to know whether the Governor General in Council met and considered the question.

The Honourable Sir Joseph Bhoré: I am not prepared to give my Honourable friend any information of what took place in the Executive Council.

Mr. S. Satyamurti: I am not asking what took place at the meeting of the Executive Council

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already said that the Government have considered the subject.

Mr. S. Satyamurti: Subject to your ruling, the Government can refuse to answer a question on account of public interest. I am not asking what took place in the meeting at all, I am asking whether the Governor General in Council met and considered this matter. I submit I am entitled to an answer on that question, yes or no.

The Honourable Sir Joseph Bhoré: I am entitled to refuse to give my Honourable friend any information of what was discussed at a meeting of the Executive Council.

Mr. S. Satyamurti: I am sorry I am obscure this morning, and I shall try to make myself clear. I am not asking what took place at the meeting of the Governor General in Council. I know what usually happens there. (Laughter from the Opposition Benches.) What I want to know is whether a meeting of the Governor General in Council took place and considered this question at all. I am entitled to an answer on that.

The Honourable Sir Joseph Bhoré: That is exactly the same thing, and I am not prepared to give my Honourable friend any information as to the agenda of a meeting of the Executive Council.

Mr. S. Satyamurti: Then, I ask for your ruling, Sir. The Government are entitled to refuse to answer a question or a supplementary question on account of public interest. Do they claim in this matter that public interest will be endangered if they tell me whether the Governor General in Council met and considered it formally?

Mr. President (The Honourable Sir Abdur Rahim): The Chair takes it that that is exactly what the Honourable Member on behalf of the Government means—that it is detrimental to public interest. If it was in the public interest that the information should be given, the Chair takes it that the Honourable Member would have given.

Mr. S. Satyamurti: It is for you, Sir, to rule, if I may say so respectfully. He must make his submission and then it is for you to rule whether it is in the interests of the public. They may put forward that contention, but I submit it is for you to rule.

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LEGISLATIVE ASSEMBLY.

[22ND FEB. 1935.]

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot pass any judgment on that. It is for the Honourable Member speaking on behalf of the Government to say.

Mr. R. S. Sarma: With your permission, can I answer part (a) of the question? (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Is it a point of order?

Mr. R. S. Sarma: Not a point of order, Sir. With your permission, may I answer part (a) of this question? The Honourable Member wants to know the effect of the vote of the Assembly

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. S. Satyamurti: My Honourable friend is not yet on the Treasury Benches. I take your ruling on part (a) of the question. I am asking with regard to part (b) whether, apart from their *ex-cathedra* statement, that the termination of the Agreement is not in the interests of India, the Government have any other reasons as to why they do not propose to terminate the Agreement?

The Honourable Sir Joseph Bhore: That is the reason, and I have given it already to my Honourable friend.

Mr. S. Satyamurti: May I ask with regard to part (c) of the question, whether Government propose to take any other action on this vote, for example, by way of informing this House that they do not propose to take any action and not leaving the Secretary of State to say in England that the Government of India have ignored the vote?

The Honourable Sir Joseph Bhore: I have no doubt that when practical effect is given to the Agreement, we shall have to come before the Legislature in order to implement such terms as require implementing by the Legislature, and on that occasion my Honourable friend will be able to understand what action the Government propose to take.

Mr. S. Satyamurti: But, before bringing any such legislative proposal before this House, will Government consider the effect of the vote of this House?

The Honourable Sir Joseph Bhore: The Government, as I said, have already considered the effect.

Mr. R. S. Sarma: The Honourable Member asked about the effect of the vote of the Assembly. Is it not a fact that, so far, the only effect of the Assembly vote has been to strengthen the hands of the die-hards at home and make them ask for further safeguards?

Some Honourable Members on the Congress Party Benches: What "home"?

An Honourable Member: Sarma's "home"?

Another Honourable Member: Madras!

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

CEYLONESE EMPLOYED IN THE IMPERIAL SERVICES.

456. ***Mr. Samuel Aaron:** (a) Will Government be pleased to state how many Ceylonese are employed in the Imperial Services?

(b) Are Indians eligible for admission into the Civil Service of Ceylon?

(c) If the answer to part (b) be in the negative, do Government propose to consider the advisability of addressing the Government of Ceylon for granting reciprocal rights to Indians in this regard?

The Honourable Sir Henry Craik: (a) The only All-India Service, for which Ceylonese are eligible for appointment, is the Indian Civil Service, and that only through the open competition in London. The number of Ceylonese in that Service is seven.

(b) No.

(c) The question of asking the Ceylon Government to reconsider their policy in this matter was fully examined some years ago and the conclusion reached was that it was very doubtful if any useful purpose would be served by any such attempt. I may add, however, that the question of the exclusion of the Ceylonese from the Indian Civil Service under the new constitution is under discussion with the Secretary of State.

RIGHTS OF INDIAN IMMIGRANTS IN CEYLON.

457. ***Mr. Samuel Aaron:** (a) Are Government aware of the motion of Mr. S. W. R. D. Bandarnaike to restrict Indian immigration into Ceylon, moved in the State Council of Ceylon, and also of the many evil-intentioned speeches made on that occasion by the State Council members against Malayalee immigrants and other Indians?

(b) Have Government taken any steps to represent to the Government of Ceylon the grievances of Indian immigrants in Ceylon?

(c) What action do Government propose to take to see that the existing rights of Indian immigrants are safeguarded?

Mr. G. S. Bajpai: (a) Government have seen the motion referred to by the Honourable Member and the speeches made on that occasion in the State Council of Ceylon.

(b) and (c). I would refer the Honourable Member to the answer given by me to Professor N. G. Ranga's question No. 428 today and to question No. 1 asked by Mr. Abdul Matin Chaudhury on the 5th February.

Prof. N. G. Ranga: Are Government aware that attempts are being made in Ceylon to prevent domiciled Indians from acquiring land or even homesteads?

Mr. G. S. Bajpai: I am not aware of that.

INDIAN MEDICAL SERVICE OFFICERS RELEASED FOR CIVIL EMPLOYMENT.

458. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state the number of I. M. S. Officers released for civil employment during the last five years?

(b) How many of them are Indians?

(c) Are Provincial Governments consulted before I. M. S. Officers are transferred for employment under them?

(d) Are Provincial Governments allowed to choose the officers whom they like to have whenever Government of India decides to transfer I. M. S. Officers for civil employment under them?

(e) Is there any duly constituted committee to select I. M. S. Officers for civil employment, and on what criterion is the selection made?

(f) Is it proposed to transfer any more I. M. S. Officers for civil employment in Madras?

(g) Is it a fact that several non-Madrasis were sent for civil employment in Madras in preference to suitable and qualified Madrasis in the service? If so, why?

Mr. G. S. Bajpai: (a) 104.

(b) 25.

(c) No officer is transferred to civil employment without the consent of the Local Government concerned.

(d) Local Governments are asked to express their preference when more than one suitable officer is available.

(e) No. The selection is made on consideration of professional qualifications and record of service.

(f) Officers will be posted as and when they are required to fill vacancies.

(g) Yes. The Indian Medical Service is an All-India Service and officers are posted to provinces according to the exigencies of service irrespective of their domicile.

Prof. N. G. Ranga: Will the Honourable Member consider the advisability of appointing a Committee to select the I.M.S. officers for civil employ?

Mr. G. S. Bajpai: No, I do not think that that is necessary, because the question of an officer's qualifications, I assume, is determined effectively and finally when he is appointed permanently to the I.M.S.

Prof. N. G. Ranga: Is it or is it not a fact that several of the I.M.S. officers who are natives of the Madras Presidency have been kept here in the Military Department, while several Europeans and others also, who are not natives of the Madras Presidency, have been sent over to the Madras Presidency for civil employ?

Mr. G. S. Bajpai: There is a definite procedure in regard to the selection of officers for transfer from military to civil. It is in order of priority of application, seniority and qualifications. If there are officers who belong to the Madras Presidency serving in the military, it is because those who have been transferred had prior claims to transfer.

Prof. N. G. Ranga: Is the Honourable Member satisfied that in his office no discrimination has been practised between one individual and another?

Mr. G. S. Bajpai: I am quite satisfied.

Dr. T. S. S. Rajan: Have the Local Government any right to refuse to take a certain number of I.M.S. officers that may be asked by the Central Government to be entertained by them?

Mr. G. S. Bajpai: As my Honourable friend is aware, a number of I.M.S. posts is reserved in each province, and no Local Government can refuse to take officers up to that number. Over and above that number, it is for the Local Government to decide whether they will take an I.M.S. officer or not.

Dr. T. S. S. Rajan: But have the Local Government any right of selection? Are they given any list from which they could choose the number they could have for their province?

Mr. G. S. Bajpai: I have already answered that question; the Local Government are asked to express their preference when more than one suitable officer is available.

Mr. N. M. Joshi: May I ask how the Honourable Member explains the smaller proportion of Indians in civil employ?

Mr. G. S. Bajpai: My Honourable friend is presumably drawing a deduction from the answer I have given to parts (a) and (b); that works out to 79 Europeans and 25 Indians. The explanation of that is that there were more vacancies for Europeans than for Indians, but actually on the date that I am answering the question, the proportion of Europeans and Indians in the civil employ is 203 to 101, that is, two to one, which is the general proportion for the service as a whole.

Lieut.-Colonel Sir Henry Gidney: Is it not a fact that it often happens when a Provincial Government nominate an I.M.S. officer for civil employment, the Government of India provide that officer and no other?

Mr. G. S. Bajpai: The position is that we try to meet the wishes of Local Governments as far as possible.

Dr. T. S. S. Rajan: Is the Honourable Member aware that there are plenty of qualified medical men in the provinces who may very well take the place of the I.M.S. officers that are being sent over there?

Mr. G. S. Bajpai: That is a matter of opinion.

MANUFACTURE OF SALT FOR HOME CONSUMPTION AND LOCAL SALE IN THE MADRAS PRESIDENCY.

459. ***Prof. N. G. Ranga:** Will Government be pleased to state:

(a) Whether any representations have been received (i) directly from peasants and workers and (ii) indirectly through the Madras

Government, for permission to gather and manufacture salt for home consumption and local sale by the local workers and peasants in accordance with the Government's Communiqué of March 1931, known as the Gandhi-Irwin Pact? If so, from which people and of which places?

- (b) Has any action been taken on those applications?
- (c) What are the places in the Madras Presidency in which the local masses are permitted to manufacture salt, and subject to what conditions?
- (d) Are there any places which have been removed from the list of the places where the manufacture of salt was declared to be free? If so, what are those places?
- (e) Have the local people made any representations that their places should again be thrown open for free manufacture of salt? If so, what action has been taken on those representations?
- (f) Are Government aware of the existence of famine in the Ceded Districts, Chittoor and Tinnevely, and the failure of crops in the Nellore District?
- (g) Are Government aware that to allow the free manufacture of salt in these districts will be of some material help to the distressed and impoverished people of those places? If so, are Government prepared to consider the advisability of declaring the manufacture of salt for local use alone free from the usual restrictions?
- (h) Are Government aware that Mr. Rameswararao, M.L.C., has received the reply of the Madras Government, in reply to his question on the matter of free manufacture of salt in the Anantapur District that this question has to be decided by the Government of India?
- (i) Do Government propose to consider the advisability of empowering the Provincial Governments to decide in which places and to what extent the free manufacture of salt shall be allowed, subject to the supervision and control of the Government of India?

The Honourable Sir James Grigg: (a) No such representations have been received directly by the Government of India or the Central Board of Revenue or indirectly through the Madras Government. The Collector of Salt Revenue, Madras, has reported the receipt of certain enquiries purporting to come from the residence of Arumuganeri village in the Tinnevely District, and Pakala and Woollapaliem villages in the Nellore District. These villages are incidentally in areas from which the concession referred to has never been withdrawn.

(b) The Collector of Salt Revenue has been instructed to deal with these enquiries by reference, to the terms of the Notification of March the 5th, 1931, to which the Honourable Member refers.

(c) and (d). The concession described in the Notification of March the 5th, 1931, is allowed in all parts of the Presidency where salt can be

obtained except in the areas from which it has been withdrawn on account of breaches of the conditions attached to it. Those areas are:

- (1) Gudur and Sulpurpet Taluks of the Nellore District.
- (2) Ramnad and Mudukalattur Taluks of the Ramnad District.
- (3) Cuddapah District.
- (4) Anantapur District.
- (5) Bellary, Seriguppa, Allur, Adoni and Royadurg Taluks of the Bellary District.
- (6) Kurnool, Koilkuntla, Cumbum, Markapur, Sirvel, Nandyal, Dhona, Pattikonda, and Nandikonda Taluks of the Kurnool District.
- (7) Tiruthoraipundi and Pattukkottai Taluks of the Tanjore District.
- (8) Chingleput Taluk of the Chingleput District.
- (e) No such representations have been reported to the Government of India.
- (f) Government are aware of the existence of agricultural distress in the Districts mentioned.
- (g) The Government do not propose to grant any concession beyond that which is admissible in accordance with the terms of the Notification already mentioned.
- (h) No, Sir.
- (i) The procedure governing the application of the concession is not essentially different from that suggested in this part of the question.

Mr. M. Ananthasayanam Ayyangar: Is it not a fact that the ryots of Urava Konda taluk in the Anantapur district in the Madras Presidency addressed a petition to His Excellency the Governor General asking that salt concessions should be restored in that district?

The Honourable Sir James Grigg: To the best of my information, the representations have not been received, at any rate have not been reported to the Government of India.

Mr. Sami Vencatachelam Chetty: Is it a fact that licences for the manufacture of salt in the Chingleput district are proposed to be cancelled?

The Honourable Sir James Grigg: The concession has already been withdrawn from that district—a good long time ago.

Mr. Sami Vencatachelam Chetty: May I know why?

The Honourable Sir James Grigg: Because the terms of the concession originally granted were abused.

Mr. Sami Vencatachelam Chetty: I am not speaking of the free concession, but of the manufacture of salt in factories in the Chingleput district?

The Honourable Sir James Grigg: The Honourable Member had better put down a question. That does not arise out of this question.

Prof. N. G. Ranga: In view of the fact that Government themselves recognise that there are famine conditions in the ceded Districts, will the Honourable the Finance Member consider the advisability of waiving their objection to the manufacture of salt in the ceded Districts.

The Honourable Sir James Grigg: If the Honourable Member will read the correspondence which took place on this subject, he will find that it is always open to the villagers concerned to make application for the restoration of the concession to the local officers, who will deal with them on their merits in consultation with the Local Government.

Dr. T. S. S. Rajan: Will those areas have another chance of getting back the rights which they have forfeited?

The Honourable Sir James Grigg: That is just the question I have now answered. It is always open to the villagers to make an application for the restoration of the concession to the local officers.

Dr. T. S. S. Rajan: The applications will be made to the very officers who cancelled the concessions?

The Honourable Sir James Grigg: It is quite likely in some case.

PROVISION OF FANS IN INTERMEDIATE CLASS CARRIAGES.

460. *Prof. N. G. Ranga: Are Government aware of the assurance given by the Chairman of the Central Advisory Council for Railways in its meeting on the 10th August, 1934, that the suggestion of providing fans in intermediate carriages would be examined? If so, will Government be pleased to state what action has been taken in this regard?

Mr. P. R. Rau: The answer to the first part is in the affirmative. With regard to the second part, State-managed Railways have already been instructed to furnish the Railway Board with estimates of the initial and recurring costs for providing electric fans in the intermediate class carriages and compartments.

Prof. N. G. Ranga: When were they instructed to submit the proposals?

Mr. P. R. Rau: I think soon after the meeting of the Central Advisory Council.

Prof. N. G. Ranga: How soon do you expect the replies?
(No answer.)

COMPILATION OF STATISTICS FOR A REVISION IN GENERAL CLASSIFICATION OF GOODS.

461. *Prof. N. G. Ranga: (a) Will Government be pleased to state if the Committee appointed by the Indian Railway Conference Association to consider and report as to what special statistics Railways should compile for a revision in general classification of goods, has submitted its report?

(b) Have the recommendations of that Association been sent to the Railway Board? If not, when are such recommendations expected to be received?

Mr. P. R. Rau: (a) Yes.

(b) The reply to the first part is in the affirmative and the second part does not, therefore, arise.

Mr. Sami Vencatachalam Chetty: What about commercial interests?

Mr. P. R. Rau: Are they not important?

Prof. N. G. Ranga: In view of the fact that there is considerable amount of distress in the ceded Districts owing to famine, will Government consider the advisability of offering them special concession on railway freights for the transportation of grain?

Mr. P. R. Rau: I cannot see how that arises in connection with this question which relates to the constitution of the Committee.

REPRESENTATION OF AGRICULTURAL INTERESTS ON THE EXPERT COMMITTEE TO CONSIDER THE RECLASSIFICATION OF GOODS.

462. *Prof. N. G. Ranga: (a) Are Government aware of the wish expressed by Mr. Maswood Ahmad, M.L.A., at the last August conference of the Central Advisory Council for Railways that the representatives of agricultural interests should also be represented on the Expert Committee to consider the reclassification of goods, if and when such a committee comes to be appointed?

(b) Do Government propose to see that the agricultural interests are fully represented on that proposed Committee?

Mr. P. R. Rau: (a) Yes.

(b) My Honourable friend may rest assured that every important interest will be consulted. I am afraid that at the present stage it is not possible to say how the Committee will be constituted.

RESERVATION OF INTERMEDIATE AND THIRD CLASS COMPARTMENTS ON THE EAST INDIAN RAILWAY.

463. *Prof. N. G. Ranga: (a) Are Government aware of the assurance given by the Chairman of the Central Advisory Council for Railways to place the suggestion that as on the East Indian Railway and Eastern Bengal Railway, intermediate and third class compartments should also be permitted to be reserved, before the Indian Railway Conference Association? If so, what was the view expressed by the said Association?

(b) If the view of that Association is favourable to the suggestion, do the Railway Board propose to throw open the inter and third class carriages for reservation? If so, when?

Mr. P. R. Rau: The Indian Railway Conference Association have been addressed on the subject but their views have not yet been received.

INDIAN RAILWAY CONFERENCE ASSOCIATION.

464. *Prof. N. G. Ranga: Will Government be pleased to state:
- how the Indian Railway Conference Association is constituted;
 - its history;
 - its rules and regulations;
 - what interests are represented on it;
 - if agricultural interests and third class passengers' associations are represented on it, and if so, who are their representatives on that association, and if not, what are the special claims of this association to be consulted by the Chairman of the Central Advisory Council for Railways even about the suggestions made by the members of his Council?

Mr. P. R. Rau: (a) and (d). The Indian Railway Conference Association consists of all Railway Administrations in India working a railway open for passenger traffic that desire to join it.

(b) I am not sure what historical facts my Honourable friend requires, but the Association has been in existence at least for over 30 years.

(c) The Association frames regulations for the management of traffic interchanged between the Railways represented in the Association, advises on other subjects relating to Indian railways, which may be referred to them at the instance of Government or of any Railway represented in the Association, and acts as a board of conciliation between different railways.

(e) The reply to the first part is in the negative. As regards the last part, it is obvious that as an association of railways in India, it is necessary to consult it on matters of common interest to railways.

Prof. N. G. Ranga: Will Government consider the advisability of placing their annual reports on the table of this House?

Mr. P. R. Rau: I shall consider that.

Prof. N. G. Ranga: Is there any authority to convene meetings of the Association?

Mr. P. R. Rau: The Association elects its own Chairman.

CATERING FOR THIRD CLASS PASSENGERS ON THE GREAT INDIAN PENINSULA AND OTHER RAILWAYS.

465. *Dr. Ziauddin Ahmad: (a) Has the attention of Government been drawn to the article, published in the *Bombay Sentinel*, dated the 24th of January, 1935, (Only Third Class)?

(b) Is it a fact that the tea stalls at the Victoria Terminus Station are being sold at substantial price?

(c) Is it not against the undertaking given by the Railway authorities in the Central Railway Advisory Committee?

Mr. P. R. Rau: (a) and (b). I would refer my Honourable friend to the reply I gave to Mr. Lalchand Navalrai's question, on this subject yesterday.
(c) I am not aware of what undertaking my Honourable friend refers to.

Dr. Ziauddin Ahmad: Does not the question refer specifically to the Victoria Terminus Station in Bombay?

Mr. P. R. Rau: As regards the Victoria Terminus, I am not aware of any steps taken by the G. I. P. Railway Administration recently to increase the license fees.

Dr. Ziauddin Ahmad: In the paper I have mentioned, the *Bombay Sentinel*, it is explicitly put down that the tea stalls were being sold, which is contrary to the undertaking given by the Railway Board. May I have an answer?

Mr. P. R. Rau: I have not been able to find in the article referred to by my Honourable friend any mention of the Victoria Terminus.

Dr. Ziauddin Ahmad: I do not follow the answer, when he has not read it.

Sir Cowasji Jehangir: May I point out, Sir, that the article is referred to in the question? Surely the Honourable Member looked up the newspaper when he received that question?

Mr. P. R. Rau: Yes, Sir, and I could not find any reference in that article to the Victoria Terminus Station.

UNSTARRED QUESTIONS AND ANSWERS.

ABOLITION OF THE NOWGONG CANTONMENT.

40. Mr. Sham Lal: (a) Is it a fact that Nowgong Cantonment has been abolished? If not, is its abolition under contemplation? If so, when is it likely to take place?

(b) Is it a fact that the land on which the Cantonment was established was taken from some Indian State and that on the abolition of the Cantonment it is proposed to transfer the land back to that State?

Mr. H. A. F. Metcalfe: (a) No. The retrocession of the Cantonment land to the Chhatrapur Darbar is under consideration, and will probably take place in the near future.

(b) The land on which the Cantonment was established has remained throughout under the sovereignty of the State.

ANNUAL YIELD FROM SALE OF POSTCARDS.

41. Mr. Mohan Lal Saksena: Will Government please lay on the table a comparative statement, showing the total amount of annual yield from sale of post-cards for two years prior to the raising of its price to three pice and also for two years subsequently?

The Honourable Sir Frank Noyce: A statement containing the required information is given below. As already stated by me in this House on the 6th instant, in reply to the Honourable Prof. N. G. Ranga's starred question No. 56, the figures are based on certain estimates and are not audited accounts figures.

Statement comparing the estimated total amount of annual yield from sale of inland Postcards (including those of private manufacture) for 1929-30 and 1930-31, the two complete years prior to the raising of its price to three pice and for 1932-33 and 1933-34,—the two subsequent complete years after the revision of rate.

Years.	Estimated Annual yield.
1929-30	Rs. 1.82 lakhs.
1930-31	Rs. 1.68 "
1932-33	Rs. 2.10 "
1933-34	Rs. 2.04 "

INDIAN TEA LICENSING COMMITTEE.

42. **Srijut N. C. Bardaloi:** (a) Will Government be pleased to state the names of the members of the Indian Tea Licensing Committee?

(b) Will Government please state who among them are members of Agency Houses controlling one or more Tea Estates who are owners of Tea Estates and who are Directors of Tea Estates and Companies?

(c) How many among them are elected by Tea Associations and how many are nominated by Local Governments?

(d) Will Government be pleased to state if any Tea Estate belonging to any of the members of the Committee or in which they are interested as Managing Agents or Directors have been inspected by anybody? If so, what are the names of the gardens so inspected and by whom were they inspected?

(e) Are Government prepared to appoint a committee elected by the Members of this Assembly to inspect those gardens to ascertain the correctness of the returns submitted by them?

(f) Are Government aware that the Tea Licensing Committee not only have small Indian-owned tea gardens, not under the management of one of the members, inspected but also use discourteous language sometimes?

(g) Do Government propose to direct local Governments to nominate as members of the Tea Licensing Committee, Indian tea garden proprietors possessing small estates (by taking the opinions of such small concerns) from Assam Valley and Surma Valley?

(h) Are Government prepared to direct the Licensing Committee to grant quotas to gardens which could not work during 1932-33 and previously owing to financial difficulties?

(i) Are Government prepared to direct the Licensing Committee to publish their proceedings that they may be available to the Tea Estates concerned and to the public?

(j) Do Government propose to take steps to amend the Indian Tea Control Act, 1933, in the light of part (g) above, allowing the owners and managers of small Indian Tea Concerns which are not members of the Indian Tea Association either in Surma Valley or in the Assam Valley to elect members to represent them in the Tea Licensing Committee?

The Honourable Sir Joseph Bhore: (a) and (b). I lay a statement on the table.

(c) The attention of the Honourable Member is invited to sub-section (1) of section 3 of the Indian Tea Control Act, 1933 (XXIV of 1933) which provides for the constitution of the Indian Tea Licensing Committee.

(d) The answer to first part of the question is in the affirmative. As regards the second part, I lay on the table a statement giving the necessary information in respect of estates in North India. Similar information in respect of tea estates in South India is being obtained and will be laid on the table in due course.

(e) No, Sir.

(f) Government have made enquiries and are satisfied that the allegations that the inspection of tea estates ordered by the Indian Tea Licensing Committee is confined to small Indian-owned gardens not under the management of one of the members, and that discourteous language is used, are both without basis.

(g) The attention of the Honourable Member is invited to the discussions which took place in this House on the 15th September, 1933, on the Indian Tea Control Bill, in the course of which an undertaking was given on behalf of Government that a somewhat similar suggestion made by Mr. S. C. Mitra at the time would be brought to the notice of the Local Governments concerned so that they might make their nominations in consultation with any representative Indian organisation of the industry that might exist.

(h) The Honourable Member's attention is invited to the Rules made by the Governor General in Council under section 23 of the Indian Tea Control Act, 1933, which govern the grant of export quotas to tea estates. The Rules were published in the Gazette of India, dated the 18th November, 1933. Rule 4 of those Rules provides for a modification of the application of the ordinary rules in cases of special hardship. Government do not consider it necessary to issue any further instructions on the subject.

(i) No, Sir. The Honourable Member's attention is invited to the answer to part (a) of starred question No. 641 asked by Mr. S. C. Mitra in this House on the 20th August, 1934.

(j) No, Sir.

Statement I.

Names of the members of the Indian Tea Licensing Committee.

- (1) Mr. J. Jones, nominated by the Indian Tea Association, Calcutta.
- (2) Mr J. Elcock (presently Chairman of the Committee) nominated by the Assam Branch, Indian Tea Association.
- (3) Mr. K. B. Miller, nominated by the Surma Valley Branch, Indian Tea Association.
- (4) Mr. J. Edmond, nominated by the Dooars Planters Association.
- (5) Mr Debes Chandra Ghose, nominated jointly by the Indian Tea Planters Association, Jalpaiguri and the Terai Indian Planters Association, Terai.
- (6) Mr. H. W. Cox, nominated jointly by the Darjeeling Planters Association and the Terai Planters Association.
- (7) The Hon'ble Mr. H. P. Barua, nominated by the Government of Assam to represent tea estates owned by Indians in the Assam Valley.

- (8) Mr. Bipul Gupta, nominated by the Government of Assam to represent tea estates owned by Indians in the Surma Valley.
- (9) Mr. Rohan Fowke, nominated by the United Planters Association of Southern India to represent tea estates in British India.
- (10) Mr. J. S. B. Wallace, nominated by the United Planters Association of Southern India to represent tea estates in Indian States.
- (11) Mr. P. Kurian John, nominated by the Government of Madras to represent tea estates owned in Southern India by Indians.

2. The following members of the Committee are connected with Agency Houses and are also Directors of Tea Companies :

- (1) Mr. J. Jones, Messrs. James Finlay and Company, Limited, Calcutta.
- (2) Mr. J. Elcock, Messrs. Planters Stores and Agency Company, Limited, Calcutta.
- (3) Mr. K. B. Miller, Messrs. Williamson Magor & Company, Calcutta.
- (4) Mr. D. C. Ghose, Messrs. Ghose & Sons, Jalpaiguri.

3. The following members are owners of tea estates :

- (1) The Hon'ble Mr. H. P. Barua.
- (2) Mr. Bipul Gupta.
- (3) Mr. P. Kurian John.

4. The following members are Superintendents or Managers of tea estates :

- Mr. J. Edmond.
- Mr. H. W. Cox.
- Mr. R. Fowke.
- Mr. J. S. B. Wallace.

Statement II.

Tea estates in North India in which members of the Indian Tea Licensing Committee are interested either as owners or through the Agency Houses with which they are connected and which have been inspected.

Estate.	Managing Agent.	Nature of investigation.
Burrapahar	Messrs. Planters Stores and Agency, Limited.	Survey Report by J. N. Barua and Sons. Inspected by District Advisory Officer, Nowgong Sub-Committee, Mr. J. B. Coutts.
Gosaibari	Messrs. Williamson Magor and Company.	Survey Report by J. N. Barua and Sons.
Negheriting	Messrs. James Finlay and Company, Limited.	Survey Report by J. N. Barua and Sons.
Modaijan	Messrs. Williamson Magor and Company.	Inspected by District Advisory Officers, Jorhat Sub-Committee, Messrs. McLennan and Oliver.
Aideobari	Messrs. Williamson Magor and Company.	Inspected by District Advisory Officers, Sonari Sub-Committee, Messrs. Brough and Wilkin.
Thengalbarie	Messrs. Williamson Magor and Company.	Inspected by District Advisory Officers, Jorhat Sub-Committee, Messrs. McLennan and Watson.

FUNCTIONS OF THE INDIAN ARMY ORDNANCE DEPARTMENT.

43. **Srijut N. C. Bardaloi:** (a) Is it a fact that the Indian Army Ordnance Department is a purely non-combatant service and a purely manufacturing and distributing House?

(b) Is it the function of this Department to produce munitions at the dictation of the General Staff and distribute them according to the needs of the Army?

(c) Are there four branches of this Department, *viz.*, (i) Indian Army Ordnance Corps—which retail stores to troops; (ii) Ordnance Factories Department—which manufactures stores; (iii) Ordnance Inspection Department—examining stores according to specifications; and (iv) the Army Contracts Department—which is charged with buying in market stores not produced by factories?

(d) Are there any Indian Commissioned or gazetted officers or superior non-gazetted officers in any of these Departments?

Mr. G. R. F. Tottenham: (a) No. The Ordnance Services, under the Master-General of the Ordnance in India, comprise:

- (i) Indian Army Ordnance Corps.
- (ii) Ordnance Factories.
- (iii) Ordnance Inspection Section.
- (iv) Contracts Directorate.

Their duties are the design, manufacture, production, inspection, purchase, custody, maintenance, repair and issue of military requirements. They necessarily include both combatant and non-combatant ranks.

(b) Yes, one of its functions.

(c) Yes, but the designations of the departments specified are at (a) above.

(d) Yes.

APPOINTMENT OF ASSAMESE AS APPRENTICES AND IN THE HIGHER SERVICES IN THE ORDNANCE FACTORIES.

44. **Srijut N. C. Bardaloi:** (a) Is there an apprentice course in the ordnance factories? If so, for how long has it been in existence?

(b) Will Government please state how many foremen and assistant foremen were produced by this training among Indians?

(c) Are these posts and other higher posts in this non-combatant department filled up by Britishers?

(d) Have Government ever attempted to appoint qualified Indians with engineering and commercial degrees and diplomas (both Indian and European) to these highly paid posts?

(e) Have Government sent abroad any of their apprentices in the Army Department for post-apprentice training in England?

(f) Has any Assamese ever been taken into any of these posts in any of the branches of this Department?

(g) Do Government propose to give chances to Assamese also (i) by appointing apprentices, and (ii) by appointing qualified men in the higher services of the different branches?

Mr. G. R. F. Tottenham: (a) The first regular scheme of apprenticeship in the Ordnance and Clothing Factories was authorised by Government of India in 1924.

(b) Foremen, nil, Assistant Foremen, six.

(c) They are open to Europeans and Indians alike

(d) Yes.

(e) and (f). No.

(g) There is no bar to the recruitment of Assamese.

EX-ROYAL FAMILIES OF DELHI AND OUDH.

45. Dr. Ziauddin Ahmad: (a) Is it a fact that Prince Mirza Jehand Shah, grand-son of Shah Alam, Emperor of Delhi went to reside permanently at Benares, United Provinces, 25 years before the mutiny and himself with his family resided there and is loyal and a great friend of the British Crown until now?

(b) Is it a fact that Nawab Saadat Ali Khan, Wazir of Oudh, handed over villages of Districts Azamgarh, Gorakhpore, Allahabad, etc., whose annual income at that time was one crore, twenty-three lakhs, to the East India Company, and made a Treaty with that Company on the term that out of the income of the said villages an everlasting pension of rupees two lakhs and four thousand be given to Prince Jehandar Shah and Begums of Delhi—*Ex-Royal* family residing in Benares, United Provinces, and their heirs and rupees twenty thousand six hundred and thirty-eight be given as pension to some relatives of the family who went to Farrukhabad?

(c) Is it a fact that for the safeguard of the Benares family a few British soldiers and a few Indian soldiers together with Topkhana were to remain as *ardeli*, whose annual maintenance will be rupees sixty-seven lakhs which will be paid out of the income of the above villages which was also included in the Treaty?

(d) Is it a fact that out of the above income, the East India Company used to deduct rupees twenty-four lakhs five thousand and eight hundred sixty-two for management and collection of revenues of the above villages?

(e) Will Government be pleased to state up to what time the above amount of rupees two lakhs and four thousand was given to the Benares family in accordance with the Treaty and from what time and how much this pension has been reduced, which they are now getting?

(f) Will Government be pleased to state how the amount of one crore twenty-three lakhs is being utilised at present?

(g) Is it a fact that there are fifty members of the family of Emperor Alamgir residing at Lucknow, who are loyal to the British Crown, and who have also formed an Association?

(h) Is it a fact that a Federation of the All-India *ex-Royal* Family has been started, of which the workers are Khan Bahadur Nawab Syed Hamid Husain Khan, M.B.E., and Qudrat Ullah Siddiqui who are doing propaganda work in foreign countries in praising the Britishers? Are Government giving them any sort of help? If so, of what kind?

Mr. H. A. F. Metcalfe: (a) No. Mirza Jahandar Shah, who was a son, not a grandson, of the Emperor Shah Alam, fled from Delhi and went to Oudh in 1788. He died in the same year.

(b) Nawab Sa'adat Ali Khan by a treaty, with the Honourable the East India Company, signed in 1798, agreed to pay a yearly subsidy of 76 lakhs to finance various services rendered to him by the Company and also to meet the stipends to the Begums and Princes at Benares amounting to Rs. 2,04,000 per annum and the Farrukhabad pensions amounting to Rs. 23,638. In 1801 a second treaty was made between the same parties, by which the Nawab ceded portions of his territory in the districts of Azamgarh, Gorakhpur, Allahabad, etc., to the Honourable Company, partly in commutation of the subsidy of Rs. 76 lakhs payable by the Nawab under the treaty of 1798 and partly to meet certain additional expenses incurred on his behalf by the Company. The gross revenue of the ceded territory amounted to rupees one crore and 35 lakhs, in which were included the expenses of collection.

(c) There is nothing in either treaty to suggest that any troops were detailed to guard the Benares family. The greater portion of the money secured to the Company, under both the treaties, was to be used in the maintenance of troops, both European and Indian, to defend the dominions of the Nawab of Oudh against all enemies. The total force, however, was never to consist of less than 10,000 men.

A detachment of troops with a proportionate artillery was also attached at all times to the Nawab's person.

(d) The treaty of 1801 lays down that the total revenue of rupees one crore and thirty-five lakhs included expenses of collection, but there is nothing to show what the amounts of those expenses were.

(e) Pensions to the surviving members of this family are still being paid in accordance with the Oudh Pension Rules. A list of the pensions drawn at the Benares Treasury in 1933 is laid on the table.

(f) With the annexation of Oudh the objects, other than pensions which were provided for in the treaty of 1801, ceased to exist and the revenues in question were merged in the general revenues of the Government of India.

(g) In April 1934, the number of political pensioners of the *ex-Royal* family of Delhi drawing their pensions from the Lucknow Treasury was 38, but it is not possible to give full information without making elaborate enquiries.

(h) Government have heard something to this effect, but have no definite information. Government have certainly given no help to any one.

List of the Political Pensioners of the ex-Royal Family of Delhi drawing their Pensions from the Benares Treasury.

Name of pensioner or Sarkabz.	Amount of monthly pension.		
	Rs.	A.	P.
1. Musammat Mehr Sultan Begam	50	0	0
2. M. Moinuddin Bakht	10	0	0
3. M. Kamaluddin Bakht	10	0	0
4. Mirza Zahid Bakht	33	5	4
5. Musammat Ahsan Ara Begam	30	0	0
6. Musammat Akhtari Sultan Begam	25	14	0
7. Mirza Zahid Bakht	6	11	0
8. Mirza Ejaz Bakht	16	0	0
9. Mirza Shahood Bakht	7	4	0
10. Mirza Asad Bakht	7	4	0
11. Mirza Babar Bakht	7	4	0
12. Mirza Khurd Bakht	7	4	0
13. Musammat Gauhar Sultan Begam	40	0	0
14. Mirza Moinuddin Bakht	80	0	0
15. Musammat Amna Sultan Begam	8	0	0
16. Mirza Jalaluddin Bakht	44	8	0
17. M. Fahimuddin Bakht	2	8	0
18. Musammat Amina Sultan Begam	10	0	0
19. Musammat Quraisha Sultan Begam	39	3	3
20. Musammat Aiwan-un-nisa Begam	7	0	0
21. Wajiha Sultan Begam, Zakia Sultan Begam, Razia Sultan Begam	9	0	0
22. Musammat Ruquiya Sultan Begam	5	0	0
23. Mirza Ejaz Bakht	10	0	0
24. Musammat Ayesha Sultan Begam	12	0	0
25. Musammat Fatima Sultan Begam	12	0	0
26. Mirza Fakhruddin Bakht	8	0	0
27. Musammat Alamara Sultan Begam	15	0	0
28. Musammat Fahim-n'sa Begam	8	0	0
29. Mirza Shahryar Bakht	8	0	0
30. Mirza Fazaluddin Bakht	32	0	0
31. Mirza Wahiduddin Bakht	32	0	0
32. Qaisar Sultan Begam	15	0	0
33. Musammat ida Sultan Begam	7	11	2
34. Musammat Hafiza Sultan Begam	7	12	2
35. Musammat Halima Sultan Begam	7	11	2
36. M. Zubairuddin Bakht	10	10	0
37. Mirza Sirajuddin Bakht	51	11	0
38. Musammat Wajia Sultan Begam, Musammat Zakia Sultan Begam, Musammat Razia Sultan Begam	6	0	0
39. Mirza Munawar Shikoh	5	5	0
40. Mirza Aminuddin Bakht	6	0	0
41. Mirza Muhammad Baqar Ali Khan	15	0	0

TRANSFER OF INVESTIGATING INSPECTORS ATTACHED TO THE POSTMASTER GENERAL'S OFFICE AT BOMBAY.

46. Mr. N. M. Joshi: Will Government be pleased to state:

(a) how long the present Investigating Inspectors attached to the Postmaster General's Office at Bombay have been working in their present appointments;

(b) whether they are not yet due for transfer;

(c) if their transfer is due, why they are not transferred?

The Honourable Sir Frank Noyce: (a) Of the two Investigating Inspectors, one has been in his present appointment for seven years and the other for more than six years.

(b) and (c). Under the ordinary rules they are due for transfer, but owing to the existing financial stringency such transfers are being made only in cases in which they are considered by the Head of the Circle to be specially desirable.

TRAVELLING ALLOWANCES OF THE POSTAL SUPERINTENDENTS AND INSPECTORS IN THE BELGAUM, DHARWAR AND KONKAN DIVISIONS.

47. Mr. N. M. Joshi: Will Government be pleased to state:

(a) the amount of travelling allowances (supervision) spent by the Postal Superintendent and each Postal Inspector, separately, in the Belgaum, Dharwar and Konkan Divisions from April 1934 to November 1934, both months inclusive;

(b) the number of inspections of Head, Sub and Branch Post Offices carried out by each of the officers referred to in part (a) above and the months in which they were carried out; and

(c) whether the allotment of travelling allowances (supervision) is given in lump sums both for the Superintendent of Post Offices and the Inspectors of his Sub-Divisions?

The Honourable Sir Frank Noyce: (a) and (b). A statement showing the information asked for is laid on the table. The amount of travelling allowance shown in Part A of the statement represents the amount spent for journeys undertaken in connection with inspections as well as those undertaken in connection with enquiries, investigations, etc.

(c) The reply is in the affirmative.

The statement in two parts, part 'A' showing the amount of travelling allowance spent by the Superintendents of Post Offices, Dharwar and Konkarn Divisions and each of their Inspectors from April, 1934 to November, 1934, and part 'B' showing month by month the number of inspections carried out by each of these officers during the same period.

A			B															
The amount of travelling allowance spent by the officers named below from April 1934 to November 1934.			The number of inspections of Head, Sub and Branch Offices carried out by each of these officers and the month in which they were carried out.															
Designation of the Officer.	The period during which T. A. spent.	The amount of T. A.	April 1934.		May 1934.		June 1934.		July 1934.		August 1934.		September 1934.		October 1934.		November 1934.	
			No. of inspections.		No. of inspections.		No. of inspections.		No. of inspections.		No. of inspections.		No. of inspections.		No. of inspections.		No. of inspections.	
			H. O.	S. O.	H. O.	S. O.	H. O.	S. O.	H. O.	S. O.	H. O.	S. O.	H. O.	S. O.	H. O.	S. O.	H. O.	S. O.
Belgaum Division.																		
Superintendent of Post Offices.		Rs. As. 708 14	3	...	1	...	2	...	1	...	1	5	...	1	...	7	3	...
Inspector of Post Offices, Belgaum Sub-Division.		329 4	1	...	...	1	...	...	1	14	...	2	11	...	...	1	2	4
Inspector of Post Offices, Bagalkot Sub-Division.		443 12	...	...	...	1	7	1	2	5	...	3	8	...	...	...	11	...
Inspector of Post Offices, Chikodi Sub-Division.		397 3	...	...	...	10	...	...	...	9	...	1	4	...	7	...	2	11

		From April 1934 to November 1934																	
Dharwar Division.																			
Superintendent of Post Offices.		766 13	6	1	...	6	3	1	2	...	4	1	...	6	3	...	3	1	...
Inspector of Post Offices, Dharwar.		474 4	1	1	5	...	6	1	...	1	...	10	...	...	7	1	...	2	...
Inspector of Post Offices, Kumbha.		437 7	...	1	...	...	1	7	...	...	11	...	1	3	...	8	1	...	3
Konkan Division.																			
Superintendent of Post Offices.		676 6	...	2	...	...	5	3	1	...	4	1	1	3	5	...	2	...	4
Inspector of Post Offices, Alibag.		276 0	...	...	5	1	...	6	...	1	6	...	3	...	3	...	2	...	1
Inspector of Post Offices, Chiplur.		316 0	...	2	6	...	...	5	...	...	12	...	...	...	...	7	...	...	...
Inspector of Post Offices, Malvan.		339 0	...	...	...	...	2	...	...	...	1	18	...	2	10	...	2	6	...
Inspector of Post Offices, Ratnagiri.		300 0	1	1	7	...	3	...	...	1	6	...	1	15	...	...	1	1	...

QUESTION OF ADAPTABILITY OF INDIAN INDUSTRIES TO WARLIKE PURPOSES.

48. **Mr. M. Asaf Ali:** What steps, if any, have Government taken to comply with Article 8 of the Covenant of the League of Nations, especially with regard to the question of adaptability of Indian Industries to warlike purposes?

Mr. G. R. F. Tottenham: India has been represented throughout on the Disarmament Conference and has made such contributions as were possible, along with His Majesty's Government, towards the common object of establishing a Disarmament Convention in conformity with Article 8 of the Covenant of the League of Nations. As the Honourable Member is no doubt aware, the efforts of the Conference have hitherto proved unsuccessful. The condition of such Indian industries, as are adaptable to war like purposes, is not a matter on which, in accordance with terms of Article 8, information is likely to be asked for, in exchange for similar information from other countries, until a Convention has been agreed to; but, I may add that adequate control over the manufacture of munitions of war by private firms is already provided in India by section 5 of the Indian Arms Act.

INDIA'S ADMISSION TO THE LEAGUE OF NATIONS.

49. **Mr. M. Asaf Ali:** Will Government be pleased to state whether India's admission into the League of Nations was based on the assumption that it was a "fully self-governing State, or Dominion" within the meaning of paragraph 2 of Article 1 of the Covenant of the League of Nations?

The Honourable Sir Nripendra Sircar: No. India is an original member of the League under the operation of paragraph 1 of the First Article of the Covenant as the result of her being one of the signatories of the Versailles Treaty.

Paragraph 2 of the same article relates to subsequent candidates for admission and consequently has no reference to India.

EXPENDITURE ON RENOVATING AND RE-UPHOLSTERING THE SPECIAL TRAIN AND COST OF THE AEROPLANES PURCHASED FOR THE GOVERNOR GENERAL'S USE.

50. **Mr. M. Asaf Ali:** (a) What was (i) the exact amount of expenditure on renovating and re-upholstering the "Special train" of the Governor General, (ii) the price of the first aeroplane purchased for the Governor General's use, (iii) the length of time for which it remained in the Governor General's use, (iv) the price for which it was sold, and (v) the price of the new aeroplane purchased for the Governor General's use?

(b) Will Government please state why the first aeroplane was rejected and to whom it was sold?

The Honourable Sir Frank Noyce: (a) (i). The expenditure incurred on the alterations to His Excellency the Governor General's broad gauge train, carried out in 1931, amounted to Rs. 64,972.

(ii) The price of the first aeroplane (Avro 10) purchased for His Excellency the Governor General was £10,326 or Rs. 1,37,680.

(iii) It remained in the Governor General's use for a period of about three years.

(iv) The machine has not been sold, but has been retained for use by Government officers when touring, and if required by His Excellency the Governor General.

(v) The price of the new aeroplane (Avro 642) is £10,510 or Rs. 1,40,133.

(b) The first aeroplane has not been rejected. As I have stated it has been retained for other purposes.

BURMANS EMPLOYED AS OFFICERS IN CERTAIN DEPARTMENTS AND SERVICES IN BURMA.

51. **U Thein Maung:** (a) Will Government please state the respective number and percentages of Burmans employed as officers in various grades in the following departments and services in Burma:

- (i) the Railway Department;
- (ii) the Telegraph Department;
- (iii) the Customs Department;
- (iv) the Military Police;
- (v) the Army;
- (vi) the Income-tax Department;
- (vii) the Currency Office, Rangoon;
- (viii) the Accountant General's Office, Rangoon;
- (ix) the Indian Civil Service;
- (x) the Imperial Police;
- (xi) the Indian Medical Service; and
- (xii) the Rangoon Port Trust?

(b) Will Government please state how these percentages compare with the All-India percentages of Indians?

(c) Will Government please state what steps, if any, are being taken by them to increase the number of Burmans in the said departments and services satisfactorily in the near future?

The Honourable Sir Henry Grah: Information is being collected, and will be laid on the table in due course.

COMMITTEE APPOINTED TO GO INTO THE QUESTION OF THE DEFENCE OF BURMA AFTER SEPARATION FROM BURMA.

52. **U Thein Maung:** Will Government please state whether a committee was appointed to go into the question of the defence of Burma after separation from India? If so, will its report be published for public information? If not, why not, and will Government please state:

- (a) whether it contains any recommendations for the training of the people of Burma to defend their own country;
- (b) what the recommendations actually are; and
- (c) whether Government have accepted them?

Mr. G. R. F. Tottenham: A committee was appointed by the Government of Burma for the purpose. The whole question of the future defence of Burma is still under consideration and I am unable to give any further information on the subject at present.

TRIBUNAL FOR FINANCIAL SETTLEMENT BETWEEN INDIA AND BURMA.

53. **U Thein Maung:** Will Government please state:

- (a) whether a tribunal for financial settlement between India and Burma has been constituted;
- (b) if such a tribunal has been constituted, what its personnel is, what its terms of reference are, and whether it would hear representatives of India and Burma before making its award or awards; and
- (c) whether the Governments of India and Burma would prepare statements of their respective cases for the tribunal, in consultation with the Finance Committees of the respective Legislatures and whether the latter would have full opportunity to express their views at every stage of the proceeding before the tribunal?

The Honourable Sir James Grigg: (a), (b), and (c). I would invite the attention of the Honourable Member to the Press Communiqué of the subject which has recently been issued by the Secretary of State and of which a copy is attached.

Press Communiqué.

In accordance with the recommendations of the Joint Select Committee on Indian Constitutional Reform in paragraph 482 of their Report the Secretary of State for India has appointed the Right Honourable L. S. Amery, M.P., the Right Honourable Sir Sidney Rowlett, K.C.S.I., and Sir Walter Nicholson, K.C.B., to constitute a Tribunal to advise him on the formulation of a financial settlement between India and Burma in the event of separation.

The terms of reference to the Tribunal are as follows:

The Joint Select Committee of Parliament on Indian Constitutional Reform having recommended that Burma should be separated from India and that early steps should be taken for the determination by an impartial Tribunal of the principles of an equitable apportionment between the two countries of assets and liabilities, the Tribunal are requested.

- (1) to advise as to the basis on which a just financial settlement between the Government of India and the Government of Burma when separated should be made;

- (2) to indicate:

- (i) how their findings under the first term of reference should be applied to the position resulting from the provisions in the Government of India Bill (1935) for allocating to the Government of one country or the other the possession and control of certain properties and for imposing certain legal liabilities on the revenue of one country or the other; and
- (ii) so far as practicable the financial consequences of such application; and

- (3) to advise in the light of the findings under the first and second terms as to the lines on and the methods by which a complete financial settlement may be achieved between the Governments of India and Burma in respect of the assets and liabilities existing at the date of separation.

The Tribunal are now engaged on the investigation committed to them assisted by Mr. J. C. Nixon, C.I.E., I.C.S., representing the Government of India and Sir H. F. Howard, K.C.I.E., C.S.I., Sir S. A. Smyth, K.C.I.E., C.S.I., and Mr. T. Lister, C.I.E., I.C.S., representing the Government of Burma. Mr. Sidney Turner, C.B.E., F.I.A., Accountant-General, India Office, is the Secretary to the Tribunal.

The 16th February, 1935.

INCLUSION OF PALI IN THE LIST OF OPTIONAL SUBJECTS FOR THE INDIAN POLICE SERVICE EXAMINATION.

54. **U Thein Maung:** (a) Will Government please state whether there is any special reason for not including Pali in the list of optional subjects for the Indian Police Service Examination, like Sanskrit, Arabic, Persian and Latin?

(b) If there be no such reason, do Government propose to consider the desirability of putting Pali in the said list?

The Honourable Sir Henry Craik: (a) and (b). Pali has not been included in the list of optional subjects for the Indian Police Examination because there has been no demand on the part of Burman candidates for such inclusion. I may observe that though Pali is included in the syllabus for the I.C.S. Examination in India, only two candidates in all have taken it at the seven I.C.S. Examinations held by the Public Service Commission in Rangoon from 1929 to 1935. The inclusion of additional subjects involves extra expense in the conduct of the Examination which can only be justified if candidates desirous of offering such subjects are forthcoming in sufficient numbers. In these circumstances, the Government of India do not propose to include Pali in the list of subjects for the Indian Police Examination.

BUDDHISTS IN EACH PROVINCE AND LAWS GOVERNING THE MARRIAGE AND INHERITANCE OF INDIAN BUDDHISTS.

55. **U Thein Maung:** Will Government please lay on the table a statement showing the number of Buddhists in each Province, and state what laws govern the marriage and inheritance of Indian Buddhists?

The Honourable Sir Henry Craik: As regards the number of Buddhists, the Honourable Member is referred to page 517 of the Census Report, 1931, Volume I-India, Part II-Imperial Tables, a copy of which is available in the Library of the Legislature.

Subject to an optional right to contract a marriage, under the Special Marriage Act, Indian Buddhists are governed in respect of marriage by their personal law. In respect of Intestate Succession they are governed by their personal law unless they have contracted a marriage under the Special Marriage Act in which case they become subject under the operation of section 24 of that Act to Part V of the Indian Succession Act from which sub-section (1) of section 29 thereof otherwise excludes them. In respect of testamentary succession they are governed by Part VI of the Indian Succession Act to the extent indicated in section 57 of that Act and for the rest by their personal law.

MEMORANDUM ISSUED BY LORD CURZON ON THE BUDDHIST SHRINE AT BODHI-GAYA.

56. **U Thein Maung:** Will Government please lay on the table a copy of the Memorandum dated the 16th January, 1903, issued by Lord Curzon, the then Viceroy and Governor General of India, on the Buddhist Shrine at Bodhi-Gaya and the desirability of its restoration to Buddhists, such a memorandum being mentioned at page 337 of the Life of Lord Curzon by the Earl of Ronaldshay, Volume II?

The Honourable Sir Henry Craik: The document in question is a confidential note and, I regret, therefore, that I am not prepared to lay a copy of it on the table.

NON-ADMISSION OF SWEETS AND FRUIT VENDORS TO THE SONEPAT RAILWAY STATION.

57. Mr. Sham Lal: (a) Will Government be pleased to state the reasons for not admitting sweets and fruit vendors to Sonapat Railway Station?

(b) Are Government aware that this order of the Railway authorities is causing great inconvenience to the passengers?

(c) Was a representation made by the vendors and the public and was their case also recommended by the Deputy Commissioner, Rohtak, and the Sub-Divisional Officer, Sonapat, to the Railway authorities, but no heed was paid to the representation?

(d) Do Government propose to consider the order and allow the vendors to sell the sweets and fruits at Sonapat Railway Station?

Mr. P. R. Rau: (a) Licenses for vending sweets and fruit at Sonapat were terminated sometime ago in pursuance of the policy that the North Western Railway Administration have decided to follow in regard to vendors at road-side stations. Vendors at such stations have little business and the quality of the stuff sold by them is, therefore, poor and open to criticism. The Administration, therefore, do not propose to have vendors at those road-side stations which are not too far distant from the larger stations at which there are vendors. Sonapat is one such station.

(b) and (c). Representations were received by the Divisional Superintendent, Delhi, alleging inconvenience to passengers: one of these being forwarded through the Deputy Commissioner, Rohtak.

(d) The Agent, North Western Railway, states that as there are vendors at Delhi (27 miles from Sonapat) and at Panipat (28 miles from Sonapat) the removal of the vendors at Sonapat is not causing any real inconvenience to passengers. Government do not consider that their intervention is called for.

AMOUNT ALLOTTED TO BURMA OUT OF THE ADDITIONAL IMPORT DUTY ON SALT.

58. U Thein Maung: (a) Will Government please state the total amount already allotted to Burma out of the additional import duty on salt since the Salt (Additional Import Duty) Act, 1931, came into force?

(b) Will Government please state what steps have been taken for the development of the local sources of supply of salt in Burma and other provinces as recommended by this Assembly by a resolution dated the 1st April, 1931?

(c) Will Government please state what has been the result of the steps already taken to develop the local sources of salt supply?

Mr. A. J. Raisman: (a) Rs. 12,24,100.

(b) and (c). I lay a statement on the table.

Statement showing what steps have been taken to develop salt industry in the various Provinces in India.

Burma.—No steps have yet been taken in this province.

Bengal and Bihar and Orissa.—(1) Mr. Pitt was deputed in 1931 to tour these provinces and report on the possibilities of production of salt.

(2) Officers have recently been deputed from Burma and Sind to investigate the possibility of the manufacture of salt on the sea-board in the Contai Division of Midnapore District in Bengal. The report of these officers has not yet been received.

(3) A scheme has been sanctioned for the establishment, as an experimental measure, of salt bonded warehouses for the encouragement of the production of salt in Bengal as a cottage industry. One warehouse has been established but it is too early to come to any conclusion as to the success of the experiment.

(4) In Bihar and Orissa a licence has been granted for the manufacture of salt at Gurbai in the Puri District and the Local Government have offered certain concessions in the first instance in order to help the scheme in its early stages. The Local Government are also watching the result of the experiments being made in Bengal.

Punjab.—(1) The Government of India have devoted a sum of nearly Rs. 4 lakhs to the installation of crushing and screening plant and electric traction and to other connected schemes at Khewra with the object of manufacturing salt for the Bengal market. Difficulties, however, have been encountered in the mining operations at Khewra and it is not likely for some years at least that the mine will be able to produce salt in excess of the requirements of its ordinary market.

(2) A topographical survey of Pachbadra has been made but no further steps have been taken. The fall in the price of salt in Bengal consequent upon the reduction of the additional import duty has made it unlikely that Pachbadra salt could compete with imported salt in the Bengal market.

REPRESENTATIONS BY THE BURMA SALT MANUFACTURERS OF AMHERST DISTRICT TO HIS EXCELLENCY THE VICEROY.

59. U Thein Maung: Will Government please state if any, and if so, what action has been taken on representations dated the 21st February, 1934, by the Burma Salt and Manufacturers of Amherst District to His Excellency the Viceroy and Governor General of India and his Government?

The Honourable Sir James Grigg: The Government of India decided, in view of the pending separation of Burma, to take no action in the matter.

SPANS OF THE BRIDGES OVER THE BRAHMAPUTRA ON THE ASSAM BENGAL RAILWAY NEAR MYMENSINGH.

60. Mr. Suryya Kumar Som: (a) Are Government aware that the spans of the bridge over the Brahmaputra on the Assam Bengal Railway, near Mymensingh, are not sufficiently wide, and that for this reason the river is being gradually silted up near the bridge and a vast portion on the eastern side is flooded in rainy season, causing great loss to the inhabitants and cultivators of the place?

(b) Is it a fact that the original plan of the construction of the bridge provided for much wider spans?

(c) Do Government contemplate widening the spans of the bridge?

(d) Are Government aware that the height of the bridge is not sufficient to allow the plying of big boats with masts, employed in jute and other business, and that this results in serious loss to these boats?

(e) Do the Assam Bengal Railway administration contemplate raising the height of the bridge? If so, when?

(f) Will Government be pleased to state if any excess fare is charged on the Assam Bengal Railway for crossing the bridge over the Brahmaputra river by rail? If so, what is the length of the bridge and what is the excess fare charged for crossing it by rail?

(g) Will Government be pleased to state what the cost of the construction of the bridge was, and whether it has already been realised by the charge of excess fare realised from the passengers ever since the line was opened?

(h) If the answer to the latter portion of part (g) be in the affirmative, how are the Railway authorities justified in realising excess fare even now?

(i) Do the Railway administration contemplate discontinuing the realisation of the excess fare? If not, why not? If so, from what time?

Mr. P. R. Rau: Information is being obtained from the Railway Administration and a reply will be laid on the table in due course.

WANT OF SUITABLE HOUSING ACCOMMODATION FOR THE RAILWAY CLEARING ACCOUNTS OFFICE STAFF.

61. Bhai Parma Nand: (a) Are Government aware that the staff of the Railway Clearing Accounts Office is being put to a lot of inconvenience and hardship for want of suitable housing accommodation?

(b) Is it a fact that several representations on the subject have been submitted by the staff to Government, but so far nothing has been done to relieve the distress of that poorly paid staff?

(c) Is it a fact that a scheme for building a Railway colony for the said staff is at present under consideration of Government, and if so, will Government please state which site has been selected for the purpose and when the construction work is likely to commence?

(d) Is it a fact that the land behind the Central Jail Reformatory proposed for the quarters of that office is not being made available now?

(e) Is it a fact that the office building of the Railway Clearing Accounts Office is to be built near the New Delhi Railway Station, and if so, do Government, in view of this, propose to spare the land behind the Central Jail Reformatory for the construction of quarters for that office staff?

Mr. P. R. Rau: (a) Yes.

(b) Yes; as sites originally considered are not now available, Government are enquiring into the possibilities of other sites.

(c) Yes. Various sites are under examination, but none has yet been selected.

(d) Yes.

(e) The site mentioned would be convenient for the staff of the Railway Clearing Accounts Office, but is not available as it is required for additional quarters for the staff of the Secretariat and attached offices.

DEATHS DUE TO TUBERCULOSIS OF LUNGS AMONG THE RAILWAY CLEARING ACCOUNTS OFFICE STAFF.

62. Bhai Parma Nand: (a) Are Government aware that there have been many deaths among the staff of the Railway Clearing Accounts Office on account of tuberculosis of lungs?

(b) Will Government please state the number of cases of the diseases of chest which have occurred in that office during the year 1934, as also the causes thereof?

Mr. P. R. Rau: (a) The number of deaths in 1934 is three.

(b) The number of the staff who took leave on grounds of illness diagnosed as a disease of the chest in 1934 was 52.

OLD CLERICAL GRADES ON THE NORTH WESTERN RAILWAY.

63. Bhai Parma Nand: (a) Will Government please state what the old clerical grades on the North Western Railway are?

(b) What are the new grades intended to be applicable to all new entrants to Railway service?

(c) How do these new and old grades compare with the rates of pay of clerical staff:

(i) Postal Department;

(ii) Accountant General's Office, Lahore; and

(iii) Railway Board's Office?

(d) What are the minimum qualifications for procuring service in the above offices and that of North Western Railway offices?

(e) Are Government (Railway Board) prepared to consider the advisability of introducing grades which would compare favourably with those in other Departments and offices? If not, why not?

(f) Are Government prepared to consider the question of only having an upper and lower grade, instead of so many grades, the maximum of lower grade being about the same as for the Post Offices, so as to ensure a decent wage for a clerk by the time he retires?

Mr. P. R. Rau: (a) and (b). The information is given in the statement attached.

(c) In the opinion of Government no comparison is possible between the work of these different classes of staff and consequently no comparison of pay is likely to be of any use.

(d) Government have not prescribed any minimum qualifications. These have been left to Railways to prescribe if necessary.

(e) The scales of pay were carefully considered by the Railway Administration before promulgation.

(f) Government do not consider there is any justification for asking the administration to reconsider these scales so soon after their introduction.

Statement showing the old and the revised scales of pay applicable to the clerical staff on the North Western Railway.

Category of Staff.	Old scale of pay.	Revised category of staff.	Revised scales of Pay.
1	2	3	4
	Rs.		Rs.
Office Superintendent	500—20—600	Office Superintendent Special.	400
Indent Supervisor	500—20—600		
Superintendent	400—20—500	Office Superintendent (Ordinary).	350
do.	350—20—500		
Head Clerk	285—15—330	Chief Clerk and Stenographer	300
Assistant Superintendent and Head Stenographer	215—15—275		260
Head Clerk	160—10—200	Clerk and Stenographer	230
			200
Clerk and Stenographer	100—5—140		80
			160
			140
			100—10/2—120.
Clerk and Typist	68—4—80—5—95.	Clerk, Typist and Stenographer	65—5/2—85
	68—4—116		
Terminal Tax Clerk (Head-quarters Office)	65—4—85		
	39—3—60		30—5—50
			5/2—60.

MAXIMUM OF OLD CLERICAL GRADE I ON THE NORTH WESTERN RAILWAY.

64. **Bhai Parma Nand:** (a) Is it a fact that the maximum of old clerical grade I on the North Western Railway is only Rs. 60 per mensem?

(b) Is it a fact that a large proportion of clerical establishment in various railway offices is blocked at this maximum for the last many years?

(c) Are Government aware that strong disappointment exists among these grade I clerks and memorials have been addressed to the authorities concerned without any success till now?

(d) Is it a fact that the North Western Railway Accounts Branch, whose lowest maximum was until very recently Rs. 80, have now amalgamated the two lowest grades to make the same Rs. 90?

(e) What is the reason for the staff employed in the Operation, Engineering and other offices of the Railway, except the Accounts, to be allowed a maximum of Rs. 60 only, and the Accounts clerks enjoying a maximum of Rs. 90 now?

(f) Are Government prepared to consider the advisability of amalgamating grades I and II, thereby putting the staff in all branches of the railway on an equal footing?

(g) Is it a fact that on a previous memorial submitted by grade I clerks, the Agent, North Western Railway, remarked that new scales of pay were under consideration?

(h) Has any other Government Department permanently revised its clerical grades? If so, which are these offices and what are the new grades?

Mr. P. R. Rau: (a) Yes.

(b), (c) and (g). Government have no information. This is a matter which the Agent, North Western Railway, is competent to deal with.

(d) In the Accounts Branch, the old Class III scale of Rs. 40—4—80 and Class II scale of Rs. 60—5—90 have been amalgamated into a new Class II scale of Rs. 40—4—80—5—90 with an efficiency bar at Rs. 80.

(e) The duties are entirely different.

(f) Government are not prepared to interfere with the discretion of the Agent, North Western Railway.

(h) Government have no information, and do not propose to collect it as the circumstances are not the same in railway offices as in other Government offices.

SCALES OF RAILWAY PASSES.

65. **Bhai Parma Nand:** (a) What were the scales of passes some time back and what are the existing scales?

(b) Why has the number of intermediate and third class passes been reduced, without doing the same with second class?

Mr. P. R. Rau: (a) Except as regards officers, who were being given first class passes without any limit as regards the number admissible, the scales varied on the different railways.

Second class passes were issued generally:

On the Eastern Bengal and North Western Railways, to staff drawing not less than Rs. 126.

On the Great Indian Peninsula Railway, to staff drawing over Rs. 100.

On the East Indian Railway, to staff drawing over Rs. 115.

On the Burma Railways, to staff drawing Rs. 125 and over.

Intermediate class passes were issued:

On the North Western Railway, to staff drawing Rs. 50—125.

On the Eastern Bengal Railway, to staff drawing Rs. 21—125.

On the Great Indian Peninsula Railway, to staff drawing Rs. 50—100.

On the East Indian Railway, to staff drawing Rs. 75—115.

Third class passes were issued to all other staff. A statement is appended showing the number of passes previously admissible in a year to employees other than officers on the State-managed Railways.

The number of passes now admissible are limited annually to:

first class, twelve,

second class, eight.

Intermediate and third class, six.

In the case, however, of second, intermediate and third classes, two additional passes are allowed to employees having not less than 20 years' service.

(b) My Honourable friend will see from my reply to part (a) of his question and from the statement appended that, with the scale now in force, the number of intermediate and third class passes admissible has been reduced on some railways and increased on others. This was unavoidable if uniformity was to be obtained.

Statement showing the number of passes previously admissible in a year to employees other than officers on the State-managed Railways.

	Salary.	Number of passes.
North Western Railway	Above Rs. 250	10 single journey passes.
	Rs. 250 and under down to Rs. 100.	8 single journey passes.
	Under Rs. 100	6 single journey passes plus 2 to be used either at Christmas or Dussehra or Moharram. NOTE.—Two extra single journey passes are allowed for those with over 20 years service.
Eastern Bengal Railway	Over Rs. 150	4 single journey passes a month
	Rs. 150 and less	8 single journey passes a year.
Great Indian Peninsula Railway.	Staff	Two sets.*
East Indian Railway	Rs. 116 and over	3 sets.
	Under Rs. 116— With 1 to 3 years service	1 set; the distance in each direction not to exceed 550 miles except when travelling to and from home.
	With 3 to 5 years service	2 sets.
	With 5 years service	3 sets.
Burma Railways	Staff	4 sets.

*A "set" of passes means an outward and a return journey pass for the Railway Employee and his family.

RESTRICTIONS PLACED ON PASSES AND PRIVILEGE TICKET ORDERS FOR RAILWAY SERVANTS.

66. **Bhai Parma Nand:** (a) Is it a fact that certain restrictions are placed on free passes and privilege Ticket Orders, making it practically impossible for the Railway servants to make use of them in holidays like Christmas, Dussehra, Easter, etc., for any long journeys? If so, why are the restrictions placed?

(b) Is it a fact that during the above holidays, the offices are partially opened, requiring staff to attend for urgent work on certain days?

(c) Why in these days of improved locomotives and convenient service, is the staff tabooed from convenient trains?

(d) Do Government place any monetary value on this privilege?

(e) Is it a fact that staff drawing up to Rs. 75 per mensem can only foreign line passes upto 300 miles? If so, are Government prepared consider the advisability of lifting this ban?

(f) Are Government also prepared to consider the advisability of removing all restrictions from the pass-holders in regard to their journeys by certain trains and also on certain railways during certain holidays?

Mr. P. R. Rau: (a), (c) and (f). Certain railways impose restrictions on the issue of passes during holiday periods. Particulars on this point available in 1931 are recorded in the Library of the House in connection with Mr. Jagan Nath Aggarwal's question No. 369 asked on the 16th September, 1931. Government have no information as regards restrictions on the issue of Privilege Ticket Orders. The restriction is intended to prevent the limited accommodation available being taken up by pass-holders to the discomfort and inconvenience of the public.

(b) I understand that when holidays are somewhat prolonged some offices are opened partially on certain days when only a small number of the staff attend.

(d) The privilege has a monetary value, but is obviously a concession, the availability of which requires limitations in the public interest.

(e) So far as Government are aware, the distance limitation applies only to the staff of the East Indian Railway over certain other railways, and is consequent on the East Indian Railway imposing such a limitation on passes issued by other Railways to their staff for journeys involving travelling over the East Indian Railway.

FOREIGN LINE PASSES FOR RAILWAY SERVANTS.

67. **Bhai Parma Nand:** (a) Is it a fact that foreign line passes are only granted for five family members, and that a child is considered as one member for the purposes of such passes?

(b) Are Government aware that it is hard for an employee to be compelled to leave a child or two behind? If so, are they prepared to consider the cancellation of this limit?

Mr. P. R. Rau: (a) The rules governing the issue of passes over foreign lines limit a pass to five individuals exclusive of servants and children under the age of three years.

(b) The rule has been adopted by railways on the recommendation of the Indian Railway Conference Association with due regard to the consideration suggested by my Honourable friend. The question is being considered in connection with a general revision of the pass rules.

TREATMENT OF STAFF AND THEIR FAMILIES AT DISPENSARIES ON THE NORTH WESTERN RAILWAY.

68. **Bhai Parma Nand:** (a) Is it a fact that Railway staff with their families are entitled to free treatment at Railway dispensaries?

(b) How many such dispensaries are there on the North Western Railway, and what proportion of European, Anglo-Indian and Indian Staff received treatment at these dispensaries during the last five years?

(c) Do the above figures justify the maintenance of these dispensaries by the Railway?

(d) What is the total expenditure on these dispensaries, and how does it compare with expenditure per head on:

- (i) railway staff treated actually at these dispensaries; and
- (ii) railway staff as a general?

(e) Is it not a fact that these dispensaries and the essential treatment at these is an interference with the choice of the staff in regard to medical treatment?

Mr. P. E. Rau: (a) Yes, where such exist.

(b) There are 25 hospitals and 45 dispensaries on the North Western Railway. The total number of staff and their families treated at these during the last four years is as follows:

1930	...	...	...	...	529,511
1931	...	...	...	...	547,731
1932	...	...	...	...	563,884
1933	...	...	...	...	608,480

The figures for 1934 are not yet available. Government have no information as to what proportion of patients treated at these hospitals and dispensaries consisted of Europeans, Anglo-Indians and Indian staff.

(c) Yes.

(d) The total expenditure on hospitals and dispensaries during the last four years was as follows:

1930-31	...	...	...	...	Rs. 6,96,840
1931-32	...	...	...	...	6,12,753
1932-33	...	...	...	...	5,68,606
1933-34	...	...	...	...	6,00,306

The figures for 1934-35 are not yet available.

(e) No.

MEDICAL CERTIFICATES FOR SICKNESS OF RAILWAY STAFF.

69. Bhai Parma Nand: (a) Is it a fact that medical certificates for sickness of Railway staff can only be entertained if issued by a Railway doctor?

(b) Are Government aware that medical opinions on one and the same case are liable to be conflicting between two individual doctors, and that a doctor usually treating the patient is in a better position to understand the trouble than one to whom the patient is quite new?

(c) Are Railways prepared to accept the certificates granted by registered medical practitioners?

(d) Under what authority do the railway administrations refuse to accept such certificates?

Mr. P. E. Rau: (a) I would invite the Honourable Member's attention to the rules governing the grant of medical certificates to railway servants applying for leave on medical certificates, a copy of which is in the Library of the House. The rules provide that a railway servant residing beyond the jurisdiction of a railway doctor may submit a certificate from his medical attendant which may be accepted by the competent authority at its discretion or may be referred to the Chief Medical Officer for advice or investigation.

(b) The answer to the first part is in the affirmative. The second is a matter of opinion.

(c) and (d). Government consider that railway administrations are at liberty to lay down whatever conditions they consider reasonable for satisfying themselves that employees applying for leave on medical certificate fulfil the conditions governing the grant of such leave. They are also of opinion that the rules laid down are not unreasonable.

MEDICAL AID FOR SUBURBAN TICKET-HOLDERS.

70. Bhai Parma Nand: (a) Is it a fact that certain employees working at one station are allowed to live at another and are called suburban ticket-holders?

(b) What is the procedure with regard to them in the case of their reporting sick?

(c) Is it a fact that the sickness in their case has been classified as fit or unfit to travel, in the first case requiring him to attend the Railway dispensary at the place of his office, and in the latter case allowing him to be temporarily treated by a railway doctor of the place of his residence?

(d) Is it a fact that even in the case of persons unfit to travel, they have to report to headquarters for medical aid, when rendered fit for travelling?

(e) Does it make any difference whether an employee is treated at one Railway dispensary or another when the Railway employ whole time doctors at both?

(f) Are Government prepared to consider the desirability of removing this restriction as being dangerous and likely to intensify the trouble of sick persons?

Mr. P. E. Rau: I am afraid I am unable to reply to the Honourable Member's question unless he specifies the railway and the class of staff to which he refers.

EXAMINATION FOR RECRUITMENT IN THE ACCOUNTS OFFICE OF THE NORTH WESTERN RAILWAY AND RATIO OF RECRUITMENT BY COMMUNITIES.

71. Bhai Parma Nand: (a) Are Government aware that for securing service on the Railway a form costing Re. 1 has to be filled up by each candidate?

(b) Will Government please state how many such applications have been received this year and how many vacancies are to be filled?

(c) Have any instructions been issued by the Railway Board with regard to the ratio of recruitment by communities? If so, what ratio has been fixed?

(d) Was it intimated to the public so that before submitting an application and incurring the expense of Re. 1, a candidate could decide his lot with regard to the number to be offered to his community? If not, why not?

(e) Is it a fact that an examination will be conducted for recruitment in the Accounts Office of the North Western Railway shortly and that Rs. 5 has been fixed as an entry fee?

(f) Why has such a heavy fee been fixed in these days of unemployment?

(g) Does the new communal ratio apply to recruitment in this examination as well?

Mr. P. R. Rau: (a) Government are not aware of this. It is a matter for each Railway Administration to decide.

(b) Government have no information.

(c) Copies of the instructions are in the Library of the House.

(d) Government have no information.

(e) Yes.

(f) To meet the expenses of conducting the examination.

(g) Yes.

NORTH WESTERN RAILWAY EMPLOYEES INCLUDING WORKMEN.

72. Bhai Parma Nand: (a) What is the total number of North Western Railway employees including workmen?

(b) How many of them are Hindus, Muhammadans, Sikhs and Christians?

(c) What is the ratio of Hindus amongst the workmen?

(d) What is the expenditure by communities including wages paid to workmen?

(e) Does this number and ratio of expenditure justify the new ratio for recruitment?

Mr. P. R. Rau: (a), (b), (c) and (d). The latest information available with Government will be found on page 54 of Volume I and page 234 of Volume II of the Report by the Railway Board on Indian Railways for 1933-34.

(e) I leave it to my Honourable friend to frame his own conclusions after examining the figures above.

RECRUITMENT OF THE MINORITY COMMUNITY IN THE POSTS AND TELEGRAPHS DEPARTMENT.

73. Bhai Parma Nand: (a) Is it a fact that according to the term 'Minority Community' as defined in the Director General, Posts and Telegraphs Department the recruitment of staff for the Department is restricted

Revenue Division while the term 'Minority Community' is restricted and fixed on the basis of All-India Unit? Are Government aware of a concrete case, viz., the Hindus in the North-West Frontier Province, Sind and Baluchistan, though in a hopeless minority, are considered as the majority community?

(b) Are they prepared to lay down the definition of the term 'Minority Community' for purposes of recruitment on the basis of population of divisions in the case of divisional recruitment and of Provinces in the case of the recruitment ordered by the Heads of the Circles?

The Honourable Sir Frank Noyce: (a) and (b). As a result of the Home Department Resolution on recruitment issued in July last (a copy of which has been placed in the Library of the House), the whole question of the position of the various communities in each local area of recruitment is under review and definite instructions will be issued to recruiting officers in due course defining for each such area the proportion of vacancies to be allotted to the different communities. The proportion will be based generally on the relative population of the communities in each area and will be so fixed that the total reservation in all the areas together will amount to 25 per cent. for Muslims and 8½ per cent. for other minority communities.

DELAY IN THE DISPOSAL OF APPEAL CASES BY THE SUPERINTENDENT OF POST OFFICES, ROHTAK DIVISION.

74. Bhai Parma Nand: (a) Is it a fact:

(i) that several cases of serious delay in the disposal of appeal cases on the part of the Superintendent, Post Offices, Rohtak Division, have come to the notice of the Postmaster General, Punjab and North-West Frontier Circle; and

(ii) that many of the appeals and representations submitted by the subordinate staff to the Postmaster General, through the Superintendent, Post Offices, Rohtak Division, have been suppressed by the latter?

(b) If the replies to part (a) (i) and (ii) be in the affirmative, are Government prepared to take steps to ensure that there are no more suppressed appeals and representations by the said Superintendent, and to make an enquiry from the subordinates by a special circular?

(c) Will Government please state what action has been taken or they propose to take against the officer responsible in the matter?

The Honourable Sir Frank Noyce: (a), (b) and (c). Government have no information and do not propose to collect it as the matter is one within the competence of the Head of the Circle to whom a copy of the question is being sent.

DISMISSAL OF THREE HINDU OFFICIALS BY THE SUPERINTENDENT OF POST OFFICES, ROHTAK DIVISION.

75. Bhai Parma Nand: (a) Is it a fact that the Superintendent, Post Offices, Rohtak Division, has dismissed during the current official year three Hindu officials with 10 to 20 years' service at their credit?

(b) If the reply to part (a) be in the affirmative, will Government please state whether the enquiries in the alleged cases against the said officials were made in accordance with Rule 55 of the Classification, Control and Appeal Rules embodied in Appendix 3-A of the Fundamental and Supplementary Rules, P. & T. Compilation?

(c) If the reply to part (b) be in the negative are Government prepared to take notice of the three subordinates having been deprived of the right of cross-examining the witnesses and to order the immediate re-instatement of the officials?

The Honourable Sir Frank Noyce: Government have no information but a copy of the question is being sent to the Head of the Circle concerned who is competent to deal with the matter.

PREPONDERANCE OF MUSLIM POSTMEN IN THE LAHORE GENERAL POST OFFICE.

76. **Bhai Parma Nand:** (a) Is it a fact that:

- (i) in the Lahore General Post Office there is preponderance of Muslims in the postmen's cadre; and
- (ii) the vacancies which occurred during the last two years have also been filled up mostly by Muslims?

(b) If the facts are as stated above, are Government prepared to issue orders that in all future vacancies the claims of other communities are given due consideration to adjust communal inequality?

The Honourable Sir Frank Noyce: (a) Government have no information.

(b) Government do not consider it necessary to go farther than to see that their orders regarding the adjustment of communal inequalities in the recruitment of staff, as in force from time to time, are carefully observed.

TRANSFER OF CANDIDATES FOR CLERICAL APPOINTMENTS FROM THE DEAD LETTER OFFICE TO THE LAHORE GENERAL POST OFFICE.

77. **Bhai Parma Nand:** (a) Is it a fact that the candidates for clerical appointments, borne on the waiting list of the Dead Letter Office, Lahore, have been transferred to that of the Lahore General Post Office and ranked senior to the candidates of the latter office?

(b) If the reply to part (a) be in the affirmative, are Government prepared to undo the wrong done to the candidates of the Lahore General Post Office?

The Honourable Sir Frank Noyce: (a) and (b). Government have no information. A copy of the question is however being sent to the Head of the Circle concerned who is competent to deal with the matter.

APPOINTMENT OF HINDUS AS CLERKS AND SUB-POSTMASTERS IN THE KHYBER POSTAL AREA.

78. **Bhai Parma Nand:** (a) Is it a fact:

- (i) that there are seven appointments of clerks and Sub-Postmasters in the Khyber Postal Area carrying special pay; and
- (ii) that all the seven appointments are held by Muslims?

(b) If the facts are as stated above, are Government prepared to issue orders that at least half the number of appointments be allotted to the Hindu Post Office officials? Is it a fact that for a considerably long time Hindus have not been given any chance to serve in these appointments carrying special pay?

The Honourable Sir Frank Noyce: (a) (i) and (ii). Government have no information.

(b) As regards the first part of the question the posts in question are not filled on communal considerations, and Government are not, therefore, prepared to accept the Honourable Member's suggestion. As regards the latter part of the question Government have no information, nor do they consider it necessary to call for it in view of the reply to the first part.

PREPONDERANCE OF MUSLIM POSTMEN IN THE PESHAWAR AND DERAJAT POSTAL DIVISIONS.

79. **Bhai Parma Nand:** (a) Is it a fact that in the Peshawar and Derajat Postal Divisions, 95 per cent. of the postmen are Muslims?

(b) If the reply to part (a) be in the affirmative, are Government prepared to issue orders that no Muslim is recruited in the postmen's cadre of the two divisions unless and until a proportion of at least 33 per cent. of the Hindus in that cadre is reached?

The Honourable Sir Frank Noyce: (a) Government have no information.

(b) Government are not prepared to go farther than to see that their orders regarding the adjustment of communal inequalities in the recruitment of staff, as in force from time to time, are carefully observed.

PREPONDERANCE OF MUSLIMS IN CERTAIN GRADES IN THE PESHAWAR GENERAL POSTAL OFFICE.

80. **Bhai Parma Nand:** Is it a fact that in the Peshawar General Post Office the appointments of Postmaster, Town Inspector and the clerk dealing with the personal cases of the staff are all held by Muslims? If so, are Government prepared to see that with a view to safeguard the interests of Hindus, at least one of the three appointments is given to a Hindu?

The Honourable Sir Frank Noyce: As regards the first part of the question, Government regret that they have no information later than that laid on the table of the House in reply to part (b) of the Honourable Member's question No. 440 of March 13th, 1934.

As regards the second part, the posts are not filled on communal considerations and it is no part of the duties of the officials holding them to safeguard the interests of any particular community.

RECRUITMENT OF HINDUS AS EXTRA DEPARTMENTAL SUB-POSTMASTERS IN THE ROHTAK POSTAL DIVISION.

81. **Bhai Parma Nand:** (a) Will Government please place on the table a statement showing the particulars of E. D. Sub-Postmasters recruited in the Rohtak Postal Division?

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(b) If the majority of them belong to the Muslim community, what steps do Government propose to take to give proportionate share to the Hindu community, who according to population are in majority in that Division?

The Honourable Sir Frank Noyce: (a) and (b). Government have no information and do not propose to collect it as Extra Departmental Agents are not whole-time servants of Government and the orders regarding recruitment on a communal basis do not apply to them.

MUSLIM PREPONDERANCE IN THE CONSTITUTION OF THE RETRENCHMENT AND EXAMINATION BOARDS IN THE PESHAWAR AND GUJARAT POSTAL DIVISIONS.

82. Bhai Parma Nand: Is it a fact that the Retrenchment and Examination Boards so far constituted in the Peshawar and Gujarat Postal Division had Muslim officers as its members? Are Government prepared to issue orders that members of other communities are also taken on the Boards to safeguard the interests of all communities?

The Honourable Sir Frank Noyce: As for the first part of the question, Government have no information except that given with regard to the Peshawar Division in part (a) of the statement laid on the table of this House on the 27th March, 1934, in reply to the Honourable Member's own starred question No. 440 on the 13th March, 1934.

As for the second part, Government regret that they are unable to accept the Honourable Member's suggestion as such Boards are not constituted on communal considerations, and the members of such boards are responsible officers who, Government are confident, can be trusted to carry out their duties impartially.

SELECTION OF TELEPHONE OPERATORS AND MECHANICS FOR TRAINING FOR APPOINTMENT AS TELEPHONE INSPECTORS IN THE PUNJAB POSTAL CIRCLE.

83. Bhai Parma Nand: (a) Is it a fact:

(i) that recently the Postmaster General, Punjab and North-West Frontier Province Circle, has selected seven men from amongst Telephone Operators and mechanics, for training for ultimate appointment as Telephone Inspectors; and

(ii) that out of the seven men selected there is only one Hindu against six Muslims?

(b) If the facts are as stated above, are Government prepared to see that a reasonable number of selected candidates are replaced by Hindus to avoid discontent and to adjust communal inequality?

The Honourable Sir Frank Noyce: (a), (i) and (ii). Government understand that the facts are as stated by the Honourable Member.

(b) Government regret that they are unable to accept the Honourable Member's suggestion as the Government orders regarding the adjustment of command inequalities do not apply to cases of selection of departmental officials for training but to direct recruitment only.

RETRENCHMENT IN THE POST OFFICES.

84. Bhai Parma Nand: (a) Are Government aware of the fact that:

(i) in the Postal Department in India a large number of old and young men have been discharged from service in consequence of the retrenchment campaign;

(ii) the retrenchment in all other Departments of Government has altogether been stopped for the last one year; and

(iii) in the Telegraph Branch of the same department it has been recently ordered that no personnel should be retrenched and that the Recommendations of the Verma Committee should be given effect to as vacancies occurred?

(b) If the replies to the preceding parts be in the affirmative, are Government prepared to issue orders immediately on the lines of part (a) (iii) above in the case of Post Offices as well?

The Honourable Sir Frank Noyce: (a) (i). Yes.

(ii) It is a fact that retrenchment in other Civil Departments of the Government of India has practically ceased.

(iii) Yes.

(b) Government hope to be in a position to terminate the retrenchment campaign in the Posts and Telegraphs Department very shortly.

SCALE OF PAY FOR POSTAL CLERKS AT LYALLPUR.

85. Bhai Parma Nand: (a) Are Government aware that Lyallpur, being the District Headquarters of a new colony, is in no way less expensive than Lahore, Amritsar, Rawalpindi, etc.?

(b) Is it a fact that the scale of pay for Post Office clerks at Lyallpur is Rs. 35—5—135 and that for similar staff at Lahore, Amritsar and Rawalpindi Rs. 45—5—145?

(c) If the replies to parts (a) and (b) be in the affirmative, are Government prepared to see their way to sanctioning the higher scale of pay for Lyallpur as well?

The Honourable Sir Frank Noyce: (a) Government have no reason to believe that Lyallpur is as expensive as Lahore, Amritsar or Rawalpindi.

(b) The fact is as stated.

(c) Does not arise.

CASE OF CERTAIN TELEPHONE OPERATORS AND MECHANICS FOR THE GRANT OF PENSIONABLE STATUS.

86. Bhai Parma Nand: (a) Is it a fact that the case of certain Telephone Operators and mechanics employed in the Engineering Branch of the Posts and Telegraphs Department, for the grant of pensionable status has been under the consideration of Government for the last ten years?

(b) If the reply to part (a) be in the affirmative, do Government propose to expedite the final decision and grant them the status asked for?

The Honourable Sir Frank Noyce: (a) and (b). The question whether the officials referred to should be granted pensionable status or admitted to the benefits of a contributory provident fund has been under consideration for some time past, but owing to the unfavourable financial situation, it is not being pursued at present. It will be duly considered when the financial position improves.

LOCAL ARRANGEMENTS FOR VACANCIES IN SELECTION GRADE WITHIN THE POSTAL DIVISION.

87. Bhai Parma Nand: (a) Is it a fact that:

- (i) recently the Director-General, Posts and Telegraphs, has issued orders that in case of vacancies in Selection Grade for a period of four months or less local arrangements or arrangements within the division should be made,
- (ii) the officiating service in the Selection Grade counts for increments in that scale,
- (iii) there are cases of junior officials who in consequence of the orders referred to in sub-part (i) above have been benefited over the head of their seniors; and
- (iv) there are cases in which senior men have expressed their willingness to act in such arrangements even at their own expense?

(b) If the facts are as stated above, are Government prepared to see their way to revising the order so as to enable the senior officials to be appointed in the Selection Grade vacancies?

The Honourable Sir Frank Noyce: (a) (i) and (ii). The reply is in the affirmative.

(iii) and (iv). Government have no information, but such cases may occur.

(b) The arrangements referred to in part (a) (i) of the question are made in order to avoid dislocation of work and expense to the state on account of travelling allowances and Government do not propose to revise the orders on the subject.

GRANT OF AN ADEQUATE PENSION TO THE INFERIOR STAFF IN THE POSTS AND TELEGRAPHS DEPARTMENT.

88. Bhai Parma Nand: (a) Are Government aware that the inferior servants in the Posts and Telegraphs Department, including Record Suppliers in the scale of Rs. 45—4—85 in the Circle Office, are on retirement granted a pension of Rs. 4 per mensem?

(b) If the reply to part (a) be in the affirmative, are Government prepared to consider the hard lot of this class of servants and grant them pension on the same principles as in the case of officials in Superior Service?

The Honourable Sir Frank Noyce: (a) The Honourable Member apparently refers to the Record Suppliers in the Circle Offices at Lahore and Lucknow who are on the scale Rs. 45—4—85. The fact is as stated except that these officials are also eligible for temporary increases in pensions varying between Rs. 2 and Re. 1 according to locality.

(b) The question of the revision of the pensions of inferior servants in the Posts and Telegraphs Department will be considered with the main scheme of revision of pensions of the general body of inferior servants under the Central Government, which has had to be postponed until the financial position improves.

DEMANDS SUBMITTED TO THE HONOURABLE SIR NRIPENDRA SIRCAR BY THE BALUCHISTAN PUBLIC.

89. Seth Haji Abdoola Haroon: (a) Is it a fact that the Honourable Sir Nripendra Sircar, Law Member to the Government of India, was specially deputed by Government to make enquiries in Baluchistan and that on his arrival at Quetta, a memorandum was submitted to him by the Baluchistan public, wherein the demands and grievances of Baluchistan were asserted? If so, on completion of his tour, did he submit a report to Government and has that report been placed on the table of this House?

(b) If the answer to part (a) be in the negative, will Government be pleased to place the said report on the table of the Legislative Assembly?

(c) What steps were taken by Government for the satisfaction of the Baluchistan public in connection with the demands as mentioned in their memorandum submitted to the Honourable Sir Nripendra Sircar at Quetta?

Mr. H. A. F. Metcalfe: (a) No. The Honourable Member proceeded to Quetta in the ordinary course of touring. A representation was made to him by the brother of Abdul Samad Khan Achakzai and some of his friends. He submitted no report to the Government of India.

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

EARTH-FILLING FOR JUHO AERODROME.

90. Seth Haji Abdoola Haroon: Will Government please state:

- (a) the date on which the estimate for earth-filling for Juho Aerodrome was sanctioned;
- (b) the amount of the sanctioned estimate and the amount of the final bill for work done;
- (c) the date on which tenders were called for work of filling screened and unscreened earth; and
- (d) the names of the contractors who tendered for the work, and the amount of each tender?

The Honourable Sir Frank Noyce: With your permission, Sir, I propose to answer questions Nos. 90 to 100 together.

The questions of the Honourable Member all arise out of allegations of fraud made by Mr. A. J. Saldanha, late Overseer in the Public Works Department of the Government of Bombay. A report has been received from the Bombay Government from which it appears that the allegations were fully investigated by the Departmental superiors of the officers concerned in August, 1932. The allegations were found to be baseless and the Overseer was so informed. Since he persisted in his allegations he was asked to produce his evidence before the Superintending Engineer and was given an opportunity to inspect any books which might be necessary to prove his assertions. This he refused to do, but he continued his

unsupported assertions. He subsequently resigned as his request for a transfer was refused. The Bombay Government were satisfied with the investigations, and considered that he should have been dismissed; and they decided that in view of his insubordination and generally unsatisfactory conduct, he should not again be admitted to Government service. The Government of India concur in the finding of the Bombay Government, and cannot re-open a case which was decided to the satisfaction of that Government nearly two years ago. I do not propose, therefore, to call for the information asked for in these questions.

CONSTRUCTION OF JUHO AERODROME.

†91. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) whether it is a fact that Mr. A. J. Saldanha, Overseer, Thana Division, wrote a confidential letter to his Executive Engineer on the 10th January, 1932 that the last bill paid in connection with the construction of Juho Aerodrome resulted in a loss of Rs. 6,900 to Government;
- (b) whether it is a fact that Mr. Saldanha alleged that page 48 of measurement book No. 234 was tampered with, original figures scored out and quantities changed;
- (c) whether the Executive Engineer made any enquiries, and, if so, with what result;
- (d) whether they are prepared to place the measurement book No. 234 of the Thana Division on the table of this House; and
- (e) whether it is a fact that Mr. Saldanha wrote to the Executive Engineer on the 27th January, 1932 that the measurements were further mutilated, and requested him to keep the measurement book in safe custody after sealing it?

GROUND AT THE JUHO AERODROME.

†92. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) whether it is a fact that the whole ground at the Juho Aerodrome measuring 2,400 ft. × 2,400 ft., or thereabouts, was properly levelled and rolled before 1930;
- (b) whether it is a fact that the abovementioned ground was inspected or approved as fit for landing in 1929 by Aviation authorities;
- (c) the cost of preparation of the above ground by rolling and levelling as a minor work before major work of rough and screened earth filling done in 1930—32; and
- (d) the number of rollers and period in which D. D. rollers worked on levelling and rolling before 1930—32?

†For answer to this question, see answer to question No. 90.

JUHO AERODROME WORK FRAUDS.

†93. **Seth Haji Abdoola Haroon:** Will Government be pleased to state whether it is a fact that Mr. Saldanha, Overseer, Thana Division, had addressed certain confidential letters to the Executive Engineer about Juho Aerodrome work frauds?

ALLEGATIONS OF FRAUDS IN CONNECTION WITH THE JUHO AERODROME CONSTRUCTION.

†94. **Seth Haji Abdoola Haroon:** (a) Will Government be pleased to state whether they are aware that Mr. A. J. Saldanha, Overseer, Thana Division, wrote a letter dated the 30th October, 1932, to the Superintending Engineer through proper channel making serious allegations of frauds, tampering with records, etc., against Mr. T. C. Kantawala, Assistant Engineer, and Mr. H. J. Gleeson, Executive Engineer, in connection with Juho Aerodrome construction? If so, will they be pleased to place that letter on the table of this House?

(b) Are Government aware that Mr. A. J. Saldanha wrote again to the Superintending Engineer, Northern Circle, on the 18th December, 1932, offering to prove his allegations against Messrs. T. C. Kantawala and H. J. Gleeson?

(c) Is it a fact that no Departmental or judicial inquiry by independent unconcerned officers has been conducted into these allegations, whereat Saldanha had been given an opportunity to prove his allegations?

ALLEGATIONS OF FRAUDS IN CONNECTION WITH THE JUHO AERODROME CONSTRUCTION.

†95. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) whether it is a fact that Mr. A. J. Saldanha, Overseer, Thana Division, wrote a printed letter dated the 21st July, 1933, to the Accountant General, Bombay, repeating in detail all his charges of frauds and tampering with records etc. about which he had previously written to the Superintending Engineer, Northern Circle, against Mr. T. C. Kantawala and Mr. H. J. Gleeson and requesting the Accountant General to inquire into the matter regarding Juho Aerodrome work; if so, whether they are prepared to place that letter on the table of this House;
- (b) whether the Accountant General instituted any inquiry, and if so, with what result; and if not, why not?

JUHO AERODROME WORK.

96. **Seth Haji Abdoola Haroon:** Will Government be pleased to

- (a) whether it is a fact that the conditions of contract of the Juho Aerodrome work provided that all bills shall be paid on sectional measurements;

†For answer to this question, see answer to question No. 90.

- (b) whether it is a fact that the measurements for the whole of the work in 1930-31 season was paid on stack measurements recorded by Mr. Desai, Overseer;
- (c) whether it is a fact that the Accountant General called for Executive Engineer's explanation after inspection in October 1931 for this irregularity; and
- (d) whether it is a fact that some correspondence was going on with the Government of India about stopping further work after completion of 1930-31 season's portion?

JUHO AERODROME WORK.

†97. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) whether it was a condition of contract at the Juho Aerodrome work that levels would be taken on top of rough filling and again on top of screened earth filling for taking out quantities;
- (b) whether it is a fact that no such levels were taken up to the end of the monsoon of 1931 for work done in the previous season;
- (c) whether it is a fact that the Executive Engineer never checked at site measurements submitted by Mr. Desai, Overseer, for 1930-31 work; and
- (d) the amount of payments made to the contractor till September, 1931?

JUHO AERODROME WORK.

†98. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) the original tender rates for rough and screened earth filling;
- (b) leads for rates in part (a);
- (c) whether the original tender rates were increased after work of 1930-31 season; if so, (i) why, and (ii) what were the new rates and leads;
- (d) the dates on which 1931-32 season work was commenced which was to be paid for at enhanced rates; and
- (e) the date on which 1930-31 season work was finally measured after taking top levels as provided in the conditions of contract?

JUHO AERODROME WORK.

†99. **Seth Haji Abdoola Haroon:** (a) Will Government be pleased to place on the table of this House copies of the following:

- (i) Statement of items of work for which tenders were invited on the 7th October, 1930;
- (ii) printed conditions of contract; and
- (iii) additional conditions and specifications of contract?

†For answer to this question, see answer to question No. 90.

(b) Will Government please state the dates on which the first season's work in hatched portion was to be completed in 1931?

(c) Will Government please state the date on which the entire work was to be completed?

(d) What were the actual dates of completion of work referred to in parts (b) and (c) above?

(e) Was the contractor charged penalties for delay or not? If so, how much?

JUHO AERODROME WORK.

†100. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) the amount of original estimate sanctioned for rough and screened earth filling of Juho Aerodrome which work was done in 1930-31;
- (b) whether any revised reduced estimate was passed by Mr. L. M. Kikeri on the basis of the tender rates after work was let out on contract; if so, the amount of that estimate;
- (c) if the reply to part (b) be in the affirmative, whether it was called back by Mr. T. C. Kantawala after he took charge from Mr. Kikeri, Assistant Engineer;
- (d) whether Mr. Kantawala resubmitted the estimate in September, 1931, at increased rates;
- (e) the amount of the final bill paid to Mr. Patkar contractor for this;
- (f) the names of the Executive Engineer, Superintending Engineer and Chief Engineer who:
 - (i) were connected with the preparation and sanction of the original estimate;
 - (ii) were connected with giving out contract to the contractor in 1930 and please state contractor's name; and
 - (iii) were connected with the preparation and sanction of revised increased rates to the contractor; and
- (g) the amount of payment as difference that contractor received due to increased rates?

PURCHASE OF TICKETS BY THIRD CLASS PASSENGERS AT THE DELHI RAILWAY STATION.

†01. **Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware that although booking at Delhi Railway Station is open for 24 hours, there are complaints by third class passengers that they can purchase tickets only just before the departure of trains and owing to the great rush they feel difficulties and sometimes some male passengers are seen to buy third class tickets through windows meant for female passengers and it is alleged they have to give one anna more for this favouritism?

†For answer to this question, see answer to question No. 90.

(b) Do Government propose to instruct the Delhi Railway authorities to make enquiries into these allegations?

Mr. P. R. Rau: The Agent, North Western Railway, states:

(a) that he is not aware of any complaints of the nature referred to.

(b) that he is having enquiries made and if these show that the complaints have some justification, steps will be taken to put matters right.

PUNISHMENT FOR EXPOSING FRAUDS COMMITTED BY HIGH RAILWAY OFFICIALS IN SIND.

102. **Mr. Nabi Baksh Illahi Baksh Bhutto:** (a) Will Government be pleased to state, whether their attention has been drawn to a pamphlet entitled "punishment as a reward for exposing frauds committed by high Railway Officials in Sind", issued by one Mr. Isardass Chuhamal, in which allegations supported by facsimiles of some important documents have been made against certain Railway officials of the Karachi division? If not, are they prepared to secure a copy of it and examine it thoroughly in view of its importance as an open indictment against the character of important railway officers?

(b) Are Government prepared to order a detailed enquiry to be held directly by some responsible officer of the Government of India, as to the contents of the above pamphlet and place on the table of this House the papers relating to that enquiry?

(c) Do Government propose to order that the enquiry should not be entrusted to any officer connected with the administration of Karachi division?

Mr. P. R. Rau: I have seen a copy of this pamphlet and have forwarded it to the Agent, North Western Railway, to consider what action should be taken in the matter.

LAVATORIES IN THE INTERMEDIATE AND THIRD CLASS COMPARTMENTS ON THE EAST INDIAN RAILWAY.

103. **Mr. Sri Prakasa:** Are Government aware that most of the lavatories provided in the intermediate and third class compartments of the East Indian Railway are not in conformity with human anatomy and thus cause avoidable inconvenience to passengers and tend to be very dirty? If so, are Government prepared to instruct the authorities concerned to take immediate steps to improve them?

Mr. P. R. Rau: Government are not aware that the facts are as stated in the first part of the question.

They are, however, bringing it to the notice of the East Indian Railway Administration for such action as may be considered necessary.

LAVATORIES IN THE THIRD CLASS COMPARTMENTS ON THE BENGAL AND NORTH WESTERN AND THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAYS.

104. **Mr. Sri Prakasa:** (a) Is it a fact that there are no lighting arrangements in the lavatories of the third class compartments of the Bengal and North Western Railway and the Bombay, Baroda and Central India Railway (metre gauge)?

(b) Are Government aware that the amount of space provided for them is too small for ordinary human decency and comfort?

(c) If so, do Government propose to take immediate steps to remove the deficiency?

Mr. P. R. Rau: Enquiries are being made and a reply will be laid on the table in due course.

SUPPLY OF INFORMATION REGARDING THE EXACT NUMBER OF VOTES IN THE LEGISLATIVE ASSEMBLY ELECTIONS.

105. **Mr. Sri Prakasa:** (a) Do Government regard it as against rules for Returning Officers to supply information regarding the exact number of votes in any particular constituency, to the candidate for the Legislative Assembly from that constituency, or his election agent?

(b) If not, are Government aware that such information was, after several reminders, ultimately refused by the Returning Officer at Allahabad to the election agent of the candidate for the Legislative Assembly from the Cities of the United Provinces constituency (Non-Muhammadan, Urban) even when a stamped and addressed postcard was enclosed for reply, on the ground that there was no rule under which the information could be given? If so, do Government approve of this conduct? If not, do Government propose to issue instructions that such information should not be withheld in the future?

The Honourable Sir Henry Craik: (a) Electoral rolls are open to public inspection and it is no part of the Returning Officer's duty to supply candidates with information extractable therefrom.

(b) Government have not seen the correspondence to which the Honourable Member refers. On the facts stated in the question they consider that the information sought by the candidate was properly refused and they do not propose to issue any instructions in the matter.

REPRESENTATIVES TO BE SELECTED FOR THE PROPOSED STANDING COMMITTEES ON WHEAT AND RICE.

106. **Prof. N. G. Ranga:** (a) Will Government be pleased to state what all interests are proposed to be represented on the proposed Standing Committees on wheat and rice?

(b) Are the peasants of the Punjab in the case of wheat and of Bengal, Madras, Bombay, at least likely to be represented by the nominees of their associations?

(c) If Government have not yet thought of providing for the representation of peasants on the said Committees, are Government prepared to consider the advisability of selecting one representative of peasants organisation for each one of the principal wheat and rice growing provinces?

Mr. G. S. Bajpai: (a) Yes, all the interests concerned. A statement showing the composition of the Rice and Wheat Committees is laid on the table.

(b) This is a matter for the Local Governments who will nominate the representatives of rice and wheat growers.

(c) Does not arise.

Statement regarding the proposed Standing Committees on Wheat and Rice.

RICE COMMITTEE.

(a) The Directors of Agriculture, Madras, Bombay, Bengal, United Provinces, Burma, Bihar and Orissa, Central Provinces, Assam, Hyderabad, Mysore, Baroda, Travancore and Cochin (Total 13).

(b) Eight representatives of rice growers (one each from the above provinces) to be nominated by the Local Governments (Total 8).

(c) The Paddy Specialist, Madras.

The Paddy Specialist, Burma.

The Paddy Specialist, Bihar.

The Economic Botanist, Bengal.

The Economic Botanist (Rice), United Provinces.

The Crop Botanist, Bombay.

Officer in Charge, Central Provinces Rice Research Station.

The Economic Botanist to Government, Assam (Total 8).

(d) Two Professors of Economics (or University Readers) (Total 2).

(e) 1 One representative of Associated Chambers of Commerce.

2 One representative of Federation of Indian Chambers.

3 One wholesale rice merchant acquainted with import and export trade.

4 One rice miller.

5, 6 and 7. Trade representatives from Madras and Bengal and a representative of the wholesale exporters of rice from Burma (Total 7).

(f) Officers of the Imperial Council of Agricultural Research.

1. The Vice-Chairman, Chairman.

2. The Agricultural Expert.

3. The Marketing Expert.

4. The Senior Marketing Officer (Rice).

5. The Statistician. (Total 5).

Secretary, Imperial Council of Agricultural Research, Secretary *ex-officio*.

(Total No. of members 43).

WHEAT COMMITTEE.

(a) The Directors of Agriculture, United Provinces, Punjab, Bihar and Orissa, Central Provinces, Hyderabad, Baroda and Bhopal, the Chief Agricultural Officer, Sind, the Agricultural Officer, North-West Frontier Province (Total 9).

(b) Seven representatives of wheat growers (one from each of the above provinces except the North-West Frontier Province and Baroda) nominated by the local Governments (Total 7).

(c) The Director, Imperial Institute of Agricultural Research.

The Second Imperial Economic Botanist, Imperial

The Crop Botanist, Bombay.

The Cerealist, Lyallpur.

Rust Research Officer (Dr. K. C. Mehta).

The Economic Botanist (Rabi cereals), United Provinces.

The Economic Botanist, East Bengal.

The Economic Botanist, Central Provinces.

The Economic Botanist, Sind (Total 9).

(d) Two Professors (or University Readers) of Economics or Commerce (Total 2).

(e) 1 One representative of the Associated Chambers of Commerce.

2 One representative of the Federation of Indian Chambers.

3. One representative of the wheat trade in Karachi.

4. One representative of the wheat trade in the Punjab.

5. One representative of the wheat trade in the United Provinces.

6. One representative of the wheat trade in the Central Provinces.

7. One representative of the flour milling industry. (Total 7).

(f) Officers of the Imperial Council of Agricultural Research.

The Vice-Chairman, Chairman.

The Agricultural Expert.

The Marketing Expert.

The Senior Marketing Officer (Wheat).

The Statistician (Total 5).

Secretary, Imperial Council of Agricultural Research, Secretary *ex-officio*.

(Total number of members 39).

ASSEESSES PAYING INCOME-TAX ON INCOMES BETWEEN RS. 1,000 AND RS. 2,000.

107. Prof. N. G. Ranga: Will Government be pleased to state the number of income-tax assesseees, by provinces, paying income-tax on incomes which are Rs. 1,000 and higher but lower than Rs. 2,000?

Mr. A. J. Raisman: A statement is laid on the table.

Statement showing the number of Assesseees in the various Provinces who paid Income-tax on Incomes of Rs. 1,000 to Rs. 1,999 during the year 1933-34.

Provinces.	No. of assesseees.
Madras	47,710
Bombay	95,958
Bengal	38,573
United Provinces	28,530
Punjab	32,962
Burma	29,213
Bihar and Orissa	15,535
Central Provinces	18,784
Assam	3,995
North West Frontier Province	3,635
Delhi	10,092
Ajmer Merwara	1,062
Baluchistan	837
Coorg	202
Mount Abu	31
Civil and Military Station, Bangalore	656
Other assesseees not included in these provinces	59,617
Total	3,87,392

CONCLUSIONS OF THE TRANSPORT ADVISORY COUNCIL.

108. **Prof. N. G. Ranga:** Will Government state:

- (a) the conclusions arrived at by the Transport Advisory Council,
- (b) the action taken thereon, and
- (c) the views expressed thereon by the Provincial Governments?

The Honourable Sir Frank Noyce: (a) to (c). A concise statement of policy to secure the co-ordinated development of road and rail transport formulated by the Transport Advisory Council at its meetings on the 7th, 8th and 9th January, 1935, is laid on the table. The recommendations of the Council have been communicated to the Provincial Governments, who will shortly be addressed further on the various points raised.

Concise statement of policy to secure the co-ordinated development of road and rail Transport.

Formulated by the Transport Advisory Council at its meetings on the 7th, 8th and 9th January, 1935.

PART I.—The Construction of Roads and Railways.

1. For the present, funds available for roads, other than funds required for maintenance or for the fulfilment of existing commitments, should be applied largely to the development of roads which do not duplicate existing means of transport.

2. Where a metalled road runs parallel to a railway, feeder roads giving access from or to that road to or from railway stations, towns and large villages close to it, should be constructed and maintained up to a standard which will secure that the access is unimpeded.

3. (a) In the administration of the Road Account, any scheme for the construction or improvement of a road included in an accepted skeleton system of trunk roads should not be opposed by the Government of India merely on the ground that such a road is parallel to a railway, and a scheme for the construction or improvement of any other road parallel to a railway should require special justification with reference to the circumstances of the particular case:

(b) the accepted skeleton system of trunk roads referred to above should be settled in agreement with Local Governments.

PART II.—The Control of Traffic.

1. For the double purpose of promoting the public safety and convenience and of placing competition between road and rail on an equal footing, the following measures should be adopted in regard to motor buses:

- (a) a reasonable standard of maintenance of vehicles.
- (b) the medical inspection of drivers;
- (c) insurance against passenger and third party risks; and
- (d) the adequate inspection and enforcement of regulations.

2. The number of motor buses should be restricted so as to avoid wasteful competition.

In order to secure this end:

(a) motor buses or services of motor buses should be licensed for a specified route or specified routes only; and

(b) in determining whether a licence should be granted or not, regard should be had to the following four tests, namely:

- (i) the extent to which the needs of the proposed routes are already served;
- (ii) the extent to which the proposed service is desirable in the public interest;
- (iii) the traffic needs of the area as a whole, including the need to link up routes with railways and other routes; and
- (iv) the suitability of the routes for the proposed traffic.

3. It may be expedient in order that fuller advantage may be taken of a particular road:

- (a) to grant a monopoly of motor bus traffic for a limited period on that road to a well organised service, and
- (b) to arrange for the issuing of through tickets for journeys partly by such a service and partly by a railway fed by it.

PART III.—Administrative Machinery.

(a) The Government of India and the local Governments, particularly under the new Constitution, should, as far as may be feasible and constitutionally possible, place in the charge of one Member or Minister all matters relating to communications.

(b) The annual meetings of the Transport Advisory Council, as an Advisory body, for the co-ordination of road and rail transport, should be continued.

(c) Each local Government should create or maintain provincial Boards of Communications with advisory functions relating to matters concerning the co-ordination of road, rail and inland water transport, on which the railways and inland water transport of the province should be adequately represented, and no important scheme of road, rail or inland waterway development should be approved by the local Government until it has been discussed by the Board after adequate notice has been given to the various interests concerned.

(d) Each local Government should take measures to establish machinery for the control of motor transport according to the circumstances of each province, which will be adequate to carry out the detailed measures recommended by this Council and accepted by the local Government for the control of motor transport.

Note.—All the above recommendations were adopted unanimously, except Part I items 1, 3(a) and (b), Part II items 1, 2 and 3, and Part III, item (a) which were carried by a majority of more than two-thirds of the members.

(Sd.) D. G. MITCHELL,

Secretary to the Government of India,
Department of Industries and Labour.

IMPERIAL AIRWAYS.

109. **Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) the number of Indians and Englishmen and Anglo-Indians employed in various cadres, and the total sums payable to them respectively by the Imperial Airways;
- (b) whether any reduction in fares and freight charges by air-mail for internal service has been effected during last year; and
- (c) whether any reduction is contemplated in the near future?

The Honourable Sir Frank Noyce: (a) The Government of India have no information with regard to the staff employed by Imperial Airways, which is a company having business in many countries except in regard to the Karachi-Singapore route which that Company operates jointly with Indian Trans-Continental Airways, Ltd. The total staff employed by these companies on that route, excluding agents, is 167, of whom 109 are Indians and 58 are Europeans. The Indian staff consists of:

Probationary First Officers	.	.	.	.	2
Licensed Engineers	.	.	.	.	2
Other skilled Engineers	.	.	.	.	30
Unskilled Engineers	.	.	.	.	26
Accounts clerks	.	.	.	.	10
Traffic clerks	.	.	.	.	8
Stores Department clerks	.	.	.	.	8
Engineering Department clerks	.	.	.	.	7
General clerical workers	.	.	.	.	16
Total					109

The European staff consists mainly of the Managing Director and his assistants and accountants, four Captains, four First Officers and 41 British Engineers. The Government of India have to information with regard to the salaries paid to these employees.

(b) On the assumption that the question relates to the services operated by the two companies just referred to, there has been no reduction in fares and freight charges during the year 1934.

(c) This is a purely commercial matter and Government have no information.

THE RAILWAY BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President (The Honourable Sir Abdur Rahim): Before the agenda of business is proceeded with, the Chair has to inform the House that, at a meeting of Leaders, an understanding has been arrived at that the different Groups will move particular motions on particular days or in a particular order. There is an understanding that the Congress Group will move Cut No. 3 under Demand No. 1 and the Independent Party will, thereafter, that is to say, after the motion has been put to the House, if necessary, move the cut urging the redress of the grievances of third class passengers. So far, the Chair has not received any information as regards the other Parties in the House. It has also been agreed, provided the House agrees to it, that there will be a time-limit of fifteen minutes for each speaker, excepting the Mover, who will have more time if necessary, say, about half an hour. If that is accepted by the House, the Chair hopes Honourable Members will conform to the time-limit as agreed upon. Is there any objection to the time-limit?

Mr. N. M. Joshi (Nominated Non-Official): May I request you, Sir, to tell us when you will find time for the discussion of the labour grievances—the grievances of the railway employees? You told us that there would be one motion by the Congress Party to discuss motion No. 3—the refusal of supplies. We do not know what time is to be allotted to them for the discussion of this motion. Secondly, you told us that the Independent Party would move the cut in order to discuss the third class railway passengers' grievances. We also do not know what time will be allotted to discuss these two motions. I would like you, Sir, to tell us the programme for all the four days, so that there should be sufficient time for the discussion of the grievances of the railway employees.

Mr. President (The Honourable Sir Abdur Rahim): As regards the motion which stands in the name of Mr. Bhulabhai Desai, the understanding is that, if necessary, the Congress Party will take up the whole day discussing that question, if necessary, and, afterwards, the Independent Party will take up the next day, if necessary, in discussing their motion; and, then, as regards the other Parties, the Chair has not got any definite information, but it understands that the Nationalist Party would want one day for discussing a certain question—it is believed the question of Indianization; but the Chair has not received any definite information regarding that, and it is proposed that the European Group will take half of the

fourth day and the unattached Members will take up the rest of the day. But as the Chair has said, it has not received any definite information as regards the Parties other than the Congress and the Independent Parties; and, so far as these two Parties are concerned, the motions which they want to move, the Chair believes, will occupy at least the whole day today; and, then, if the Chair has further information, it will communicate that to the House.

Mr. N. M. Joshi: Sir, may I, with your indulgence, place before you one consideration. It is this. I have seen that during the last fourteen years of my experience in this Assembly, we have always found at least a half day for the discussion of the grievances of the railway employees. Unfortunately last year, on account of the kind of arrangement which you have announced today, there was no time to discuss the grievances of the railway employees. Similarly, if the same arrangement is continued again this year, I am afraid there will not be any time at all. I would, therefore, Sir, appeal to you to consider this question. The seven hundred thousand of the railway employees possess only this opportunity to ventilate their grievances, and I would also appeal to the whole House to consider whether it is not our duty to give the opportunity of ventilating their grievances on half a day. I am not suggesting a longer period than half a day for the ventilation of their grievances; surely, Sir, out of the four days, they deserve to have at least half a day for the discussion of their grievances. I would, therefore, suggest to you, Sir, that you should try your very best to adjust in the business—I do not suggest how—(Laughter)—so that half a day should be given for the discussion of the grievances of the railway employees.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): May I point out, Sir, that the usual practice has been that the unattached Members are given half a day or one day just as you please.

Mr. F. E. James (Madras: European): They have always been given a full day.

Sir Cowasji Jehangir: . . . and it is for them to decide what cut they will move. It is not for us to discuss that in this House; and my Honourable friend, Mr. Joshi, who is attached to all Parties (Laughter) and also is unattached, can arrange as to what motion will be moved amongst themselves.

Mr. President (The Honourable Sir Abdur Rahim): This is, of course, a matter for the House to come to an agreement upon, if possible, among the different Groups. The difficulty arises from the fact that there are a large number of Honourable Members who do not belong to any particular Group; and so far as the other Groups are concerned, they seem to have arrived at an understanding. But the Chair thinks it will facilitate the discussion of the questions raised by the different motions standing in the names of different Honourable Members if some sort of arrangement is arrived at, as was arrived at on previous occasions in discussing the Railway Budget. So far as the question raised by Mr. Joshi is concerned, the Chair believes, as regards the motion standing in his name (*Mr. N. M. Joshi: "Many motions"*), the Honourable Member will have to take his

[Mr. President.]

chance. The Chair does not know whether in ordinary course it would be reached or not, but there it is, and the Chair does impress upon the House that it is desirable, extremely desirable, as has been the practice on previous occasions, that there should be an arrangement come to. So far, the Groups have come to an arrangement, and the Chair takes it the Congress Party and the Independent Party between themselves will certainly occupy the whole of the day.

Mr. N. M. Joshi: I again appeal to you, Sir, to consider this question. I am not questioning your ruling—I am again making an appeal. My appeal is this. It is wrong, I submit, to allocate the time to the Members. After all, there may not be a single Member to represent the railway employees. What I want to ask the House is whether it is not right that they should manage to secure half a day for us for the discussion of the grievances of the railway employees.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has already announced to the House that a suggestion has been made to allot half a day to Honourable Members who do not belong to any particular Group. Well, if that is not agreed to, the Chair cannot help; then the motions have to be taken up in their order and every Honourable Member has to take his chance if there be no agreement.

Mr. N. M. Joshi: Sir, if the organised Parties are not fair, then I appeal to the Chair to try and give a chance to all.

Mr. President (The Honourable Sir Abdur Rahim): Then the Chair can only call on Members to move the motions in their order.

Mr. N. M. Joshi: I refuse, Sir, to agree to this arrangement, and I stand upon my right that the motions should be taken one after another.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): I am quite willing, Sir, to come to any reasonable arrangement so long as the sense of proportion is maintained.

Mr. N. M. Joshi: I am prepared, therefore, to ask for a very reasonable thing. I ask only for half a day or even two hours will be sufficient.

Mr. President (The Honourable Sir Abdur Rahim): The Chair would ask the Honourable Member, Mr. Joshi, to come to an understanding with other Honourable Members, the Leaders of the various Groups, and the Chair really cannot allow this matter to be discussed any further on the floor of the House.

Mr. M. S. Aney (Berar Representative): I can assure my Honourable friend, Mr. Joshi, that if he really approaches the Leaders of various Parties, it would not be difficult to make some kind of arrangement by which we can allot him at least two hours.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Might I suggest for the consideration of the Chair the advisability of not taking up questions for the next three days when the Railway Budget is being discussed. This will give us three more hours to move our motions and it might meet Mr. Joshi's demand.

DEMAND No. 1—RAILWAY BOARD.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I move:

"That a sum not exceeding Rs. 8,25,000 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, 1936, in respect of 'Railway Board'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 8,25,000 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, 1936, in respect of 'Railway Board'."

Pandit Nilakantha Das

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, my Leader, Mr. Bhulabhai Desai, will move the amendment.

Railway Administration in India.

Mr. Bhulabhai J. Desai: Mr. President, I have the honour to move:

"That the demand under the head 'Railway Board' be reduced to Rupee one."

That demand falls under two heads as appears from the papers presented to this House and consists of two items—Rs. 8,25,000 which is votable and Rs. 4,30,000 which is non-votable. I feel, Sir, a certain amount of embarrassment not on any personal or public grounds, but because of the situation and the atmosphere of this Assembly where it appears that one cannot speak on a motion without some form or other of a veiled comment not intended always to be a compliment whenever you happen to make an effective speech. On the first occasion when I spoke here, the Leader of the House, while complimenting me on the possession of a certain amount of diction, which is not much of a compliment, told the House a story. He said to the House after I sat down that he was reminded of some address to a jury either in France or in Canada—I do not know which—where the jury was prepared to vote for him that day. But they retired for the evening and the next day, when they came back to the House in the jury box, they voted against the proposition. All that I can tell him is this that the jury must positively have been drugged over night to forget all that the logic of that argument had impressed upon them at night and I am not at all surprised at the way in which the matter struck the Honourable the Leader of the House. Knowing as I do, that that process of drugging, otherwise called intoxication of power, proceeds day in, day out, with the result that I am quite certain, diction or no diction, reason or no reason, we know exactly what will happen at the end, in spite of the vote of this House. That is the protest that I enter on the manner in which everything that is voted on by this side of the House is received by way of response from those who

[Mr. Bhulabhai J. Desai.]

are responsible for the government of this country. That leads me on to the discussion which is the subject of the cut motion that I have the honour to move.

In order to be able to appreciate the grounds on which I am moving that, I must give the House a very fair and a brief history of the growth of the railways in this country, and, so far as I am concerned, I shall set forth the reason at the outset. For every discussion in this House there seem to be on one side or the other two complexes. Whenever this side of the House or any other reasonable unattached person gets up and makes a proposition, it is said to be the result of a political influence. Whenever the other side of the House moves a proposition, it is said to be founded on an entire absence of emotion and governed only by economic considerations. That seems to be a fair division of argument in so far as the other side would pretend that we should have it. And it is for that purpose more than any other, that it is my desire to tell very briefly what is it that the Indian Railways represent. In the first instance, I need hardly remind the House that Lord Dalhousie, the last Governor General before the assumption by the Crown of the Government of India and the father of most of the important railway systems in this country, made no secret whatever in all his Despatches as to the purposes for which the railways were to be constructed. He said, at all events in those days,—undoubtedly very disturbed days indeed—that the purpose that he had then in view, apart from the development of India and the Indian commerce and the Indian communications, was the military and political influence for the use of which the railways must be necessarily put. In fact, he went even further and said that if the proposals that he had sketched out turned out to be unremunerative, it did not very much matter from the point of those who govern the country. During all the years that have followed, it is a matter of common knowledge also that the Indian tax-payer has paid whenever the railway budget was not properly balanced. I am saying this only for the purpose of showing that it would be no apology on my part if we say that if the word “politics” has any meaning in connection with any of our actions or votes, we are not only not in any sense ashamed of it, but we desire and say that if “politics” means this that the retention of power by Government, as it now exists, is “politics”, the demand of the devolution of that power to us is equally “politics”. They say that we say what we say because of political influences when all the time the same purpose notwithstanding the veiled economic arguments is shown by them. It is nothing more and nothing less than the retention of the actual political power which they possess. So that, none on this side of the House will ever be ashamed to assert that if political influence is necessary as a necessary corrective for the purpose of running our greatest national asset, we shall assert in the most unequivocal terms. So that, it is perfectly clear that, from the point of view of those who started and who initiated and who today are governing the country, though they may be responsible to their principals in England, they did not raise the railway construction in India except for the primary purpose, in those days, undoubtedly there were three purposes in view, the political, the military and the expansion of the country and also I hope every Englishman here will remember coinciding with the necessary and the greatest assistance that the British

industry has ever received from any foreign country in the shape of the purchase of everything that they had then begun to produce. That is the origin of the railways in India. We do not, therefore, deny that if we find the railways in our hands, having as we have undertaken the obligation, and I dare say I am inclined to emphasize that when we speak as “we”, it is as contrasted from the “we” that is spoken on the other side, they representing the persons who have never contributed a single pie of what we call the assets of the railways, while we on our side have provided—we and our forefathers have provided—and taken upon ourselves the burden of the sum of 800 crores that now represent the invested capital in the railways of the country. It is “we” on our side that contributed to the assets of the railways, because the “we” on the other side mostly travel on free passes and it is “we” on our side who provide by way of purchase of the services, either by way of carriage of passengers or by way of freights, it is we that are providing a sum of 100 crores roughly speaking annually for the purpose so that the particular institution may be maintained. Therefore, it cannot be said that in the consideration of this subject, any other consideration can enter except of the “we” whom we are here to represent in the teeth of opposition from the “we” on the other side of the House and notwithstanding the arrogance with which the “we” on this side of the House are treated by the “we” on the other side. It is we who undertake the obligation of having to discharge the debt of 800 crores, it is we on whom is imposed from time to time the duty of providing the annual interest, it is we who in some form or other provide the sum of 100 crores for the purpose of the maintenance of the railways, and, therefore, we alone have the right to claim to have an interest in its management, in the formation of its policy and in every form of its control. (Hear, hear.) (Applause.) It is for that purpose, Sir, that I have moved the cut in the form in which I am moving and if any evidence were needed, the 340 odd cuts on the agenda paper that I see is sufficient evidence of the disapprobation of the acts of the Government in regard to railways.

Let me give you, Sir, a further history, a history which is more or less uncontradicted. After the Simon Commission report was published, it was realised that the present way, in which the Indian railways were being managed, was far from satisfactory, that under any form of constitution, whatever it may be, there must be some form of Ministry of Transport who really would be the proper authority for the purpose of guiding the policy in the matter of railways and responsible to this Legislature. It was in that hope and in that belief and in that direction that a change was asked for and was called for. Yet, what happened? In 1930, as I have it from the reports of this House, a Despatch went up in September, 1930, from the Government of India to the Home Government containing a proposal for the establishment of a Statutory Board in India, and among its recommendations were the following: (1) to render prompt and adequate service to military authorities in times of political crisis, (2) to safeguard the enormous capital sunk in Indian railways, (3) to guarantee the services of the higher officers in the railways appointed by the Secretary of State, (4) to ensure the future recruitment of Europeans on a larger scale on military grounds and (5) to maintain the interests of the Anglo-Indian community in the railway services. (Laughter.) This is the Despatch, Sir, that went in answer to our demands. We have always had the misfor-

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tune—we are asked to come here as we have done in a spirit of co-operation and what is the meaning of co-operation? Are we merely asked here to sing hallelujahs to all that the Government say, in order that they may have the monopoly of wisdom and power and dictation, are we here to listen to all that they say without any sense of responsibility? Some of us are surely persons who have a responsibility and who have understood the question, some of us on this side of the House might easily be on the other side of the House if only we sought it, and, therefore, the monopoly of wisdom cannot be claimed by that side only. That is, however, the position in which we stand today. We asked that a Railway Authority should be constituted in order that it might be responsible to the House. In place of that, what was asked for in the Despatch to the Secretary of State was the Railway Authority for the purposes that I have now read out. But that is not enough. Having done that, nothing more was said. Nothing further until the Round Table Conference came. When the Round Table Conference came, the Secretary of State began to think that in the event of even the mere pretence of transfer of power, let us see to it that every department that is of any value, (to the extent to which we can do it) on some pretended ground of economics whether we cannot see that we shall practically withdraw the asset, as I said of 800 crores in capital and 100 crores revenue equal, as one of the Members then pointed out, to the provincial revenues of all the provinces put together, let us see whether we cannot take it away from the practical influence of this House or its legislative and other influences. Hence it was that a consultative Committee was held and that Committee ultimately put forward certain proposals. It was said that those who went from this House were responsible for the construction of these proposals, but it also appears from the reports, as I have it before me, that every single person including my Honourable friend, Mr. Jinnah, all said that they were never really asked to consent to any such method of constructing a Railway Authority, in fact in the Federal Structure Committee, it was a surprise sprung upon everybody without any such suggestion excepting the one coming from the Maharaja of Bikaner and that is the real origin to which I shall presently advert.

The Honourable Sir Nripendra Sircar (Leader of the House): I rise to a point of order. The point of order which I desire to raise is one of great importance, and it is this: what are the limits of discussion when we have passed on from the general discussion of the Railway Budget and when we have come to voting on demands on the particular items. This matter is covered, not only by an English practice, but by certain rulings of the previous Presidents of this House. I will draw your attention to this book called "Book of Rulings"

Mr. Bhulabhai J. Desai: It is a point of relevance to which my Honourable friend is rising. There cannot be a point of order after the motion has been made.

The Honourable Sir Nripendra Sircar: I rise to a point of order based on relevance by which a further speech cannot be made by the Honourable Member on the lines which he has indicated and I am giving the grounds on which he cannot make it. I shall refer to the rulings recorded in the proceedings of this House.

Mr. Bhulabhai J. Desai: May I ask whether a point of order can be raised at this stage? I can understand the Honourable the Leader of the House raising a point of relevancy.

The Honourable Sir Nripendra Sircar: I do not know why my Honourable friend says a point of order cannot be raised after a motion is made and when he is discussing matters which, according to me, he cannot do. I rise to a point of order on the specific issue that the discussion should be limited to certain matters. I may be right, I may be wrong

Mr. President (The Honourable Sir Abdur Rahim): That is just a question of relevancy? Is it not?

The Honourable Sir Nripendra Sircar: Yes, Sir, and that is a point of order.

Mr. President (The Honourable Sir Abdur Rahim): In view of that, it is permissible.

The Honourable Sir Nripendra Sircar: There are some rulings given by the previous Presidents of the Legislative Assembly, and I would first draw your attention to ruling No. 189 on page 151 of this book,—"A Selection from the Decisions from the Chair". It says:

"On a motion for reduction under the head 'Working Expenses Administration' a Member proceeded to discuss general railway policy. The President intervened and observed:

"I would be failing in my duty if I were not to point out to the Honourable Member that he ought to make a distinction between the general discussion on the Railway Budget and the particular cut which we are now discussing. It is not right that the discussion on a particular cut should be turned into a general discussion of policy."

The next ruling to which I will draw your attention is at page 152:

"On a motion to reduce the Demand under 'Emigration-Internal', Mr. N. M. Joshi proceeded to discuss the relevant legislation.

The President ruled that the discussion should be confined to the manner in which the law was administered.

Mr. Joshi, however, still pursuing the point that certain legislation ought to be repealed,—

The President remarked: "I pointed out to the Honourable Member that the amendment or repeal of existing laws is not within the scope of Budget debates."

I draw your special attention, Sir, to the next sentence which corresponds with the Parliamentary practice in England:

"The scope of these debates is limited to the administration of the existing law by the Departments of the Government of India."

I will next draw your attention to the ruling on pp. 159-160:

"On a motion for reduction of the provision for Working Expenses under Railways, which was proposed with the object of ensuring that the Budget was put up before the Assembly in a better form, a Member proceeded to discuss the question of "

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particular railway administration, and the question of Railway Unions. Objection being raised by Government as to whether this was in order,—

The President ruled :

"It does not matter whether the reduction is Re. 1 or 1 crore. It is better that it should be Re. 1 for effective criticism than 1 crore, because the moment you introduce the larger figure the question of economy comes in and not the question of administration simply. I would like to emphasise that point here. These discussions are provided in order to enable Honourable Members effectively to criticise the administration."

That is to say, administration of the existing law, as the preceding ruling has shown.

The next one is at page 162:

"During the discussion on a reduction motion under the Department of Industries and Labour, a Member referred to the question of labour disputes in Bombay, and objection being taken, that the settlement of labour disputes was a provincial subject,—

The President observed : "It is not always easy, as the Honourable Member knows, to say what is in order and what is not. A very good test is whether the Honourable Member to whom a question is put is in possession of the information and can answer it; and secondly, whether administrative action on his part could settle the trouble to which reference is made. The points raised by Mr. Joshi were, I think all of them within the scope of the Honourable Member's Department, and so far as I can see some parts of the Honourable Member's remarks are in order," etc."

This is quite in consonance with the Parliamentary practice, and I will now draw your attention to page 538 of May's Parliamentary Practice. I will remind you again that I am drawing a distinction between the stage of general discussion and the stage of supply, merely, that the items are to be voted upon. This is what May says at page 538:

"The committee of supply does not afford the proper opportunity for discussing from which house of parliament a minister should be chosen The administrative action of a department is open to debate, but the necessity for legislation and matters involving legislation cannot be discussed in committee of supply."

Before I leave the book, I will draw your attention to another passage on page 525:

"The ancient constitutional doctrine, that redress of grievances should be considered before the grant of supply, is maintained by the provision in standing order No. 51, that the question that the Speaker do leave the Chair must be proposed, whenever it is intended that the House should resolve itself into the committee of supply."

I will pause here for one moment, and I will remind you that we have not got this procedure here, of the Committee of the whole House after the Speaker leaves the Chair. When the general discussion takes place, the Speaker is in the Chair. When that is finished, the Committee of the whole House takes up the question of the particular items to be voted upon, and the learned author is pointing out that if you want to discuss your grievances, and if you do not want that discussion to be cut short, then the proposal must be made that the Speaker do now leave the Chair. The two distinct stages are, (1) the Speaker in the Chair when the general discussion is taking place and (2) after his leaving the Chair resolution for which may or may not be accepted by the House when the question of supply is about to come in. That stage we have

reached. And this ancient doctrine that redress of grievances should be considered before the grant of supply and the reference to Standing Order 51 makes it perfectly clear that when you are discussing generally, as I believe we did on one of these days, you can rely on this doctrine although the limitations even of that doctrine are pointed out subsequently to which I need not draw your attention. The position, therefore, is this that the executive has got to administer the existing law as it stands. That law may be good or it may be extremely bad; and if there is any question of attacking that law or of suggesting what should or should not be done under the law, or what the law should be in future, then the proper stage is the stage of general discussion. But, at the present moment, we are limited to what I cannot put in better language than was done by the President of this House, namely:

"The scope of these debates is limited to the administration of the existing law by the Departments of the Government of India."

Therefore, my Honourable friend can discuss anything under this topic, the administration of the existing law. He can have the whole of this grant discussed on the ground that the Railway Board is not working properly and things of that kind, but the general scope of legislation, i.e., what has happened before, foreign domination, politics, military policy, and so on, these do not arise. They have no scope at this stage when we are discussing this particular grant.

I do not desire to take up your time further: I have put my points as briefly as I can, and I submit to you that this ruling—or rather these rulings—are consonant with Parliamentary practice and they should be accepted and your ruling should be in my favour that my Honourable friend should be confined in his remarks to the administration of the existing law by the Departments of the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): Today the House has got to adjourn early for the Friday prayers. The House stands adjourned till 2-15 P.M. according to the usual practice.

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 (The Honourable Sir Abdur Rahim) in the Chair.

Mr. Bhulabhai J. Desai: Sir, the point of order is stated to be this that, in so far as the cut motion amounting to refusal of supplies is concerned, it should not include in it a question of general policy of railways as regards impending charge. It is very very difficult indeed to define in more accurate terms the substantial objection on a point of order, but let me, Sir, take it that that is the nature of the objection, and the way in which I can answer it is this. Even on the statement made by the Leader of the House, everything that condemns the present Railway Board would be perfectly in order in so far as the motion is concerned. But what he says is,

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in so far as any other measure to substitute that Board is concerned, it is outside it. Considering the matter from that point of view, my first submission is that though the objection in terms was not raised, by the conduct of the House and the whole of the Members of the Treasury Bench in the year 1934, they are absolutely precluded from raising this point. In the year 1934, Mr. Gaya Prasad Singh moved a cut on the demand under the head "Railway Board", and he stated the object of that cut to be in the following terms—I am reading from the Official Report, at page 1119:

"I have put down this motion with the object of discussing the policy underlying the proposed creation of the Statutory Railway Board",—

so that there was no doubt whatever as to the issue that he put on that occasion under the head of that cut. The discussion, as I notice, Sir, from the debate, proceeded without any objection for some two days, at the end of which, far from raising any objection, the Government came to an agreement with the Mover of the motion,—because the matter arose in this way,—if the motion was pushed to a vote, the Government were confronted with the situation that, that being a cut motion, they would have to vote against it, and yet being a matter of principle on which they generally agreed with the Mover, they were prepared to accommodate him, and the agreement to which they came is contained at page 1195. The President was told that the object of the sponsors of the motion and the object of the Independent Party, etc., is that they desire to have by this motion their opinion that the Constitution Act should merely contain a clause requiring the establishment of a Statutory Railway Authority, and that "its constitution, functions and powers shall be subject to legislation, initial as well as amending, in the Indian Central Legislature",—and this was agreed to by the whole of the Treasury Bench on that occasion. Therefore, two things are clearly demonstrated by this. The first thing is that it is perfectly relevant as a discussion under a cut under the Railway Board grant, and, secondly, that far from raising an objection, they actually acquiesced and required and desired that a certain policy should be followed to give an opportunity to this House to deal with the functions, powers and authorities, both initial as well as amending, of a measure of this character

Mr. President (The Honourable Sir Abdur Rahim): Was there any ruling on that point?

Mr. Bhulabhai J. Desai: No, Sir. The relevant point was this. As I said, no objection was raised, but it is not a mere acquiescence on which I rely, because at the end of it all, it was quite competent for them to say: "We will have nothing to do with this future Bill, vote it down",—but they said "it being a motion for a cut, we cannot very well walk into your lobby, but we are quite willing to accept it in substance by saying that it is this Legislature which will have the power of defining the functions and authority of the future Railway Board or its successor", and on that understanding and on that understanding alone, that motion was withdrawn by the Mover. The Mover was quite prepared to challenge the Government to a division, but the Government said: "We agree with you." Therefore, they agreed to two things, first they agreed that it was a proper

subject for discussion under that head, and, secondly, they agreed that this Legislature alone should deal with the powers, functions and authority of the future Railway Authority, and I now charge that there has been a breach of faith conveyed by that undertaking. (Cheers from Opposition Benches.) Secondly, all the rulings that have been read by my friend have really no relevancy,—I say it with utmost deference,—undoubtedly he was driven to it, but there is a ruling which covers the point, and that is at page 145

Mr. President (The Honourable Sir Abdur Rahim): Page ?

Mr. Bhulabhai J. Desai: Page 145. It is the only ruling in point. I quite agree that the other ruling may raise questions of relevancy. I refer to No. 179. This is how it runs:

"Raja Raghunandan Prasad Singh moved a reduction motion under 'Taxes on Income' in order to draw attention to the continued levy of super-tax and to the enhanced rate of income-tax, when Sir Basil Blackett suggested that, following the House of Commons rule, matters involving changes of legislation should not be allowed to be raised on the estimates. The President ruled—'I have considerable sympathy' with the Honourable Member, but the practice so far followed has been to allow motions of that character and I propose to follow that practice'."

In other words, on all motions relating to any grants of any kind, you are allowed to raise a question of policy, and that has been the practice in this House.

The rulings, which my Honourable friend referred to, amount to this: what you may or may not say in support of a motion; in this case it cannot be said that the cut motion reducing the grant to one rupee is not in order. The only objection that you can raise on that is,—am I entitled to say on what grounds it is to be supported? Therefore, with great respect, and though in terms in a matter of form it may be said to be a point of order, I still submit it is a point of relevancy

Mr. President (The Honourable Sir Abdur Rahim): Does that make any difference?

Mr. Bhulabhai J. Desai: It does, Sir, for this reason. I say that an objection was raised on this ground that matters involving changes of legislation should not be allowed to be raised, on the estimates, page 145. After all, what are they, except things like Taxes on Income? On that the House of Commons practice was sought to be relied on, but the President said,—Our House has followed a contrary practice, because he said: "I have considerable sympathy with the Honourable Member, but the practice so far followed has been to allow motions of that character and I propose to follow that practice", meaning thereby this. My friend said that the only way in which you could raise it, the only occasion on which you could raise it was the occasion of the general discussion of the Budget. He is well aware that that would have been a futile discussion, and he understands it, and, therefore, he raises it. He says—the House could not be divided on that day, there being no specific motion. Therefore, it cannot be that the practice of the House is so strange that on a matter of policy you cannot bring in a motion under a relevant cut and say the policy is entirely a wrong one so as to enable the House to effectively pronounce upon it. It is, therefore, the decisive factor. My Honourable

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friend's submission really comes to this if given effect to. They can talk as much as they like, treat them as a debating society and treat them with the contempt that we have hitherto evinced for them. And yet if they have an occasion to divide the House on an issue which is relevant, it cannot be done. Why do I say that the Railway Board grant should be withheld? I say for this reason, and that, I submit, is the conclusive point. I say that it is almost admitted by the Government that this Board, after thirty years of functioning roughly, has got to be substituted by some other form of dealing with this particular asset of the Indian State. I will not call it whose State it is, and, therefore, if the question arises, it is almost a matter of admission, of self-condemnation. If nothing else, at least it is an admission that it has survived its purpose and that some other body should take its place. If this House is to have an opportunity of saying what and how the substitution of its successor is to come into existence, and if the discussion is to be within the narrow limits that my learned friend has pointed out, then all I can say is that this House is denied the right of pronouncing upon a truly relevant and material point. On the other hand, decision No. 179 clearly shows that questions of policy, including even a change or a contemplated change of legislation, can be brought up. In so far as the three decisions cited by the Honourable the Leader of the House are concerned, I do not want to take up the House, and if my Honourable friend had only allowed me to proceed, I would have finished by now. But so far as those decisions are concerned, the point was that the cuts were in order. Members proceeded, after a certain amount of speech, to speak on a particular issue and the then President ruled that, in so far as that particular matter was concerned, the speaker was going beyond the point which was relevant to the cut that was moved. This, of course, is distinguishable on the broader ground that this particular cut is neither an economy cut nor a token cut as I have already pointed out. It is refusal of supplies, as much as to say that this particular form of administration has, without using any stronger language, survived its purpose, outlived its usefulness, and it is time that some other machinery was set up. And if that machinery is to be set up, I dare say this House ought to have a say upon it. (Applause from Opposition Benches.)

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I regret very much that the little time that is left to us to discuss this grant is being wasted in this way. Sir, I remember in 1924, and there are innumerable precedents,—not one, but innumerable precedents—it is no use citing the authorities which apply to British Parliament. This Constitution is neither logical, nor is it in consonance with common sense. This Constitution we are working no doubt, but where is the analogy, where is the comparison between the Constitution under which this Assembly is working and the British Parliament? The history of this question is a long one. In 1924, I have been trying to get that ruling, I think if I have a little time I may be able to get it for you,—in 1924, a question was raised about the policy of the Government. Government do not mean the Honourable Member who is sitting over there—the Government of India, according to the Government of India Act, is constituted by the Governor General in Council, the Secretary of State for India, the Council of the Secretary of State for India, and the British Parliament; the whole body

constitutes the Government of this country. Therefore, when we are dealing with the Government of India, we are not confining only to the actual administration of this country. We are concerned with policy, the broad principles of policy. In 1924, a similar question was raised, and Sir Frederic Whyte gave a ruling that it was open to this House to discuss the attitude and the policy of the Government with regard to the constitutional reforms.

Mr. President (The Honourable Sir Abdur Rahim): On a motion like this? Can the Honourable Member give me the reference?

Mr. M. A. Jinnah: It was in 1924. I have sent for it. Then it has never been challenged since 1924. We have raised the question of the policy of the Government as to defence, the policy of the Government as regards constitutional demands of this country. Times out of number, not once, not twice

Mr. President (The Honourable Sir Abdur Rahim): On a motion for reduction?

Mr. M. A. Jinnah: Yes, on a motion for reduction. I remember very well that we threw out—originally the motions were given in this form that the grant was to be rejected. You will find that in 1924-25 that was the form adopted,—of rejection. Then it was brought to our notice that that was merely negative, that it was not really correct, and, therefore, if we really wanted to raise a question of policy—it might be policy with regard to constitutional reforms, it might be policy with regard to defence, it might be policy with regard to railways generally—it is not a particular grievance, or a particular economy cut as Mr. Desai put it, but it goes to the root of the very policy which is being adopted or going to be adopted by Government. I submit that this motion is perfectly in order, and the principle of this motion, refusal of supplies,—that, of course, we shall discuss on the merits later on. I am sending for the ruling. I submit you will find it if you send for the report of 1924.

Mr. President (The Honourable Sir Abdur Rahim): The question raised is whether discussion of the proposed enactment establishing a Railway Authority in substitution for the present Railway Board is in order or relevant in connection with a motion for reduction of the demand for grant for the Railway Board. In the first place, it has been said that this is not really a point of order. But the Chair does not see any substantial distinction in this connection between a point of order raised in the ordinary way and a question as to the relevancy of a particular discussion. The Chair has been referred by the Honourable the Leader of the House to a number of rulings in 1924 and also to May's Parliamentary Practice. The Chair has also been given references to the Legislative Assembly Debates of 7th March, 1925, at page 2108, and of 12th March, 1930, at page 1675. The Chair has looked up all these references and there can be no doubt that, so far as they go, they establish the points raised by the Leader of the House that the discussion under a motion for reduction of a grant like this must be confined to questions of administration under the existing Acts and not to discussion of the Acts themselves or any proposed amendments of legislation on the subject. On the other hand, the Chair has been referred by Mr. Bhulabhai Desai to what took place in

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1934 on a motion moved by Babu Gaya Prasad Singh on the very subject of the proposed constitution of a Railway Authority by an Act of Parliament or of this Legislature, but on that occasion no point of order was raised and no objection was taken that on a motion for reduction of a grant on the Railway Budget any such discussion was not relevant, and, apparently, the Government, for purposes of convenience or expediency, did not raise any such objection, and the discussion was allowed to proceed. Mr. Jinnah has stated that in 1924 these discussions of general policy on a motion for reduction of this nature have always been allowed, but all the reference that the Chair has been given on this point is to be found on page 1377 of the Report of the Legislative Assembly Debates of 1924, dated the 10th March, 1924. The President said:

"As the Honourable Member will have an opportunity of discussing the policy of the Government of India on the motion that the Finance Bill be now considered, I think I had better suggest to him not to move the motion today. Refusal to allow the motion today does not mean that the opportunity for considering that matter will not arise and, therefore, I do not propose to accept the Honourable Member's motion."

That was the point raised on the motion itself. Therefore, so far as the Chair can see, that does not support the contention that on a motion of this character questions may be discussed as regards the proposed legislation on the subject. It seems to the Chair, so far as it has been able to ascertain, that the practice is well established that general questions of policy may be raised at the time of the general discussion either on the Railway Budget or of the General Budget, and, in the case of the General Budget, also on the Finance Bill, but on motions for reduction of a particular grant it is only questions of administration that can be discussed under this established practice. Therefore, in view of the rulings to which the Chair has been referred, it must hold that discussion of any proposed legislation regarding the Railway Authority would not be in order on this motion, but the Chair would say at the same time that it may be possible for the Honourable the Mover or any Honourable Member who wants to take part in this discussion to make a passing reference, if he so chooses, to any amending legislation as a motive for refusing the grant.

Mr. Bhulabhai J. Desai: Sir, I am glad to be able to resume my speech without much interruption. It is not an unknown thing to me during the course of many years' practice at the Bar that questions of this kind—of relevancy or objections—are raised which might well, at all events as a matter of courtesy, as a matter of expediency, as the Chair put it, or as a matter of meeting a point squarely, not be raised by honourable opponents usually. I bow to the decision that has been given, and I will confine myself within the limits that that ruling allows.

Sir, the point at which I was addressing the House was as to what the position was of the manner in which the railways are being administered in India. I have been informed, and I accept it from my friend, Dr. Ziauddin, that following a German precedent, it was somewhere in the year 1913, that the management through a Railway Board was constituted for the purpose of managing this asset of the Indian people. 30 years have gone by since and the question now that confronts the House is how far and what has that Railway Board done, and if I am in a position to tell the House and show to the House by the progress or want of progress

as the case may be, this House would be justified in saying that that method of management is clearly not one conducive to the betterment of the Indian asset, and, if that is so, I shall also be able to invite the House today to say what they want (apart from any question of policy) by way of substitution for what after all has failed to serve its purpose. Take the several functions that the Railway Board has discharged, and if those functions have been discharged in a manner and to an extent which are such that they do not deserve the confidence or the endorsement of the House, it would be a perfectly lawful thing for the House on that basis to say that, therefore, further supplies for that particular form of management should not be granted. It is after all merely a question of a point of view and had it been realised that would have been as easy for me to say exactly what I am saying now in one form or the other, the House would probably have been spared a three quarters of an hour of discussion. Take the functions of the Railway Board as they have been discharged and the manner in which they have been discharged. For that purpose you cannot escape looking in broad outline at the asset and how it has been administered, and, here, even at the risk of repetition, which has almost been forced upon me, I am bound to point out how that asset which is administered by them came into existence. As I have already pointed out, we have not merely borne the actual cost of that asset, but we have also borne the amount of guaranteed interest to the extent to which that guaranteed interest was not reached by reason of the working of the railway for many many years, and I have it from some expert authority that that alone would probably come to some 300 crore of rupees or so. Whether that is right or wrong, the fact remains that in every sense of the term, whether by way of maintenance or by way of its establishment, every single pie has been provided by the Indian tax-payer. And what has been done for the Indian people at large in their character as tax-payers or in their character as those who availed themselves of the services of this Railway Board? If they have not done what they ought to have done, we submit with respect that that is a good ground for their condemnation by a refusal of supplies.

In the year 1924, when the question of the separation of the Railway Budget from the General Budget arose, a discussion took place. The first and the foremost thing which my friend, Sir Purshotamdas Thakurdas pointed out was—and it becomes very relevant by reason of the interjection of one Honourable Member in this House that if those who represent this part of the House were in charge of Railways, every single train would be derailed. If that is all that the Railway Board have done by way of availing themselves of the training, of the talents, of the individual talents of this country, nothing else would be required for their condemnation. And here I am reminded of what Lord Lytton said:

"We do not employ Indians more because they are not qualified, but they are not qualified because we do not employ them more."

(Hear, hear.) Now, which of the evils are you going to choose? Are you going to say that the present policy of the Railway Board is to continue in a way whereby they should be able to say that from the pointsman up to perhaps in this present case the Member in charge are Indians and still the Indians as a body are unfit to take over charge of this particular asset of theirs and to manage to the best of their ability and exclusively for their interests? If, therefore, the railway policy has been so to employ Indians

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or perhaps to put the real complex, so to exclude Indians from understanding the management of the railways and training themselves for the purposes of their own asset, what greater condemnation do you want of that body and its right to continue any longer? (Loud Cheers.) Sir, the first and the foremost point I make is this. It is not merely the small point of Indianisation, which undoubtedly is condemnation itself. Sir, I have never heard in any country whatever of "Britishisation" or "Frenchisation". How does it happen in this land that you come across every time the question of Indianisation either in the Army or in the Railways or in any other kind of service? It comes from this that our asset belonged to somebody else and we are maintained unfit, at least according to the continuous expectation, the continuous assertion of those people that we are unfit to manage the railways. As it was pointed out in 1924, Sir, notwithstanding the establishment of railways beginning somewhere in 1865 and onwards—a period now of some seventy years—it is said that the Indians as a body and the Indians as individuals are unfit to manage the railways. Sir, is it their intellect that is wanting? Is it their capacity that is wanting? Or is it the opportunity that is wanting? Is it due to the fact that it suits those who govern you and dominate you to see that you shall not learn either the art of government in general or the art of the management of the railways in particular? Sir, if that is what suits them, are we not here to say that they shall not function any longer if these are the principles which they have adopted and persevered in for a period of some seventy years? Sir, it is easy to produce statistics showing a 2½ per cent. or a five per cent. increase here and there, glibly enough, but why, in all conscience, is then this mere pursuit of percentages when the property is all ours and when the provision and maintenance of it has to be made by us? It is for that reason, the first and the foremost ground on which I seek to support the cut and on which I seek the vote of every section of the House—namely, that the Railway Board throughout its existence of thirty years has failed to justify itself, has failed in its professed object of training Indians in the art of the management of their own assets. And if that time has not come, why has it not come? I know in other countries what had happened, and I dare say that within the limit of my time it is not possible for me to give a history of the growth of railways in other countries. Sir, after all is said and done, the locomotive itself is an invention of not more than eighty years: and if it was possible for every self-governing country in the world, including Japan, to be able not only to manage its railways, not only to build its railways, but to build up all its ancillary industries, so that it might not be necessary for them to buy and spend outside the whole of the money of its tax-payers earned under the sweat of their brow, to be paid only the wages of unskilled labour, so that the skilled labourer of another country may profit, how has it happened that India is the only exception to the ranks of these countries, and notwithstanding the mechanical knowledge we possess, notwithstanding the intellect we possess, how does it happen in this country alone that we have not arrived at that stage, and how is it possible alone in this country for a Member of this House to get up and raise a derision at our expense that, if we were in charge of the management of railways, every single train would be derailed? Sir, it is not a matter of amusement, but it is a matter of serious and earnest consideration. Sir, I am one of those who know that apart from any other question the Japanese Government, while placing their contracts,

make it a condition with foreign manufacturers that boys and men trained in their schools of technology shall be taken into confidence in the process of the manufacture of every kind for which a boy is so placed; but it is this country alone in which it is not possible. A guard may run a train, an engine-driver may run a train, an absolutely ignorant and illiterate man has sufficient intelligence in this country to be able to drive a motor car with but a little mechanical instruction, and yet it happens that in this country alone we are to be told that no form of railway management is possible except by some sent out as experts at our great expense. Sir, it is easy to raise a vicious circle; you won't let them have the chance of acquiring training and experience and then argue want of training and experience as an excuse for refusing to make any advance. That is the vicious circle which has always been started by means of which this greatest asset of ours has been taken out of our own hands and plausibly supported for the sake of the policy that has gone on for the last thirty years.

Take the next. Why should it be possible that the word "Indianisation" should be a word at all in any language? I never thought that the services of any country should not belong to itself! I have never heard of "Japanisation", "Chinaisation"! Sir, the very implication of the word "Indianisation" shows that the Railway Board and the executive authority which they derive from their masters stands for this that India shall not be able to manage even her own assets, let alone her own Government. Sir, the word "Indianisation" should be scored out of the records of the debates of this House until the time arrives when Indians shall manage their own affairs, when Indianisation shall not be a word of process, but shall be a word of actual fact, and then and then alone, Sir, the Members of this House will ever be satisfied. And as regards "derailment", well, I will only say that it is a condemnation if it is true, and if it is untrue, then there is no reason why Indians should not manage after all the bulk of their services, apart from those who claim some sort of secret knowledge, some amount of esoteric knowledge, which I do not believe they have. Sir, I am one of those who have been in close touch with the Railways as counsel for most of the lines—the G. I. P., the B. B. and C. I., and the E. I. R. included, and I have never been unable to understand a single problem presented by those who call themselves experts in order that their point of view might be presented. If this is so, then it cannot be for want of talents that we are kept out, but we are kept out because it is their desire to do so., And if that is the method to be pursued, then certainly that is a valid ground on which the Board ought not to be allowed to function at least so far as we can. I am fully conscious that there is the power of certification, I am fully conscious that there is a greater power of ruling the country, but is that any reason why this House should be subjected to the indignity of offering its praises for that method of management? This does not amount to the condemnation of my Honourable friend, Sir Joseph Bore, but it is a condemnation of the system under which he, being as good an expert as anybody else, is unable to secure that the race of those who manage the railways should be of the race to which he belongs. That is the first condemnation.

Now, I come to the next. What has the Railway Board done in the matter of the spending of our moneys in such a way that Indians alone and their industries may be benefited. I was reading only the other day the book which I have here and which I trust the experts on the other

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side, if they have not read it already, I am sure would do well to read and digest. Sir Visvesvaraya, than whom it is difficult to find a man of greater painstaking ability, and who has a greater engineering knowledge than almost any man who sits on the other side of the House, has recently published a book called "A Ten Year Plan for India", and he suggests in what manner the railway revenues of India can be utilised for the benefit of this country. The first and the foremost point that he makes is this that it is no use pretending that we are going to give India a chance of becoming self-sufficient. We have had many lip promises, but may I ask what stands in the way of any Government, however constituted, that these moneys cannot be so utilised as to establish workshops and industries in this country so as to manufacture every single article that is required for the purpose of railway management and railway lines? What is it that prevents them from constructing a locomotive? If Japan could establish an industry for the purpose of manufacturing everything long after we began here in this country under a foreign domination, what is there that we cannot establish? You have got the workshops here and it is only a question of their extension and of spending more money in your own land. But that is precisely not the object. The object is this, as I shall presently read out to you from an admission made by a Member of this House himself, who belonged to the other side of the House, when he went on a commission in England somewhere about the year 1923. He said this to a British audience: "We have a programme of so many crores of railway expenditure, and please be certain that in so far as that amount is concerned, the bulk of it is going to you". It is precisely the kind of thing that we are told with regard to the safeguards, a matter on which I do not wish to dilate. That is not the kind of politics and that is not the kind of method by which we are going to be treated. Sir, I do not mind a naked irresponsible despotic Government, because then the issue is clear, but it is this form of supposed evolution without devolution, it is abuse of powers which they actually possess that I am here to protest against. There cannot be any objection either on account of talent or on account of mineral or human and other resources in this country to manufacture every single thing that is necessary and to spend all the money for the benefit of this land. I am fully aware that a part of that money annually expended will not all be paid to British employees. I am also fully aware that a part of it would be paid to a certain class of Indian labourers who are employed in Indian workshops, but how does it happen that we are not in a position to spend the whole of that amount in this country in order to secure an all round progress of the country? If it is unnecessary to raise moneys from outside and if you have the money, why not spend it for the purpose for which it is intended, namely, for the growth of the industries so as to make India self-sufficient? There are countries in which coal and iron are produced, and it is a well known fact in chemistry that coal and iron cannot be eaten by man, and, therefore, it becomes a necessity for them to sell that coal and to sell that iron and to sell the combined manufacture of the two in order to buy raw materials for food and other purposes, for they are the necessities of existence. Thank God that it is we who provide the raw materials and the coal and iron have continued to come in this land in crores and crores of tons during the last 60 or 70 years. That is how we have been treated in the matter of railway administration. And are we to be told on a petty point of objection that it is not possible to raise an objection

founded on the very main ground, namely, that the Railway Board has not done well, has not done fairly by the country, whose resources were placed at its disposal.

I next come to another question which is also covered by it. There is a very eminent man who sat here for many years. He said—
3 P.M. and very rightly said—(and in order to remain within the limits of my time I can only state the proposition. If any further discussion or elucidation is required, my friends may take it from me that I am not merely borrowing copy-book maxims):

"If I had only the complete control of the tariff policy of this country and a complete control of the railway administration by way of arrangement of rates and freights, I shall be able to organise every kind of industry in this country in a period of some ten years."

I think he told the truth. But we fully know that we are not going to have a real control of the tariff policy of this country so long as the present administration lasts, and it is for that purpose that I have come here to express our disallowance of every single pie that is spent upon the administration of Railways and which has reduced the Indians to the pitiable condition in which we find them, notwithstanding the fact that every single rupee for that purpose is raised from this very soil. I was told the other day by an Honourable gentleman, who, I find, is absent today. He said that the Civil Services think in a "detached" way. I congratulate him on that expression, but I believe that he did not mean what he said. If by detachment is meant unattachment, inconsideration of Indian interests, I think the Civil Services do think and talk and act in a very detached way. But, Sir, that is the very last thing that a self-respecting nation can tolerate, and so long as that virtuous indignation lasts, self-respect lasts, there is some chance and hope that we shall be able to get rid of an administration that will not take us into its confidence and will not work exclusively for our advancement. Therefore, it is that I move this motion, firstly, on the ground that the Railway Board has done little or nothing towards training Indians for taking charge of their own affairs and their own economic assets. Secondly, on the ground that they have done little or nothing towards the spending of Indian money for the expansion of Indian industries so as to make India self-sufficient. (Applause.)

Mr. President (The Honourable Sir Abdur Rahim): Motion for reduction moved:

"That the demand under the head 'Railway Board' be reduced to Rupee one."

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the Government of India—and I am using the expression in the sense in which Mr. Jinnah has just defined it—have decided that this Railway Board has not done any useful work, and it should be replaced by some kind of authority. And the point that I wish to make out is that if it is decided to abolish it after a year, why not abolish it from the 1st April, 1935, and that is the ground on which I stand. Now, if we abolish the Railway Board, evidently our railways must go on and we must replace it by some kind of Board whatever name we give it. I think we are justified not only to discuss the question that the present Railway Board be abolished, but also what kind of authority we should establish to take the place of this Railway Board. I was very much enamoured. . . .

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LEGISLATIVE ASSEMBLY.

[22ND FEB. 1935.]

Mr. President (The Honourable Sir Abdur Rahim): Order, order: The Honourable Member cannot discuss the ruling of the Chair.

Dr. Ziauddin Ahmad: Sir, if I abolish the Railway Board, then am I not authorised to discuss what new form it should take?

Mr. President (The Honourable Sir Abdur Rahim): The Chair has given its ruling and it thinks it is perfectly plain. The Chair would ask the Honourable Member to follow the example of the Leader of the Opposition.

Dr. Ziauddin Ahmad: Very well, Sir. I will now confine my remarks to the work of the Railway Board only. My first criticism is the position occupied by the Financial Commissioner. He was appointed as the watch dog of the Indian tax-payer. The original purpose of his appointment was to watch the financial position of the railways from the point of view of the tax-payers and from the point of view of the Finance Department of the Government of India. We expected that he would fight the Railway Department on our behalf and bring to light all their irregularities and point out what they are mis-spending. Instead of watching the action of railway on our behalf, he comes forward and always fights us on behalf of the railways. The person whom we appointed to watch our interests is doing the reverse work, and he is watching the interests of the Railway Board and the Indian railways and fights with us. This is really the root cause of financial mis-management. In future, the position will be much worse. The Financial Commissioner will initiate all schemes. He will examine them before submission to the Chief Commissioner. He will then advise the Chief Commissioner that the schemes he prepared are good and they may be forwarded and recommended to the Authority. In accepting or rejecting the proposals, the Railway Authority will be guided by the Financial Commissioner. He will advise the Authority and accept them. He will then advise the Legislature again that his proposals which he originally initiated and recommended to the Financial Commissioner and then to the Railway Authority were really good. Therefore, it is essential that the person who looks after the finances from the point of view of the Indian tax-payer should be very different from the person who looks after the finances from the railway point of view. Had this been done, then probably the vast sums of money that we mis-spent in great undertakings such as the Kangra Valley Railway, the Electric Power House scheme in Poona, the Vizagapatam Harbour, and now last, but not the least, the Hardinge Bridge would have been saved. All these things would have come to our notice much earlier had the Financial Commissioner been watching the entire situation on behalf of the Finance Department and Indian tax-payers. But these things were kept away from us, because he became a party to it.

The second thing which I wish to draw the attention of the House to is that the Railway Board and the Government have not attended to the amalgamation of the various lines. We know that in 1921, the various companies in British railways were all combined by the Act of 1921 into four groups. At that time they had 27 constituent companies and 91 subsidiary companies. These were all brought under four different groups, that is the southern, the western, the northern and the north-eastern groups. It is now contemplated that they may be brought into one group. On the other hand, we have got in India 174 undertakings, classified under

11 groups. No steps have been taken during the last 10 or 12 years to amalgamate all these undertakings into bigger groups. Government accepted the policy of amalgamation (see Appendices A and E of Administration Report), but no action has been taken. When the post of the Agent of the Eastern Bengal Railway fell vacant, we advocated that the Eastern Bengal Railway and the East Indian Railway should be amalgamated and put under one management. The Railway Board did not pay any attention to it. Instead of combining them together, the Government, under the Government of India Bill, will tend to perpetuate different undertakings. Both from the view point of finance and good administration, it is essential that we should follow the good example of Great Britain and other countries. It is also bad from the administrative point of view, and it is exceedingly unhealthy from the point of view of the travelling public. There are certain lines of railway, such as Gondal in Kathiawar, which refuse to allow passengers to buy through tickets to pass on from their line to other lines. Had these lines been under one management, the public would have been saved from all inconveniences.

Sir, the present organisation of railways, on account of past history, is very unhealthy and uneconomical. First, we started with the company lines whose Agents were all powerful and they were responsible to Home Boards for economical administration and good financial results. Now, gradually some of the important lines have been taken over by the State and the State has become the owner of those lines. In those cases, the work which the Home Board used to do for those lines is now being done by the Railway Board. In this transfer of management from the Companies to the State, the Government have entirely forgotten one very important thing which the Home Board used to do in the case of the Company-managed railways. The Company-managed railways used to take great interest in the financial side of the question. They had to declare good dividends and satisfy their shareholders. The State-managed railways have no such obligations. They can get money from the tax-payers. The State should see that the railways have good earnings. In the case of the Company-managed lines, the Agents were responsible to the Home Board and shareholders for profits. No such responsibility exists at present. The taxpayers pay all the losses, and the Government do not take sufficient steps to safeguard the financial interests of the tax-payers.

The next difficulty in the present administration is the introduction of the so-called Divisional System. It was copied from Germany. No doubt they forgot one very important thing, that in Germany they have the Divisional System and a central organisation. The Agencies do not exist there. We have kept the agency system intact and shoved in a costly Divisional System making the whole organisation cumbersome and at the same time very expensive. The administration is really top heavy and there exists unnecessary duplication of work and the work is never expedited with due haste. Therefore, it is desirable that we should revise the entire administration. We should combine, as British railways have done, all undertakings into four groups. We have done so in the army. If we cannot do it, I would go back to the old system and have the Agents and abolish the Divisional System altogether.

My next complaint is that year after year we have been drawing attention to a number of our grievances on the floor of the House, but they have never been attended to by the Railway Board. In the course of the general discussion, I drew attention to several points which the Railway Board ought to have done, but which they failed to do. I do not wish to

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go into great details, but I shall just point out that there has been a great complaint about the catering arrangements and we find that, in spite of the undertaking which the railway officials gave on behalf of the Railway Board, the rank and file or the subordinate officers never carried out the instructions of the Railway Board. The subordinate officials really take delight in disregarding the solemn undertakings given by the officers of the Railway Board. Whenever I tabled questions, the only reply I got was that the Railway Board had no information. I gave an illustration of what was happening in Bombay, in Dinapur section and in Howrah, but there was no reply.

We have been drawing the attention of the Railway Board to various other points. One was the amalgamation of audit and accounts. Our sanction was obtained by quoting wrong figures. This is a very important thing which the Railway Board ought to have done.

Then comes the question of grievances of railway servants on which my Honourable friend, Mr. Joshi, is very keen. I do not think I can enter into this in very great detail except giving some points. In the first place, as I submitted last year in one of my cut motions, there is no proper system of appeals. Whatever is provided for is really no appeal. When a person has got a complaint, he first makes an appeal to the Divisional Superintendent, who sends back the appeal to the officer concerned, who in his turn sends it to the clerk who originally noted on the file and on whose report the complainant was discharged. Then if he appeals to the Agent, he never deals with the appeal direct, but he sends it back to the Divisional Superintendent, who gives it back to the officer and who in his turn sends it back to the clerk who originally noted on the file. This is really the so-called system of appeal. When the case comes to the Railway Board, they have a printed form and this is attached to the appeal and sent back to the Agent who sends it to the Divisional Superintendent and ultimately it comes back to the same old clerk. So in this case there is, really speaking, not a single officer who actually reads these cases of appeals.

Then we have got other difficulties and grievances of these subordinates and other railway servants on account of which there exists a great dissatisfaction amongst them and they are very much dissatisfied with what is going on, and I think it is desirable that these things should be attended to. These are not the only points, but there are numbers of other cases in which the Railway Board has not paid sufficient attention. I do not like to refer to the question of T. T. Is. today, because I hope I will have some other opportunity to discuss it in detail, but it is really a standing grievance in at least three lines, the North Western Railway, the East Indian Railway and the Eastern Bengal Railway. This is also a thing which the Railway Board ought to expedite and solve, but the difficulty is that whenever an appeal is sent to them, it is always put in some pigeon-hole and very seldom reaches the Railway Board. Sir, I suppose there are many other Honourable Members who wish to speak on this question, and, therefore, I will not continue further.

Lieut.-Colonel Sir Henry Gidney: Sir, before I deal with the motion before the House, I should like to offer an explanation in regard to certain observations just made by the Leader of the Opposition. I can assure

the Leader of the Opposition and his Party that when I made that remark about "every train being derailed" to an interruption by one of its Members, I referred to that particular Member and not to the Party as a whole or to such men as my Honourable friend, the Leader of the Opposition. I certainly have given evidence in this House on more than one occasion how closely my heart pulsates with some of the views expressed by the Leader of the Opposition. I have always, in unstinted terms, declared these feelings of mine and in speaking on this motion today, I desire to emulate my Honourable Friend, Dr. Ziauddin, and take advantage of the opportunity in telling the Railway Board certain of its failings and the reasons why some of the amount given for its maintenance should be cut. (An Honourable Member: "Not all?") Not all, that would be silly; because if we did, how would we be able to go back to our homes?

Sir, the word "Indianisation" has been so ill-used and so abused that I agree with the Leader of the Opposition, and would like to see it expunged from all records of Government. Indeed I would hail that day when there will be no communalism and when we will look upon ourselves and will be proud to look upon ourselves as citizens of India. Sir, it is the Indian communities who have introduced the word "Indianisation" in contradistinction to the high percentage of Europeans who are employed in the higher services of the railways; and I hope the day is not far distant when that word will no longer be used.

My Honourable friend, Dr. Ziauddin, made some trenchant observations in regard to the Divisional System on railways. I have already expressed my views on that point, but the greatest curse of this poor imitation of the German Divisional System which we introduced in our railways has been the absolute loss of human touch between the official and the employee. I remember in the good old days when the district system was in vogue, the official knew his subordinates, knew their names, knew their families and knew their homes, in fact knew everything about them. Today the official knows very little about his subordinates. Apart from this, there is no denying the fact that this system has seriously increased the number of officials employed and the cost of maintaining the charges of the superior services has been increased to such an extent as to make the railways top-heavy. I would like to know from the Honourable the Finance Member what is the actual cost of maintaining all the officials of the railways, and what would be the actual cost of their maintenance minus the Lee concessions. We are told that the Railway Board has effected many economies by means of "job analysis", I prefer to call it: "snob analysis" and other kinds of analyses. The Railway Board indulges in many of these new fangled experiments with the object of economising, but who has been the sufferer mainly? It has been the subordinate. Sir, today we are confronted with the hardships of reduced scales of wages which my friend, Mr. Giri, and the All-India Railway Federation very rightly presented before the Railway Board at its last Conference. The Railway Board in its magnanimity of heart replied in words to this effect: "If you will show to us that these new scales of pay are not adequate for the maintenance of employees, we will be pleased to consider it". Sir, it does not require a pathologist or a skilled physician to prove to the Railway Board and this House that there is a limit to human endurance, the result of reduction of salaries; and where this limit is exceeded, you interfere with nutrition of the body and there is danger to life. In my opinion, we have already come perilously near that limit with the new scales of

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pay that they have introduced on railways and we must call a halt. Every day we see evidence of work increasing and pay decreasing. I know the Railway Board has to cut its coat according to its cloth, but why do cut a coat that fits, and not one that is a misfit, except the coats worn by officials and the Railway Board? Sir, I have on the floor of this House frequently stated that (I do not say it is a studied policy, but it is very close to it) we in India have been studiously denied opportunities of acquiring the requisite skill, knowledge and advanced technical training and experience in the manufacture of all parts of all materials required for our railways. In the last year's Railway Budget speech, I referred to the need of training us in India to make our own railway locomotives, and the Honourable Member sympathetically accepting it said that Government were considering the matter. A year has elapsed and what do we see? The Standing Finance Committee has recently sanctioned a large sum of money for the purchase of new locomotives. Whereas if you visited some of the railway loco. sheds, e.g., Bhusawal (G. I. P.) and Saidpore (E. B.), to mention just two, you would find the yards occupied with costly locomotives lying idle and rusty too heavy to be used over our weak bridges, and yet we are indenting for new locomotives from abroad. I only mention this (it may be in a slightly exaggerated way) to point out how necessary it is for the Railway Board to make a beginning and allow India every facility to manufacture all the needs for her railways. Why should we, year after year, be compelled to purchase our railway materials and locomotives from other countries? I agree with the Leader of the Opposition that there is no lack of talent and intellect in India which, if properly trained, could produce men who could manufacture all our railway needs, only if India be given the opportunity and not studiously denied it. It is the opportunity that has been so unjustly denied us—and when I say “us” I mean every one who claims India as his home. (Hear, hear.) Why should we purchase all such materials from abroad instead of making them ourselves. Why should we be called upon as the only part of the Empire to send our sons to other countries to be educated and to come back and work in our own country? Why cannot we possess our own locomotive manufacturing shops? Why cannot we give such skilled training to our men and why cannot we produce all our own materials for running our railways? This matter should occupy the very early and serious consideration of the Railway Board, and it cannot be delayed any longer.

There are many matters to which one could refer on an occasion like this. But, after all, the Railway Board is only human: the Railway Board has certainly endeavoured, though not a very serious effort, to do its utmost to respond to the various demands that have been made in this House. . . .

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): There comes the change in your attitude.

Lieut.-Colonel Sir Henry Gidnev: What change would you like me or the Railway Board to have? The point I wish to stress here is that the Railway Board has endeavoured its utmost to respond to our various calls, but my grouse is that they have not made any serious efforts to see that those who are under them—the various railways—carry out their orders which I opine is directly responsible for the present unrest and discontent in the railways, as mirrored in the various questions that this House is

ed with every day. It is the fault of the Railway Agents and the officers under them—not all, but a good many. I do not know what executive power the Railway Board possesses to make Railway Agents carry out its orders: I know they try to do it if they can: but the Railway Agents and their subordinate officers have so many devices which they put into operation that all the orders or most of them issued by the Railway Board are flouted and chucked into the waste paper basket and the Railway Board is none the wiser. This is a very serious matter. We can roughly divide railway personnel into “superior” and “subordinate”. I hate the word “subordinate”: it should never appear in any department. You do not find it in England, for, I ask, to whom are you subordinate? In England a porter can rise up to be the manager of his railway: at one time in India a ticket number-taker could become an Agent—in fact one such servant became the Agent of the G. I. P. Ry. None but a Heaven-born can become a Railway Agent today—I was about to say with the present joint family system operating on some of our railways, particularly the E. I. Ry., but I will refrain from saying any more. But the point is this: one roughly divides the employees into “subordinates” and “officials”. The subordinates have got certain rules which control their recruitment, their advancement, their pay and punishments, their transfers, promotions, etc., etc. Those rules are in the almost exclusive knowledge of the official: the subordinate is denied this knowledge: he is not told he cannot get it, but if desirous he is told to go to the Divisional Office to get the rules, office—forsooth—let the subordinate try to go to the Divisional Office; he will have to pass three or four doors and have to get special permission to go into this holy of holies—the Divisional Officer's sanctum. Sir, the railway subordinate does not know where he stands.

Take the question of appeals: I know appeals are considered a nuisance by officials. They take no notice of the railway rules controlling appeals, for they consider appeals more or less as pieces of waste paper. I can in proof of this quote instance after instance; and when you find a Railway Agent or a Divisional Officer or head of a department denying a hearing to a subordinate, one has to appeal to the Railway Board, his hands are forced, but the Railway Board usually refuses to take notice of these appeals, because it violates the appeal rules issued by them, forgetting that there are many cases in which the Agents or heads of departments themselves violate those very rules. The subordinate, therefore, has to remain quiet. If he does not remain quiet and demands a hearing, he is called to the Divisional Office and is given a wiggling and told “if you do not shut up, you will be transferred”. If he still shows a little more fight, he is told: “You can take it or resign,” and, so, Sir, rather than suffer the ghastly agony and pangs of hunger of unemployment, the subordinate is intimidated and remains quiet; and, yet, the Railway Board has provided as complete a set of rules as is possible in a big organisation like the railways. What is the use of the Railway Board issuing orders if it cannot or refuses to see them carried out? Is this justice, is this fair? I suggest that the Railway Board should devise some means by which every employee has a right of address to a higher authority. Otherwise they are utterly failing in their duty to their subordinates. I would put this to the Railway Board for their very serious consideration and would add that this practice of officials calling subordinates to their office and slanging and bullying them and so prejudicing their future prospects is neither just nor fair to say the least, but cowardly. Such matters should be in writing, not vocally.

[Lieut.-Colonel Sir Henry Gidney.]

There are other matters on which the Railway Board can be held to have been guilty. Last year, I raised a series of questions when the Central Railway Advisory Council met regarding the lower gazetted services. I am happy to say that since then matters have improved considerably. But here was a concerted effort on the part of the Railway Agents (who, after all, eventually become Members of the Railway Board), to use their retrenched officers—call them “surplus” or by any other name you like—and retain their services by insinuating them into the lower gazetted service which was meant essentially for the benefit of the subordinate and so to deprive the subordinate of his rightful ambition in life of going into the lower gazetted service. It was only after the united demand from this House which I initiated that the position has improved. But why should the Railway Board have allowed such a thing to happen? It was in their hands to stop it. They utterly failed to do so. When the lower gazetted service scheme was originally put before the Central Advisory Council, we accepted it on the understanding that it was essentially a subordinate service. Instead and till a little ago, it was essentially a superior official service, and so, in this way, the Agents under the very noses of the Railway Board contrived to deprive their subordinates of their just dues till we exposed the injustice.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Lieut.-Colonel Sir Henry Gidney: As my time is up, I shall not continue any further, but I do ask the Railway Board to recognise the various points that have been brought up. I do not agree with the Honourable the Leader of the Opposition that the motion he has brought before the House is worthy of such a severe cut as he has put down: if he had said Rs. 100, I should have been content and walked with him into the lobby, but I cannot support his present cut though I feel I ought to take this opportunity to ventilate certain serious derelictions of duty on the part of the Railway Board and Agents. I ask the Railway Board to be good enough to give serious and early consideration to what I have said.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): May I ask, Sir, if the Government propose to intervene in the debate, and may I suggest that they do so at this stage in the interests of the debate? It becomes an one-sided show otherwise. I would respectfully suggest to them through you, Sir, that they should intervene early in the debate, so that we may take the sense of the House on this and go on to other cuts as well.

Mr. F. E. James: You wish to have the last word?

Mr. S. Satyamurti: Why not? Are you the Government?

Mr. President (The Honourable Sir Abdur Rahim): No doubt the Government Benches will consider the suggestion that has been made.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I offer my sincerest congratulations to the Honourable the Leader of the Opposition on the excellent manner in which he has put the proposition before the House. I may assure him that not only all parts of this House, but the whole country is behind him in this matter. We have been saying for the last many years how the affairs of the railway administration have been managed by the

present Railway Board. I was not at all surprised today when the railway authorities got nervous on the very first attack which they received and they tried to put the train off the track. But I may assure them that in their nervousness they would not even succeed, and, in putting the train off the track, they will derail the train and it will be wrecked. The other day, the Honourable the Railway Member gave us a very interesting story of the Railway Budgets. He said that there is a group of certain well-meaning and disinterested individuals called the Railway Board who have got the exclusive license to ply their *gadis* on hire all over the country. Next year, they hope to earn 93½ crores, out of which they propose to pay 32 crores to their creditors as interest, because they are honest debtors, and out of the balance they propose to pay over 51 crores to themselves and to their staff, of course reserving to themselves the lion's share. But what we on this side of the House seriously tell them is that this year at least it would be in the best interests of India if they fast for the next 12 months and spin and pray, because that is the only method by which we can begin from the top the internal purification of the railway administration. I hope they won't mind this cut, and they won't mind even if we refuse them their monthly salaries.

An Honourable Member: They don't care for it.

Sardar Mangal Singh: I know they have got the certification powers, but let the world know, let them know what at least in this matter the country feels. If there had been any responsible Government in this country, the Railway Board would have been thrown overboard by this time.

Then, Sir, as to the remaining few crores, they propose to put 13 crores in their inner pocket called the depreciation fund. After doing this, they find that they have spent more, and they want three to four crores more. What do they do? They again put their hands into their inner pocket and pull out four crores and put that amount into their outer pocket and go to the bazar for shopping. This is, Sir, briefly speaking, the story relating to estimates for next year.

Then, Sir, the Railway Member introduced almost a pathetic touch in his speech when he said that this would be his last Budget. Sir, we wish him well earned rest, and we hope that he will come back to this House as a non-official Member and take his seat on this side of the House. We also hear, Sir, that the Railway Board itself is on the eve of retirement (Laughter), and we propose to grant them leave for 12 months preparatory to retirement without pay. (Laughter.) While retiring,—of course, Sir Joseph Bhore is a very good man,—he has given his subordinates his parting gift. He has very kindly announced the restoration of the salary cut. I am very glad, and I congratulate the Financial Commissioner for Railways that he will now be able to change his coat twice a week, because he has got his cut restored, but I do submit that in this matter we feel differently. Our feeling is that you may certainly restore the cut in the case of those who draw, say, Rs. 200 or 250 or Rs. 300, but in the case of those officers who draw more than Rs. 300 the cut should not be restored, because there are certainly far more urgent matters which require the attention of the Railway Board than the restoration of cuts in the case of employees getting Rs. 300 and above. He has also announced a reduction in the railway freight on coal, but that again is a minor item, and we need not take very serious notice of it.

[Sardar Mangal Singh.]

Sir, in the Budget we do not find many important matters. We are told that 32 crores are to be paid as interest, but we are not told at what rate the interest is to be paid, or whether it is not possible to convert that loan at a smaller rate of interest. We are not also told anything about giving facilities to third class passengers about which year in and year out Members in this House have been crying hoarse but without effect. Like the Annual Flower Show, we always come here and give expression to the grievances of third class passengers, but nobody takes any notice of them.

Then, Sir, speaking in the other House, the Honourable the Chief Commissioner gave us a very interesting item of the story which my friend, Mr. Bhulabhai Desai, did not give, and that item is that, during the year 1933, over 30 lakhs of people have been detected travelling without tickets. I can assure the Honourable Member that, so far as this side of the House is concerned, we have never travelled without tickets. (Laughter.) Even if we desire to travel without tickets, we cannot do it, because there is always a C. I. D. man following us everywhere and our tickets are checked at almost every junction station. But I doubt very much if in that 30 lakhs they have included the Members of the Railway Board, the high salaried officials who, I am told, on very reliable authority, always travel without tickets. (Laughter.) I think the Honourable Member in the other House said that this 30 lakhs was only a fraction, that there are many more who have not been detected, and I feel that these high salaried officials of the Railway Board come under that category. (Laughter.) They have so far not been detected, but I assure them, Mr. Bhulabhai Desai will detect them and bring them to book and will not allow them to carry on the administration of the Railway Board in that fashion in future. (Laughter.) Now, Sir, what do we find, judging this Budget from any point of view? From the point of view of development of industries, from the point of view of the development of agriculture, from the point of view of labourers and railway employes, from the point of view of adjusting the railway freights, from the point of view of passengers, from the broader point of view of national interest, judged from any point of view, it will be seen that the Railway Administration and the Railway Board deserve the strongest condemnation of this House, and we are perfectly justified in refusing the supplies to the Railway Board. This is the minimum that we can do in voicing the grievances of the country.

Comparing the Budget, Sir, with the Budget of other countries, we find that our railway officials are getting very high salaries, while some of the railway employes are getting very low salaries. This vast difference is not found in any other country. For instance, our highest railway official gets Rs. 5,000 a month; with travelling without tickets and many other things, it may come to more. From page 14 of the Demands, I find that the lowest salary that is paid is four rupees a month, and the highest salary is Rs. 5,000 a month. It comes to this that the ratio between the highest and the lowest railway salaries in India is 1250 to one. But if we go to other countries, we find, for instance, in Japan, it is 1 to 22, in China, it is 1 to 32, in Italy, it is 1 to 6, in Belgium, it is 1 to 8, in Denmark, it is 1 to 5, in Sweden, it is 1 to 5, in France, 1 to 12, and in India it is 1 to 1250. There is such a vast difference in India. The highest salary paid in France is Rs. 30,000 a year, whereas in our country it is Rs. 60,000 a year, though the living here is cheaper. We get *chapatties*, we get clothes here very cheap as compared with France, and still our officials are paid very

much higher salaries. I submit that these high salaries should be cut down and the salaries of the lower subordinate staff should be raised.

Coming to the third class passengers, my Honourable friends have already expressed their opinions strongly. I wish to add only two things. In this part of the country, it is very hot during three or four months in the summer, and in those months I would like the Members of the Railway Board, instead of going to Simla, to make a trip with me from Delhi to Karachi and Peshawar and come back. I will accompany them, and all the time we will travel third class with tickets. (Laughter.)

Dr. Ziauddin Ahmad: May I just point out this? The figure of three million passengers travelling without tickets may appear to be alarming, but I may just say that it is only .6 per cent of the total, that is, less than $\frac{1}{2}$ per cent.

Sardar Mangal Singh: I have quoted what the Chief Commissioner said in the Council of State. Regarding third class receipts, I may point out that at present we are spending on every third class seat Rs. 260, and we earn Rs. 241. On the first class, we spend Rs. 4,000, and we only earn Rs. 208. This shows that we are spending too much on the first class passengers and we are giving them too many facilities. In the matter of accommodation, in the matter of waiting rooms, in the matter of other facilities also, third class passengers are put to real trouble. In my part of the country, in three months of the summer, it is very hot, and I would ask the Railway Authorities to put electric fans in the third class waiting rooms and in the third class bogies.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time.

Sardar Mangal Singh: I am finishing, Sir. I would add one word more. I am glad that we do not see so much of racial discrimination in these days as we used to find about ten years ago, but, still, in the administration of the railways, this discrimination is even practised in the matter of giving quarters, in the matter of pay and grade, and in many other ways. If you just take the trouble of visiting the railway guard rooms at Delhi—the Indian guard room and the European guard room—you will find a staggering difference between the two. And, in the matter of giving quarters, the European employees are invariably given quarters while the Indian employees are refused even though they deserve quarters by virtue of seniority, etc. I submit to the House that this is the only time when we can effectively demonstrate to the Railway Board that we do not like their policy, that we do not like the railway administration and that there should be radical changes introduced and the railway administration put in the hands of Indians so that it may be carried on to develop Indian industries, and to foster Indian agriculture, and that it may be used in the interests of Indian nationalism.

Dr. T. S. S. Rajan (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): Let the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is that the question be now put.

The motion was adopted.

The Honourable Sir Joseph Bhore: Sir, I am in a most difficult position indeed, for, after listening to my Honourable friend, the Leader of the Opposition, I do not really know what case it is that I have to answer. I think the gravamen of his charge was that the Railway Board had failed in training up Indians in the management of Indian railways. Now, Sir, it is perfectly true, and no one will attempt to deny.

Mr. Bhulabhai J. Desai: Hear, hear.

The Honourable Sir Joseph Bhore: My Honourable friend is a little premature.

Mr. Bhulabhai J. Desai: Not at all.

The Honourable Sir Joseph Bhore: . . . that the initiation of the policy of Indianisation was long delayed, too long delayed, I am afraid, in the opinion of a good many people. As far as my recollection goes, my predecessor, Sir Charles Innes, speaking about this matter, admitted that that policy had been delayed far too long indeed. But, Sir, we have to face things as they are. I would bring it to the notice of the House that it is not the Railway Board that initiates such policy. They are only responsible for carrying out the policy which is formulated for them by others, and it is surely unfair and inequitable to attempt to abolish them from the face of the earth because they carried out a policy which some one else has imposed upon them.

Some Honourable Members: Who is this somebody else? (Laughter.)

The Honourable Sir Joseph Bhore: I am, Sir, dealing with the Railway Board. (Laughter.)

Sir Cowasji Jehangir: The Honourable Member said that the Railway Board were not responsible and that somebody else initiated the policy. Who is that somebody else?

The Honourable Sir Joseph Bhore: The policy has been the policy of the Secretary of State for a long time.

Sir Cowasji Jehangir: Whom does the Honourable Member represent here? Does he not represent the Secretary of State?

The Honourable Sir Joseph Bhore: I represent the Government of India. (Laughter.) When I deal with the question of Indianisation,—and I hope that I shall have an opportunity of dealing with that matter, despite the fact that my Honourable friends opposite are probably making it impossible for those who have given notices of cuts on this particular motion to bring them up before the House—I hope, when I have an opportunity of dealing with that question, to be able to satisfy the House that very real and very substantial progress has been made. I would point out that allegations of a general nature of this description are unfair and inequitable. It is only when we come to actual figures and people are able to judge what actually has been done, that they will be in a position to register a fair and equitable verdict. My Honourable friend, the Leader of the Opposition, I think, laid claim to a controlling voice in the management of the Indian railways on the ground that the public contributed something like Rs. 90 or 100 crores annually to its revenues. I do not say anything about the claim, but I venture to submit to him that the argument is not a valid one. If that argument were to apply, then I might quite reasonably demand a voice in the management of every shop to which I go and at which I make my purchases. My Honourable friend will no doubt realise

that the revenues of the railways are derived from payments for services rendered and are not contributions. My Honourable friend, the Leader of the Opposition, made, I think, a second point of importance.

Mr. Bhulabhai J. Desai: It is a co-operative store.

An Honourable Member: Whose shop is the railway system?

The Honourable Sir Joseph Bhore: It is not a co-operative store yet. My Honourable friend, the Leader of the Opposition, made one other point, and I think that was the only other point of real substance which he made. That point was that the railways in India had done nothing to assist agriculture and industry. Now, Sir, on that question, I hold certain definite opinions myself. They may be at variance with those held by my Honourable friend, but we must agree that there is room for an honest difference of opinion. I will enunciate the policy which we have always held in this matter, and to which I gave expression last year, during the course of the Railway Budget debate. I will, with your permission, read what I then said:

"Then suggestions have been made that the railways should reduce their rates in order to give assistance to agriculture and industries. Now, the position of the Railway Department has always been this: if we are expected to operate as a commercial concern, then obviously we must charge rates which are fully economic, that if Government decide that assistance should be given to agriculture and industries, that assistance should not be indirect, concealed and vicarious as it would be if railway rates were reduced for the carriage of their products but that it should be given directly and openly, so that the principle of giving assistance and the measure of assistance to be given may from time to time be capable of being examined and controlled by the Governments and the Legislatures concerned. From that position the Railway Board has never resiled."

There may be, Sir, an honest difference of opinion, but I do venture to submit that that is a possible view and I do not think that Honourable Members can turn it down lightly, or without serious consideration. May I, Sir, remove the impression that the change that is envisaged in the Government of India Bill is directed to the abolition of the existing Railway Board. (Some Honourable Members: "Order, order.") It does nothing of the kind. I am merely referring to a point of which my Honourable friend made mention.

Mr. Bhulabhai J. Desai: I was not allowed to make the point.

The Honourable Sir Joseph Bhore: But my Honourable friend did, in spite of it.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not want the matter to be discussed.

The Honourable Sir Joseph Bhore: I am merely pointing out that there was a misunderstanding in the suggestion that the Statutory Railway Authority, when it comes, means the abolition of the Railway Board. (Interruption by Dr. Ziauddin Ahmad.) My Honourable friend must really not interrupt me. I cannot reply to a general debate of this nature with interruptions like this. Now, Dr. Ziauddin and Sir Henry Gidney referred to a number of matters in which, according to them, the Railway Board has failed to administer this great national asset in accordance with their views. Sir, I do not deny that there are many matters in regard to which there may be a difference of opinion between the Railway Board and its critics. I do not deny that there are matters on which improvement is possible. No one would be so blind as to say that this is the best of all possible worlds and that the Railway Board is the best organisation in this

[Sir Joseph Bhore.]

best of all possible worlds, but I do say that because there may be room for improvement, because there may be defects to remedy from time to time, that is no reason for abolishing the Railway Board and refusing it permission to function.

Then, Sir, my Honourable friend, Sir Henry Gidney, has asked us why we have not manufactured more of our requirements in this country and contracted our purchases from abroad. Now, if my Honourable friend, will only wait until that question is discussed in detail in this House, we shall be able, I think, to give him figures which will convince him and the House that this is one of the departments of the Railway Board's activities in which we have succeeded in giving very substantial effect to the view which has been often impressed upon us by this House and by the public. If I have to single out any one, I would single out my friend, Mr. B. Das, who has, on more than one occasion, pressed this policy upon our notice. He has done it persistently and if credit is due for the results that we can now show, that credit must, to some extent, go to my Honourable friend opposite and to others who have pressed this view in season and out of season upon our attention.

Now, Sir, there is really very little left for me to say. With regard to the actual cut itself, I can do no better, I can make no better appeal than refer to a speech which my Honourable friend, Mr. Jinnah, made in this House in 1925. I hope that my Honourable friend, Mr. Jinnah, will permit me to quote him, because I certainly could make no stronger or more effective defence of the position that I am now taking up.

Mr. M. A. Jinnah: Quoting wrongly again. Another Abraham Lincoln

The Honourable Sir Joseph Bore: Speaking on a similar motion by Pandit Motilal Nehru for the abolition of the provision for the Railway Board, because of the many grievances that had not been attended to, this is what my Honourable friend, Mr. Jinnah, said:

"Let us examine the constitution of the Railway Board. The Railway Board is entirely subject to the Government. I think that cannot be denied by any one who has read the constitution of that Board. Yes, the Railway Board, therefore, as nothing else but a set of servants who are employed on certain salaries and these servants constitute themselves into a body. But they are entirely under the control and the orders of the Government of India and the Parliament, if you like. Now, say my friend Pandit Motilal Nehru that because the Government of India who are responsible. . . (A Voice : 'To whom?') If Honourable Members will allow me to answer I shall answer them. Now, it is said because the Government of India are responsible for the policy, programme and administration of the Railway Board, because they in their turn are responsible to the Secretary of State, because we have got a large number of grievances, because they have not been either attended to or satisfied or complied with, therefore we should dismiss a certain number of subordinate servants who have formed themselves into a Board and who are under the orders of somebody else who is responsible, if at all, to this Legislature. I can understand my friend Pandit Motilal coming forward and raising a question of a constitutional character and saying 'Here is a department of the Government of India that is responsible for all this and I will reject the vote so far as that particular department is concerned'. But in your anger, you hit not the Government of India who are responsible, you reject an item which is intended to pay Railway servants."

And, in pursuance of that speech, my Honourable friend, Mr. Jinnah, walked into the lobby with Government and defeated the motion. May I express the earnest hope that he will repeat what he did on that previous occasion (Laughter), and give us not merely the benefit of his valuable arguments, but also his vote when it comes to a question of voting.

Mr. M. A. Jinnah: My Honourable friend has quoted me exactly in the same way that he quoted Abraham Lincoln not long ago.

The Honourable Sir Joseph Bhoré: Sir, the records of the debates are here for everybody to see. It is a little difficult—I quite realise—to understand Mr. Jinnah (Laughter), but the reports are here, and anybody can read what I have read out. I have certainly not omitted any word, nor have I attempted in any way, as far as lay in my power, to wrongly emphasise anything that he said.

Sir Cowasji Jehangir: Does my Honourable friend realise that the issue now before this House is very different to the issue before the House when Pandit Motilal Nehru spoke? It is.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Railway Board' be reduced to Rupee one."

As one Honourable Member is unable to go to the Lobby to have his vote recorded, the Chair directs the tellers to go to the Honourable Member's seat and have his vote recorded there. This practice will be followed so long as the Honourable Member is unable, on account of his illness, to go to the Lobby.

The Assembly divided:

AYES—75.

Aaron, Mr. Samuel.
 • Abdul Matin Chaudhury, Mr.
 Abdullah, Mr. H. M.
 Aney, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar, Mr. M. Ananthasayanam.
 Azhar Ali, Mr. Muhammad.
 Ba Si, U
 Badi-uz-Zaman, Maulvi.
 Banerjee, Dr. P. N.
 Baqui, Mr. M. A.
 Barda'oi, Srijut N. C.
 Bhagavan Das, Dr.
 Chattopadhyaya, Mr. Amarendra Nath
 Chettiar, Mr. T. S. Avinashilingam.
 Chetty, Mr. Sami Vencatachelam.
 Das, Mr. B.
 Das, Mr. Basanta Kumar.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Deshmukh, Dr. G. V.
 Essak Sait, Mr. H. A. Sathar H.
 Fakir Chand, Mr.
 Fazl-i-Haq Piracha, Khan Sahib
 Shaikh.
 Fuzlul Huq, Mr. A. K.
 Gadgil, Mr. N. V.
 Ghulam Bhik Nairang, Syed.
 Giri, Mr. V. V.
 Govind Das, Seth.
 Gupta, Mr. Ghansham Singh.
 Hosmani, Mr. S. K.
 Iswar Saran. Munshi.
 Jedhe, Mr. K. M.
 Jehangir, Sir Cowasji.
 Jinnah, Mr. M. A.
 Jogendra Singh, Sirdar.
 Joshi. Mr. N. M.

Khan Sahib, Dr.
 Khare, Dr. N. B.
 Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta.
 Mangal Singh, Sardar.
 Mehr Shah, Nawab Sahibzada Sir
 Sayad Muhammad.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qazi.
 Murtuza Sahib Bahadur, Maulvi
 Syed.
 Nageswara Rao, Mr. K.
 Paliwal, Pandit Sri Krishna Dutta.
 Pant, Pandit Govind Ballabh.
 Parma Nand, Bhai.
 Raghubir Narayan Singh, Choudhri.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Rajan, Dr. T. S. S.
 Raju, Mr. P. S. Kumaraswami.
 Ranga, Prof. N. G.
 Sakseena, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Satyamurti, Mr. S.
 Shafi Daudi, Maulvi Muhammad.
 Sham Lal, Mr.
 Shaukat Ali, Maulana.
 Sheodass Daga, Seth.
 Sherwani, Mr. T. A. K.
 Singh, Mr. Deep Narayan.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Satya Narayan.
 Som, Mr. Surya Kumar.
 Sri Prakasa, Mr.
 Thein Maung, Dr.
 Thein Maung, U.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.
 Vissanji, Mr. Mathuradas

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Ayyar, Rao Bahadur A. A.
 Venkatarama.
 Bajpai, Mr. G. S.
 Bhowe, The Honourable Sir Joseph.
 Buss, Mr. L. C.
 Chatarji, Mr. J. M.
 Clow, Mr. A. G.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Drake, Mr. D. H. C.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Gidney, Lieut.-Colonel Sir Henry.
 Graham, Sir Lancelot.
 Grigg, The Honourable Sir James.
 Hockenull, Mr. F. W.
 Hossack, Mr. W. B.
 Hudson, Sir Leslie.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kirpalani, Mr. Hiranand Khushiram.
 Lal Chand, Captain Rao Bahadur
 Chaudhri.

Lindsay, Sir Darcy.
 Metcalfe, Mr. H. A. F.
 Milligan, Mr. J. A.
 Monteath, Mr. J.
 Morgan, Mr. G.
 Mukerjee, Mr. N. R.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Nayar, Mr. C. Govindan.
 Noyce, The Honourable Sir Frank.
 Owen, Mr. L.
 Raisman, Mr. A. J.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. P. R.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Scott, Mr. W. L.
 Sher Muhammad Khan, Captain
 Sardar.
 Singh, Mr. Pradyumna Prashad.
 Sircar, The Honourable Sir
 Nripendra.
 Sloan, Mr. T.
 Swithinbank, Mr. B. W.
 Tottenham, Mr. G. R. F.
 Tylden-Pattenson, Mr. A. E.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rupee one 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, 1936, in respect of 'Railway Board.'"

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): As there is a function this evening which many Honourable Members desire to attend, the Chair proposes to adjourn the House till 11 o'clock tomorrow. The Chair proposes to sit tomorrow and on other days of the Budget till 5 o'clock in the evening.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 23rd February, 1935.

LEGISLATIVE ASSEMBLY.

Saturday, 23rd February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

NEGOTIATIONS WITH THE RULERS OF INDIAN STATES ABOUT THE INSTRUMENT OF ACCESSION.

446. ***Mr. Sami Vencatachalam Chetty:** (a) Will Government be pleased to state whether they are carrying on or propose to carry on in the near future negotiations with the Rulers of Indian States in regard to the Instrument of Accession?

(b) Having regard to the large interests of British Indians involved, do Government propose, in settling the terms of such Instrument of Accession, to appoint an *ad hoc* Committee of non-official representatives of this House to be consulted and to be apprised of the negotiations as they progress?

The Honourable Sir Nripendra Sircar: Sir, I should like to correct a mis-statement which I made yesterday that I did not receive a copy of this. It was sent to my House, but I am sorry that I overlooked it. The answer is:

(a) Negotiations with the States in regard to their accession to the Federation can be carried out only after the Constitution Act is passed by Parliament.

(b) The matter rests entirely in the hands of His Majesty's Government, and the Government of India are not in a position to make any statement on that subject.

Mr. Sami Vencatachalam Chetty: Is it not a fact that negotiations with regard to forfeiting a certain portion of customs revenue to the States are being carried on?

The Honourable Sir Nripendra Sircar: I am not aware if it is a fact that any negotiations like what my Honourable friend suggests are going on between any State and the Government of India.

Mr. Sami Vencatachalam Chetty: Are the Government of India aware that such negotiations are being carried on by the Secretary of State with the States?

The Honourable Sir Nripendra Sircar: If any negotiations are being carried on between His Majesty's Government and any particular State, if I get notice of that question, then I can make up my mind whether that can be answered or not.

Mr. Sami Vencatachelam Chetty: Is it not a fact that the State of Baroda has got some concession from the Government of India with regard to her customs revenue?

The Honourable Sir Nripendra Sircar: I want notice.

Mr. M. Ananthasayanam Ayyangar: Have any of the States been informally consulted till now?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

ACTION TAKEN ON THE RESOLUTION RE TERMINATION OF THE INDO-BRITISH TRADE AGREEMENT.

466. ***Mr. T. S. Avinashilingam Chettiar:** Will Government please state what action they propose to take on the Resolution of this House dated the 30th January, 1935, recommending to Government that the Indo-British Trade Agreement signed on the 9th of January, 1935 should be terminated forthwith?

The Honourable Sir Joseph Bhoré: I would refer the Honourable Member to the replies given to the series of supplementary questions asked by Mr. S. Satyamurti in connection with his starred question No. 206, on the 13th February last.]

EXTENSION OF THE OPERATION OF THE WHEAT (IMPORT DUTY) ACT.

467. ***Sardar Sant Singh:** (a) Do Government propose to extend the operation of Wheat Duty Act, 1931, by another year?

(b) Have Government received any representation to that effect from any quarter? If so, from whom?

The Honourable Sir Joseph Bhoré: (a) The question whether the operation of the Wheat (Import Duty) Act, 1931, should be extended for a further period is under consideration.

(b) Representations supporting the extension of the Act have been received from the following commercial bodies:

- (1) Indian Merchants' Chamber, Bombay;
- (2) Indian Produce Association, Calcutta;
- (3) Merchants' Chamber of United Provinces, Cawnpore;
- (4) Maharashtra Chamber of Commerce, Bombay;
- (5) Mysore Chamber of Commerce, Bangalore;
- (6) Northern India Chamber of Commerce, Lahore;
- (7) Indian Chamber of Commerce, Lahore;
- (8) United Provinces Chamber of Commerce, Cawnpore;
- (9) Gwalior Chamber of Commerce; and
- (10) Karachi Indian Merchants' Association.

IMPORT OF WHEAT INTO INDIA.

468. ***Sardar Sant Singh:** How much wheat was imported into India during the years 1932-33, 1933-34 and 1934-35 till 1st January, 1935?

The Honourable Sir Joseph Bhoré: The Honourable Member is referred to the Accounts relating to the Sea-borne Trade and Navigation of British India for March, 1934, and for December, 1934, copies of which are in the Library of the Legislature.

RETIREMENT OF FIRST CLASS POSTMASTERS ON THE COMPLETION OF THIRTY YEARS' SERVICE.

469. ***Mr. M. Ananthasayanam Ayyangar:** (a) Will Government be pleased to state if it is their intention to retire first class Post Masters on the completion of 30 years service, even though they may not attain the age of 55? If so, what is the number of such cases?

(b) Do Government propose to extend their services up to the age of 55?

The Honourable Sir Frank Noyce: Government have no such intention. The latter portion of part (a) and part (b) of the question do not arise.

Prof. N. G. Ranga: Are the Government of India aware that salaries paid to these branch postmasters are very much lower than those paid to the mail runners?

The Honourable Sir Frank Noyce: No, Sir, I am not aware of that. I, however, hardly think that it arises out of this question.

MILITARY REVIEW HELD ON THE 31ST JANUARY, 1935.

470. ***Mr. T. S. Avinashilingam Chettiar:** Will Government please state:

(a) the total cost incurred on the military review held on the 31st January, 1935;

(b) the purpose of the review; and

(c) whether it is going to be held every year, or at different intervals; if the latter, at what periods it is to be held?

Mr. G. R. F. Tottenham: (a) The full cost is not yet known, but it is expected to amount to approximately Rs. 20,000. I may add that the cost would have been many times greater had not the troops been concentrated in the vicinity of Delhi for other training and manœuvres.

(b) The purpose of the Review was to give an opportunity to the general public to see something of the army. It also gave an opportunity for ceremonial training on a large scale, which is of considerable military importance.

(c) Reviews are held occasionally at the discretion of the military authorities. There is no fixed rule on the subject.

Mr. T. S. Avinashilingam Chettiar: Is it held every year?

Mr. G. R. F. Tottenham: No, Sir. As a matter of fact, the last occasion on which a review of this kind was held was ten years ago.

Sir Muhammad Yakub: Are Government aware that there is a great deal of resentment among the Members of this House who had to sit for more than three hours in the sun when they were asked to see the Review, whereas beautiful canopies were provided for the Government officials?

Mr. G. R. F. Tottenham: I was not aware of that fact.

Sir Muhammad Yakub: Will Government please enquire?

Sardar Sant Singh: I was also one of the invitees, and I can say that there was no such discontent.

Dr. G. V. Deshmukh: When is the next occasion for Review going to be?

Mr. M. Ananthasayanam Ayyangar: What is the purpose of having a Review at Delhi alone?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

CONFIRMATION OF THE NON-GAZETTED POSTAL STAFF.

471. ***Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) the number of vacancies in each Circle and in each cadre in the Postal Department, remaining vacant under orders of the Director General, Posts and Telegraphs, issued in April, 1931;
- (b) whether the Director General, Posts and Telegraphs, has come to any decision as regards the confirmation of lower cadres as has been done in the case of gazetted officers;
- (c) whether the ban against confirmation has been removed in respect of other departments of the Government of India, or only in the case of the gazetted staff of the Postal Department;
- (d) whether they are aware of the discontent that exists among the non-gazetted staff of the Post Offices on account of the discriminatory treatment meted out to the gazetted and non-gazetted staff of the same department in the matter of confirmation; and
- (e) whether they propose to issue instructions for the confirmation of these non-gazetted officials immediately, and if so when?

The Honourable Sir Frank Noyce:-(a) to (e). The attention of the Honourable Member is invited to parts (a) to (e) of the reply to starred question No. 988 asked by Mr. S. C. Mitra in the Legislative Assembly on the 31st August, 1934. The question of the removal of the ban against confirmation is under consideration and it is hoped that orders will issue shortly.

CONTINGENT ALLOWANCE FOR BRANCH POSTMASTERS IN THE BOMBAY POSTAL CIRCLE.

472. ***Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) whether it is a fact that the Branch Postmasters in the Bombay Circle are not paid any contingent allowances;

- (b) whether even the supply of articles of stock, such as small cash bags to keep rupees and small change, is denied to them;
- (c) whether in a number of cases they are not provided with an iron safe; and
- (d) if the reply to parts (a) and (b) above be in the affirmative, whether instructions are proposed to be issued to reconsider the question and permit small cloth cash bags, as are given to postmen and village postmen, to be supplied to the Branch Postmasters also?

The Honourable Sir Frank Noyce: (a) Departmental branch postmasters are given a contingent allowance, but as the allowances paid to extra departmental branch postmasters are inclusive of contingencies no separate contingent allowances are sanctioned for branch postmasters of this class.

(b) The facts are as stated by the Honourable Member.

(c) Iron safes are supplied only when this is justified by the amount of the cash balance.

(d) In view of the reply to part (a) above, Government do not consider that the issue of instructions as suggested by the Honourable Member is necessary.

ABSTRACTS OF INFORMATION IN VERNACULAR IN THE BOMBAY POSTAL CIRCLE.

473. ***Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) the year in which the abstracts of postal information in vernacular was last printed in the Bombay Circle;
- (b) whether the rates of postage and other conditions have undergone various changes since the last printing of the said pamphlet;
- (c) whether the staff, particularly the Branch Postmasters and the village postmen, find it difficult to furnish even ordinary information required by the public;
- (d) whether the Postmaster General, Bombay, has refused to reprint the pamphlet on the ground of financial stringency;
- (e) whether it is under consideration to reprint the Branch Office rules in vernacular; and
- (f) if the reply to (e) above be in the affirmative, whether it is a fact that the vernacular (Marathi) reprint was last issued in 1932?

The Honourable Sir Frank Noyce: (a) May, 1931.

(b) Yes.

(c) No. Branch postmasters are instructed regarding the changes in rates, etc., by Postmaster General's circulars issued in the vernacular and village postmen are informed of the various changes by their respective postmasters.

(d) Yes. In 1933 it was decided by the Director General to hold in abeyance the reprint of the abstract of postal information in the vernacular so long as the financial stringency lasted and this decision was communicated to the Postmaster General, Bombay.

(e) Yes. The book of branch office rules in Marathi is now being re-printed.

(f) Yes.

Mr. Lalchand Navalrai: May I know if the printing of the abstract will now be renewed?

The Honourable Sir Frank Noyce: I hope so, Sir, before long.

CASE OF ONE MR. RAM KISHAN, A STATE PRISONER IN THE MUZAFFARGARH JAIL.

474. ***Mr. Sham Lal:** (a) Will Government be pleased to state if Mr. Ram Kishan, B.A. (National), a State prisoner, is confined in Muzaffargarh Sub-Jail?

(b) How many times was Mr. Ram Kishan arrested before?

(c) Are there any definite charges against him, and if so, what?

(d) Has a copy of the charges been given to Mr. Ram Kishan, or have the charges been explained to him?

(e) Has Mr. Ram Kishan's case been placed before any judge or judges?

(f) Did Mr. Ram Kishan apply for a judicial trial? If so, what order did Government pass on that application?

(g) If his application for a regular trial has been rejected by Government, what was the reason for the rejection of the application?

(h) Is it a fact that Mr. Ram Kishan had kidney trouble, when he was confined in the Lahore Fort soon after his arrest and was taken to the Mayo Hospital for operation?

(i) Is it a fact that before he had completely recovered, he was taken back to the Lahore Fort, and that his condition got worse and he developed palpitation of the heart?

(j) What is the state of Mr. Ram Kishan's health now?

(k) Is it a fact that there is no whole time medical attendant attached to Muzaffargarh Sub-Jail?

(l) Is it a fact that when Mr. Ram Kishan had an attack of palpitation of heart, it took three hours for the doctor to come and attend?

(m) Are Government prepared to transfer him to some other suitable place?

(n) Are Government prepared to consider his case for release?

The Honourable Sir Henry Craik: (a) Yes.

(b) and (c) On at least five occasions action has been taken against him under Regulation III because of his subversive activities.

(d) and (e). No.

(f) and (g). No such application has been received by the Government of India.

(h) to (l). The State Prisoner was in hospital for a short time before his detention under Regulation III of 1818. I have no information as to his ailments at that time, but since his detention as a State Prisoner his health has been good except for occasional attacks of malaria. I have no information to suggest that he has heart trouble of any kind. He is under the care of the Civil Surgeon, Muzaffargarh. I may add that his weight in December, 1984, was 121 lbs. against 112 lbs. on the date of his detention.

(m) and (n). No.

Mr. B. Das: Will Government consider an application for a judicial trial from Mr. Ram Kishan if any such application is received from him?

The Honourable Sir Henry Craik: No, Sir.

Mr. Sri Prakasa: Do Government depend entirely upon the reports of medical officers in the jails as regards the health of these prisoners, or are they prepared to depute non-official medical men also to examine the health of these prisoners?

The Honourable Sir Henry Craik: No, Sir; Government depend on the report of the medical officer in charge of the jail who in this case is the Civil Surgeon. If there were any ground for thinking that his health was bad, it would no doubt be considered whether he should be examined by another doctor as well. As I have said, his weight has increased by nine pounds since he was detained.

Mr. S. Satyamurti: What are the definite charges against him?

The Honourable Sir Henry Craik: That will require a lot of examination, and I think the Honourable Member might put down a question.

Mr. S. Satyamurti: The question is already there in clause (c).

The Honourable Sir Henry Craik: There are definite charges. He is a communist.

Mr. S. Satyamurti: Is communism an offence under the Indian criminal law?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of argument and legal opinion.

CASE OF ONE MR. IHSAN ILLAHI, A STATE PRISONER UNDER REGULATION III OF 1818.

475. ***Mr. Sham Lal:** (a) Are Government aware that Mr. Ihsan Illahi has been a State prisoner under Regulation III of 1818 for more than three years?

(b) Are Government aware that up to this time his case has not been placed before any Judges or the charges explained to him?

(c) Are Government aware that Mr. Ihsan Illahi wrote to Government to put him on his trial for any offence that he might have committed, and that they did not give any reply?

(d) Is it a fact that Mr. Ihsan Illahi had been arrested several times before, but no evidence was forthcoming against him and he was released?

(e) Are Government prepared to disclose the reasons for detaining Mr. Ihsan Illahi?

(f) How long do Government intend to detain Mr. Ihsan Illahi?

(g) Under what conditions are Government prepared to release Mr. Ihsan Illahi?

(h) Is it a fact that Mr. Ihsan Illahi is not keeping good health in jail and is suffering from heart trouble?

(i) Are Government prepared to consider his case for release favourably?

The Honourable Sir Henry Craik: (a) Yes.

(b) The case, including the State Prisoner's reply to the charges against him, was examined by two Judges who were satisfied that he was actively engaged in the revolutionary activities with which he was charged.

(c) As far as I am aware, no such representation has been received by the Government of India.

(d) Yes.

(e) No.

(f) and (g). So long as his detention is necessary in the interests of the public peace.

(h) No. On the contrary the health reports on the State Prisoner show that he is keeping good health and has gained 13 lbs. in weight.

(i) No.

Mr. S. Satyamurti: Who were the Judges who examined his case?

The Honourable Sir Henry Craik: Two Sessions Judges, to the best of my recollection.

Mr. M. Asaf Ali: Will the Honourable Member inform us whether the prisoner had any opportunity of testing the validity of the evidence that was placed before the Judges?

The Honourable Sir Henry Craik: He was given copies of the charges against him and he submitted a written reply to these charges.

Mr. M. Asaf Ali: Would that be sufficient for testing the evidence?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion and inference.

Mr. M. Asaf Ali: Did Government ever give him any opportunity to cross-examine the witnesses?

The Honourable Sir Henry Craik: No, Sir.

Mr. M. Asaf Ali: Did Government give this gentleman an opportunity to examine the evidence against him?

The Honourable Sir Henry Craik: I imagine the evidence against him is summarised in the charges supplied to him.

Mr. S. Satyamurti: Was any evidence placed before the Judges at all?

The Honourable Sir Henry Craik: Yes, certainly.

Mr. S. Satyamurti: Evidence of whom? Oral or written?

The Honourable Sir Henry Craik: A written summary of the evidence.

Mr. Lalchand Navalrai: Was he allowed to have defence witnesses examined?

The Honourable Sir Henry Craik: No, I should say not.

Mr. Lalchand Navalrai: Why not?

The Honourable Sir Henry Craik: The Honourable Member does not seem to understand that the procedure of the Regulation is only used in cases in which it is not, for a variety of reasons, considered suitable to place the evidence before any Court.

Mr. Lalchand Navalrai: If the prosecution evidence has been placed before two Judges for their consideration, why was not the defence evidence so placed?

The Honourable Sir Henry Craik: There was no defence, so far as I know.

Mr. S. Satyamurti: By whom was the evidence taken?

The Honourable Sir Henry Craik: I have said that the usual practice in such cases is to place a written summary of the evidence before the Judges.

Mr. S. Satyamurti: But who takes the evidence, and who makes the summary?

The Honourable Sir Henry Craik: The evidence consists of statements made at various times by various people.

Mr. S. Satyamurti: To whom?

The Honourable Sir Henry Craik: That depends. I cannot say what happened in this particular case.

Mr. S. Satyamurti: To the police generally?

The Honourable Sir Henry Craik: As a rule, to the police.

Mr. S. Satyamurti: In the presence of the person charged?

The Honourable Sir Henry Craik: It may consist in part of statements made by various persons in previous trials. In this particular case, I rather think it did.

REPRESENTATIONS FROM FOREIGN COUNTRIES TO THE TARIFF BOARD DURING ITS ENQUIRIES INTO THE NECESSITY FOR GRANTING PROTECTION TO VARIOUS INDUSTRIES.

476. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state what all interests from foreign countries have made their representations to the Tariff Board on every one of the occasions when the Board was conducting its enquiries into the necessity for granting protection to various industries?

(b) On how many occasions were such representations made for or against the grant of protection which was then in question?

(c) What was the general trend of the British representations made when Indian Textile and Steel Industries were asking for protection?

The Honourable Sir Joseph Bhoré: (a), (b) and (c). The Honourable Member is referred to the Reports and Evidence Volumes relating to the various enquiries conducted by the Tariff Board, copies of which are in the Library.

FACTORS AND CONSIDERATIONS TAKEN INTO ACCOUNT BY THE TARIFF BOARD IN RECOMMENDING PROTECTION TO A PARTICULAR INDUSTRY.

477. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state what factors and considerations are taken into account by the Tariff Board in deciding whether any particular industry needs any protection or not?

(b) What economic considerations and elements are weighed in arriving at the fair selling prices of various products of the industry which seeks protection?

(c) Are enquiries made into the degree of efficiency with which the industry desiring protection is organised and its various concerns are managed and the machinery and methods of manufacture utilised?

(d) Are the economic conditions of the corresponding industry in other countries also taken into consideration?

The Honourable Sir Joseph Bhoré: (a), (b), (c) and (d). The Honourable Member is referred to the Government of India, Commerce Department Resolution No. 3748, dated the 10th July, 1923, and to the Reports of the Tariff Board relating to the various enquiries conducted by it, copies of which are in the Library.

WORKING OF THE TARIFF BOARD.

478. ***Prof. N. G. Ranga:** (a) Will Government please state since when the Tariff Board has been working?

(b) Into how many and what industries has it enquired?

(c) How much time has been taken by the Board for enquiring into each of those industries and what expenditure has been incurred by it since its inception and on each of its enquiries?

(d) Had any detailed economic enquiries been attempted to be made into the costs of production of the products of the industries under enquiry?

(e) If so, by whom have such enquiries been made?

(f) What are the qualifications of those who were deputed to make such economic enquiries?

(g) Were the fair selling prices arrived at by the Board ever disputed by any of the interests concerned?

(h) If so, by which interests and when?

(i) Did the Board ever see it fit to alter its own figure for fair selling price for that suggested by the interests concerned?

(j) If so, in which cases and when?

The Honourable Sir Joseph Bhoré: (a) Since July, 1923.

(b) A statement is laid on the table.

(c) The Honourable Member is referred to the Reports of various enquiries conducted by the Board, copies of which are in the Library. Expenditure of Rs. 22,58,000 has been incurred on the Board from its inception till the close of the financial year 1933-34. The estimated expenditure during the current year, 1934-35, is Rs. 1,56,800. Expenditure is not allocated on account of each enquiry separately.

(d) to (j). The Honourable Member is referred to the reply to question No. 476 just given.

Statement showing the enquiries by the Indian Tariff Board.

PART I.—Completed.

1. Grant of protection to the Steel Industry (1924).
2. Removal of the import duty on Sulphur (1924).
3. Increase of duties on steel (1924).
4. Grant of protection to the Magnesium chloride Industry (1925).
5. Grant of protection to the Printers' Ink Industry (1925).
6. Grant of protection to the Cement Industry (1925).
7. Grant of protection to the Paper and Paper Pulp Industry (1925).
8. Grant of supplementary protection to the Steel Industry (1925).
9. Removal of the duty on Spelter and enhancement of the duty on imported galvanised hardware (1925).
10. Grant of protection to the Wire and Wire Nail Industry (1926).
11. Grant of protection to the Coal Industry (1926).
12. Grant of protection to the Shipbuilding Industry (1926).
13. Continuance of protection to the Steel Industry (1926).
14. Changes in the tariff entries relating to the Printing Paper (1927).
15. Grant of protection to the Cotton Mill Industry (1927).
16. Tariff equality in respect of the manufacture of Camel Hair, Cotton and Canvas Ply Belting (1927).
17. Grant of protection to the Plywood and Tea Chest Industry (1927).
18. Grant of protection to the manufacture of railway wagons and underframes, component parts thereof, and Wire and Wire Nails (1927).
19. Grant of protection to the Match Industry (1928).
20. Grant of protection to the Oil Industry (1928).
21. Tariff equality in respect of the manufacture of electric wires and cables (1928).
22. Tariff equality in respect of the manufacture of Printing Type (1929).
23. Tariff equality in respect of the manufacture of Manila Rope (1929).
24. Grant of protection to the Heavy Chemical Industry (1929).
25. Grant of protection to the Magnesium Chloride Industry (1929).

26. Removal of the Revenue Duty on Pig Iron (1930).
27. Additional protection for Galvanised Sheets (1930).
28. Grant of protection to the Salt Industry (1930).
29. Grant of protection to the Gold Thread Industry (1930).
30. Grant of protection to certain Railway Materials made of Steel (1930).
31. Grant of protection to Steel Rails (1931).
32. Grant of protection to the Sugar Industry (1931).
33. Grant of protection to the Wire and Wire Nail Industry (1931).
34. Grant of protection to the Paper and Paper Pulp Industry (1931).
35. Grant of protection to the manufacture of Electric Wires and Cables (1931).
36. Grant of protection to the Glass Industry (1932).
37. Grant of additional protection to the Cotton Textile Industry (1932).
38. Extension of protection to the Cotton Textile Industry (1932).
39. Grant of protection to the Sericultural Industry (1933).
40. Continuance of protection to the Iron and Steel Industry (1934).
41. Removal of tariff inequality in respect of Carbon Brushes and Healds and Reeds (1934).

PART II.—In Progress.

1. Removal of tariff inequality in respect of shuttles.
2. Grant of protection to the Woollen Textile Industry.

MEMBERS OF THE TARIFF BOARD.

479. *Prof. N. G. Ranga: Will Government be pleased to state the names of all the members of the Tariff Board, who have so far been appointed, with their qualifications and a brief account of their past careers relating to their touch with industry or economic studies, the dates when they were appointed, the periods for which they were originally appointed and the various and successive extensions they had received and the dates when they had relinquished their memberships and the reasons for their resignations or relinquishments of their memberships?

The Honourable Sir Joseph Bhore: With your permission, Sir, I will answer questions Nos. 479 and 480 together.

Question No. 479 and question No. 480 part (a): The Tariff Board is a temporary organization, and, when created in July, 1923, was appointed in the first instance for a period not exceeding one year. The Board has, however, remained in existence continuously since then except for brief periods in 1933 and again last year. Sanction for the continuance of the Board has usually been obtained for periods of one year at a time but on occasions for periods of two years at a time. Members of the Board are not appointed for any fixed period and the time for which they remain with the Board is determined by individual circumstances. Periods of tenure have usually been five years or under. Having regard to the temporary nature of the organization of the Board Government do not consider it necessary to fix definitely any minimum and maximum limits of tenure of their appointments by members. I lay on the table a statement showing the names of past and present members of the Board and other details asked for in so far as it is possible to supply these.

Question No. 480, part (b): The Honourable Member is referred to Chapter XVII of the Report of the Indian Fiscal Commission.

Statement showing the details of the services of the Members of the Tariff Board.

Names.	Qualifications etc.	Date of appointment to the Board.	Date of leaving the Board.	Reasons for leaving the Board.
Sir George Rainy, K.C.S.I.	I.C.S.	5th July, 1923	14th April, 1926	Joined the Commerce Department.
Sir Padamji Ginnwala, Kt.	Bar-at-Law prominent public man and business man of standing. Formerly a member of the Legislative Assembly.	5th July, 1923	27th March, 1930	Retired.
Mr. V. G. Kale	M. A. Professor of Economics, Fergusson College, Poona. Formerly a member of the Council of State.	14th July, 1923	5th July, 1925	Reverted to the educational work.
Dr. John Matthai	I.E.S., D.Sc., B.A., B.L., B. Litt., Professor of Economics, Presidency College, Madras.	22nd June, 1925	12th June, 1934	Reverted to the Indian Educational Service.
Mr. A. E. Mathias, C.I.E.	I.C.S.	5th June, 1926	6th December, 1931	Services replaced at the disposal of the Government of the Central Provinces.
Mr. Fazal Ibrahim Rahimtoola	Business man and public man of standing. Formerly a member of the Legislative Assembly.	2nd November, 1930	16th February, 1934	According to the terms of his appointment he did not take part in the Iron and Steel Industry enquiry.
Ditto	Ditto	12th October, 1934	Still on Board	

Names.	Qualifications, etc.	Date of appointment to the Board.	Date of leaving the Board.	Reasons for leaving the Board.
Mr. G. T. Boag, C.I.E.	I.C.S.	3rd April, 1931	15th May, 1933	Services replaced at the disposal of the Government of Madras.
Mr. H. R. Batheja	M.A., I.E.S., Professor of Economics and Principal, Ravenshaw College, Cuttack.	12th December, 1932	15th May, 1933	Was appointed for the Sericultural Industry enquiry only.
Ditto	Ditto	12th October, 1934	Still on Board	
Mr. G. Wiles, C.S.I., C.I.E.	I.C.S.	2nd September, 1933	Still on Board	
Mr. G. A. Natesan	Public man of standing. Formerly a member of the Council of State.	7th September, 1933	25th June, 1934	Was appointed for the Iron and Steel Industry enquiry only.
<i>Special Tariff Board—Cotton Textile Industry Enquiry, 1926-27.</i>				
The Honourable Sir Frank Noyce, K.C.S.I.	I.C.S.	14th April, 1926	31st January, 1927.	This was a duplicate Tariff Board set up for the Cotton Textile Industry enquiry only.
Raja Sir Hari Kishen Kaul	Public man of standing	1st July, 1926	21st January, 1927.	
Mr. N. S. Subba Rao	M. A, Professor of Economics and Principal, Mahareja's College, Mysore.	1st July, 1926	21st January, 1927.	

Prof. N. G. Ranga: In view of the fact that the Board has been in existence more or less continuously for the last 12 years, do Government propose to make it a permanent organisation?

The Honourable Sir Joseph Bhoze: No, Sir; its continuance would just depend upon whether subjects arise which require a reference to the Board.

Prof. N. G. Ranga: In view of the fact that subjects have been arising continuously to keep this Board more or less in permanent existence for the last 12 years, do not the Government of India think that, in the best interests of trade in India, this Board should be made a permanent institution?

The Honourable Sir Joseph Bhoze: I am not prepared to subscribe to the view of my Honourable friend. It is a question of personal opinion.

Mr. S. Satyamurti: Have any members of the Board resigned or relinquished their membership before their time?

The Honourable Sir Joseph Bhoze: As I said just now, there is no definite time limit, but I have given a statement and all the information that I can gather I have embodied in that statement.

Prof. N. G. Ranga: Is it not a fact that several of the gentlemen who were appointed as members of the Tariff Board did not have anything to do with any of the trades or industries into which they were expected to inquire?

The Honourable Sir Joseph Bhoze: That was one of their qualifications, Sir. (Laughter.)

Prof. N. G. Ranga: Is it not a fact that several of these members did not have any other qualification?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

TENURE OF APPOINTMENT OF THE MEMBERS OF THE TARIFF BOARD.

†480. ***Prof. N. G. Ranga:** (a) Will Government please state if there is any fixed period for which the members of the Tariff Board are usually appointed? If so, what is it? If not, have Government considered the advisability of fixing the minimum and maximum limits of tenure of the members of the Tariff Board?

(b) On what considerations and for what qualifications is one usually selected for the membership of the Tariff Board?

REVIEW BY GOVERNMENT OF THE WORKING OF THE TARIFF BOARD.

481. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state whether the manner in which the Tariff Board has been constituted, its members recruited and its work carried on has been reviewed by Government for any or all the years of its working?

(b) If so, for which years were such reports submitted to Government and what are their remarks for the successive years?

(c) If the reply to part (a) be in the negative, are Government aware of the necessity for reviewing the working of the Board since its inception, and if so, do Government propose to consider the advisability of appointing a Committee of non-officials, representing the Industries and Commerce and Central Legislature to review the methods of enquiry evolved by and the method of recruitment of members of and the trade enquiries carried on by the Tariff Board?

†For answer to this question, see answer to question No. 479.

The Honourable Sir Joseph Bhore: (a), (b) and (c). The work of the Tariff Board comes under review of Government on each occasion when it presents a report. In the opinion of Government no other method of review is necessary.

AGREEMENT WITH THE GOVERNMENT OF CEYLON REGARDING THE IMPORTS OF COCOANUTS AND COPRA INTO INDIA.

482. *Prof. N. G. Ranga: (a) Will Government be pleased to state if they have concluded any agreement with the Government of Ceylon regarding the Ceylonese imports of cocoanuts and copra into India? If so, what are its terms?

(b) Have the Indian tariff levied on cocoanut imports been reduced in favour of Ceylonese imports? If so, to what extent?

(c) Are Government aware of the fact that after this reduction of our tariff upon cocoanut imports, the Ceylonese cocoanut imports have been increasing phenomenally and that as a consequence of such increased imports, the Malabar and other Indian cocoanut industry has been very badly affected?

The Honourable Sir Joseph Bhore: (a) The Trade Agreement, concluded at Ottawa in August, 1932, between His Majesty's Government in the United Kingdom and the Government of India, a copy of which is in the Library of the Legislature, provided *inter alia* for the grant of a ten per cent. preference on certain products of the British Colonies. Cocoanuts and copra are included amongst these products and Ceylon is regarded as a British Colony for the purposes of the Agreement. No special and separate agreement has been concluded with the Government of Ceylon.

(b) As a result of the Indian Tariff (Ottawa Trade Agreement) Amendment Act, 1932, the duty on cocoanuts and cocoanut products, which was formerly 25 per cent. *ad valorem*, was altered as follows with effect from the 1st of January, 1933:

			Standard rate	Colonial preferential rate.
Cocoanuts	..	..	30 per cent. <i>ad valorem</i> .	20 per cent. <i>ad valorem</i> .
Copra	..	..	30 per cent. <i>ad valorem</i> .	20 per cent. <i>ad valorem</i> .
Cocoanut oil	..	..	35 per cent. <i>ad valorem</i> .	25 per cent. <i>ad valorem</i> .

The duties have not since been altered.

(c) Government have received representations to that effect.

Prof. N. G. Ranga: Is it a fact that though we have been granting this preference to Ceylon and to Ceylonese products or imports into this country, our imports into that country have not been granted any reciprocal preference?

The Honourable Sir Joseph Bhore: The matter is under consideration at the present moment, and I am unable to make any very definite pronouncement.

Prof. N. G. Ranga: Is it not a fact that Ceylon has not been granting any preference at all to our imports into that country?

The Honourable Sir Joseph Bhore: That is very largely true.

Mr. M. Ananthasayanam Ayyangar: How long has it been under consideration?

The Honourable Sir Joseph Bhore: I think for the last six months or a year.

Mr. S. Satyamurti: With reference to the answer to part (c) of the question, that they have received representations, when do Government propose to take any action in order to prevent this loss to Malabar and other Indian cocoanut industry?

The Honourable Sir Joseph Bhore: I do not know whether my Honourable friend was in the House the other day when I informed the House that a report had now been received which was drawn up by an *ad hoc* committee which examined this subject, and that that report is now under the consideration of the Imperial Council of Agricultural Research.

Mr. S. Satyamurti: When do Government hope to be able to pass orders thereon?

The Honourable Sir Joseph Bhore: With the least practicable delay.

Prof. N. G. Ranga: May I know, Sir

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Prof. N. G. Ranga: There are some more supplementary questions, Sir: we have not had a chance

Mr. President (The Honourable Sir Abdur Rahim): Next question.

MINIMUM WAGES FIXED BY THE CEYLONESE AUTHORITIES FOR PAYMENT TO INDIAN IMMIGRANT LABOUR.

483. *Prof. N. G. Ranga: Will Government be pleased to state:

(a) the successive standards of minimum wages fixed by the Ceylonese authorities for the payment of wages to Indian immigrant labour;

(b) the levels of the retail-price indices at the times when these minimum limits were being fixed; and

(c) the proportion of the estates in Ceylon which were giving effect to the minimum wages fixed and the number of workers employed on other estates?

Mr. G. S. Bajpai: (a) A statement containing the information required by the Honourable Member is laid on the table of the House.

(b) The Honourable Member is presumably referring to the retail price indices of articles in use by Indian estate labourers. It is regretted that the information is not available. I may, however, inform the Honourable Member that in agreeing to the reduction of wages that took place in February, 1932, the Government of India took into account the fall in prices that had occurred since 1929, when minimum wage rates were fixed. Since November, 1934, these rates have been restored to the 1932 level and, if the issue price of rice be taken into account, are now practically equal to the 1929 rates.

(c) The minimum rates of wages are, by law, applicable to all estates employing Indian labour.

Statement showing the successive rates of minimum wages fixed for Indian estate labourers in Ceylon.

1	2	3			4			5			6		
		Up-country area.			Mid-Country areas.			Low-Country areas.			Maximum price at which rice may be issued to the labourers		
Serial No.	Date of introduction or revision.	Men.	Women.	Children.	Men.	Women.	Children.	Men.	Women.	Children.	per bushel.		
		Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Rs.	Cents.	
1	1st January, 1929	54	43	32	52	41	31	50	40	30	6	40	
2	1st February, 1932	49	39	29	43	35	25	41	33	24	4	80	
3	10th May, 1933	41	33	25	37	30	21	35	28	20	4	00	
4	16th November 1934	49	39	29	43	35	25	41	33	24	4	80	

Prof. N. G. Ranga: Is there any machinery to see that this particular law is enforced and that benefit is given to the plantation labourers in all the plantations in Ceylon?

Mr. G. S. Bajpai: Yes; for the purpose of fixing minimum wages, there are district boards and there is a central wage board; as regards the enforcing of the decision of these boards, there is the Controller of Labour and his subordinates.

Prof. N. G. Ranga: Are the Government of India aware that in many of the outlying estates even today this particular law is being evaded and a good many workers are not getting the benefit of these minimum wages?

Mr. G. S. Bajpai: No: I am not aware of that: and I should think that it was highly unlikely that, if this were the case, the Agent of the Government of India in Ceylon, one of whose main duties is to tour the estates, would not have had his attention drawn to the fact.

Prof. N. G. Ranga: In view of the fact that there have been some allegations made to this effect in the Press, will the Honourable Member be pleased to make a reference to the Controller of Indian Labour in Ceylon to ascertain the position?

Mr. G. S. Bajpai: If the Honourable Member will be so good as to pass on to me the statement upon which he bases this information, I shall be very glad to refer it to the Agent for inquiry.

INDIAN IMMIGRANT LABOUR EMPLOYED ON THE CEYLONESE ESTATES.

484. ***Prof. N. G. Ranga:** (a) Will Government state:

- the total number of Indian immigrant labour employed on the Ceylonese estates;
- the annual increase or decrease in their numbers during the last ten years;
- the total number of Indians employed in all other occupations;
- how many of them have made Ceylon their home; and
- the political rights or disabilities of those Indians who are domiciled in Ceylon?

(b) Will Government be pleased to state if they are negotiating with the Government of Ceylon for a more favourable trade agreement? If so, what stage has been reached by such negotiations, and do Government propose to consult the growers of cocoanuts and other products of this country which are likely to be interested?

(c) Do Government propose to press upon the attention of the Government of Ceylon the necessity and advantage of Ceylon purchasing more of Indian rice and paddy in preference to imports from elsewhere and respecting the commercial and industrial interests and rights of the Indians in Ceylon?

Mr. G. S. Bajpai: (a) (i) Approximately 654,500 on the 1st June, 1934.
(ii) The information desired by the Honourable Member is contained in the Annual Reports of the Agent of the Government of India in Ceylon, copies of which will be found in the Library of the House.

(iii) and (iv). Government have no information.

(v) I would refer the Honourable Member to the answer given to Mr. Abdul Matin Chaudhury's question No. 1, on the 5th February and to connected supplementaries.

(b) and (c). I would refer the Honourable Member to the answer which was given by the Honourable the Commerce Member in reply to his supplementary question. The Report submitted by Dr. J. S. Patel as a result of his inquiry into the conditions of the coconut growing and coconut products industries in India was recently considered by an *ad hoc* committee appointed by the Imperial Council of Agricultural Research. This report is at present under consideration by the Government of India.

Prof. N. G. Ranga: Will the Government of India be pleased to publish the report of Mr. Patel?

Mr. G. S. Bajpai: I answered a question on that subject some time ago and said that, as soon as consideration of the matter was complete, the report will be published, perhaps.

Mr. Sami Vencatachelam Chetty: Have Government any information as regards the extent or value of coconut plantations held by Indians in Ceylon?

Mr. G. S. Bajpai: The inquiry has been in regard to plantations and production in India and not as regards plantations and production in Ceylon.

Mr. Sami Vencatachelam Chetty: Are Government aware that there are several Indians who have got plantations in Ceylon?

Mr. G. S. Bajpai: That may be; but I submit it does not arise out of this question which makes an inquiry regarding coconut production in India.

Prof. N. G. Ranga: Will the Honourable Member be prepared to consider the suggestion that the reports of his Controller of Indian Immigration in Ceylon should be circulated amongst Members of the Assembly?

Mr. G. S. Bajpai: I think my Honourable friend refers to the report of the Agent of the Government of India in Ceylon, because of the report of the Controller in Ceylon we get only a few copies: I will certainly consider that suggestion.

CONSTRUCTION OF AN AERODROME IN THE CUDDAPAH DISTRICT OF THE MADRAS PRESIDENCY.

485. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state if they contemplate constructing an aerodrome in Cuddapah District of the Madras Presidency? If so, in what part of it?

(b) What amount of money is proposed to be spent on it?
(c) What will be the capacity of that aerodrome?

The Honourable Sir Frank Noyce: (a) Yes. About four miles from Cuddapah on the Cuddapah-Kannadapuram Road.

(b) Rs. 8,500.

(c) It will be an emergency landing ground, available for use by all types of aircraft.

BROADCASTING SCHEME OF THE GOVERNMENT OF INDIA.

486. ***Prof. N. G. Ranga:** Will Government be pleased to state if they are aware that the broadcasting schemes of Madras and Bengal Governments have been held up owing to the central scheme not being ready? If so, at what stage is the scheme of the Government of India and when is it expected to be completed?

The Honourable Sir Frank Noyce: The Government of India are in correspondence with the Government of Madras regarding a scheme for broadcasting in that Presidency but no general scheme for broadcasting in Bengal has been forwarded to the Government of India by the Bengal Government. The Government of India hope to make an announcement in the near future regarding the development of broadcasting in India.

ADVISABILITY OF UTILISING BROADCASTING FOR EDUCATIONAL PURPOSES.

487. ***Prof. N. G. Ranga:** (a) Have Government considered the advisability of utilising the broadcasting for educational purposes, especially among the illiterate masses living in villages? If so, do Government propose to consider the advisability of constructing and developing separate broadcasting zones for the linguistic areas?

(b) Have Government considered the necessity of making the broadcasting a state enterprise, free from all politics, even that of Government?

The Honourable Sir Frank Noyce: The Government of India are now giving careful consideration to the general question of the development of broadcasting in India as a whole including the points mentioned by the Honourable Member.

Prof. N. G. Ranga: Are the Government of India considering the possibility of developing this as a State concern?

The Honourable Sir Frank Noyce: I am sorry my Honourable friend seems to be under a misapprehension. Broadcasting in India is a State concern. The Indian Broadcasting Service is an Indian State Broadcasting Service and the whole of the staff from top to bottom consists of Government servants.

Mr. B. Das: Will politicians be allowed to utilise broadcasting for the next election?

(No answer.)

PROSCRIPTION OF MR. SUBHAS CHANDRA BOSE'S BOOK "THE INDIAN STRUGGLE".

488. *Pandit Nilakantha Das: (a) Will Government be pleased to state the reasons that led the Government to take the drastic step they have taken in proscribing Sriji Subhas Bose's book "The Indian Struggle, 1920-34", published by Wishart & Co., 9, John Street, London W.C. 2, England?

(b) Are Government aware that there is a strong belief in the country that the book has been proscribed as a measure of harassment and not for any other reason?

(c) Are Government prepared to arrange to make the book privately available to the Members of this House for a reasonable fixed period so as to enable them to judge the validity of the Government's contentions?

The Honourable Sir Henry Craik: (a) The Government of India after careful examination of the book entitled "The Indian Struggle" by Mr. S. C. Bose were satisfied that it was undesirable to permit its importation into India and, therefore, as has been done in other cases, they issued the necessary notification under the Sea Customs Act. Their reasons for this opinion were, as stated by the Secretary of State in the House of Commons, that the book tended generally to encourage terrorism or direct action.

(b) Government are not aware that there is any such feeling; the reply which I have already given shows that the suggestion is without foundation.

(c) No.

Mr. S. Satyamurti: Have the Government of India read this book?

The Honourable Sir Henry Craik: Yes, Sir.

Mr. S. Satyamurti: Which of them?

The Honourable Sir Henry Craik: I am not going into details.

Mr. S. Satyamurti: Will Government give us the passages or the evidence on which they held that this book was a direct incitement to terrorism?

The Honourable Sir Henry Craik: No, Sir, I am not prepared to do that.

Mr. Sami Vencatachalam Chetty: Have the Government of India read the review of this book which recently appeared in the *Manchester Guardian* by Mr. J. P. Gwynne, an I.C.S. officer?

The Honourable Sir Henry Craik: No, Sir, I have not read it.

Mr. Sami Vencatachalam Chetty: Will the Honourable Member be pleased to read it for his own elucidation?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. That is not a supplementary question.

REVISED SCALES OF PAY FOR SUBORDINATES ON THE NORTH WESTERN RAILWAY.

489. *Mr. Fakir Chand: (a) Will Government be pleased to state whether it is a fact that orders regarding the enforcement of the revised scales of pay for subordinates appointed on the North Western Railway after the 15th July, 1931, but before the 1st August, 1934, were circulated in the Agent's letter No. 561-E./67, of the 17th September, 1934.

(b) Is it a fact that there is some staff that was temporarily appointed on the North Western Railway after the 15th July, 1931, but before the date of the introduction of the new scales of pay, that is, 1st August, 1934, and that no specific warning was given either at the time of appointment or at the time of the filling in of the Agreement Form No. WM-87 (Revised) to the effect that they will be brought under any new scales of pay, then proposed to be introduced, at any time later?

(c) Is it a fact that there is certain staff who were temporarily appointed before the 15th July, 1931, and were given no warning similar to that given to the staff referred to in part (b)?

(d) Is it a fact that the staff as referred to in part (c) have been given the benefit of the old scales of pay, whereas the staff referred to in part (b) have been placed on the new scales of pay?

(e) If the replies to parts (a), (b), (c) and (d) be in the affirmative, will Government please state the reason for this differentiation?

(f) Is it a fact that there were certain staff appointed after the 15th July, 1931, but before the date of the introduction of the new scales of pay, who were distinguished from the staff mentioned in part (b) inasmuch as the former were specifically warned in writing at the time of their appointment that they would be brought under the new scales of pay when introduced?

(g) If the replies to parts (a), (b) and (f), be in the affirmative, will Government please further state whether the staff referred to in part (b) have been brought under the new scales of pay, according to the letter mentioned in part (a), and have thus been bracketed with those who were given a definite warning to the effect that they shall be brought under the new scales of pay? If so, why?

(h) Is it a fact that the Agent, Eastern Bengal Railway, has by his addenda and corrigenda of the 21st September, 1934, to his letter No. 80-E./23, of the 10th September, 1934, allowed such staff as were appointed after the 15th July, 1931, but before the date of introduction of the new scales of pay and were given no warning in writing at the time of the appointment, to enjoy the old scales of pay, and has thus exempted his staff similar in status to that of the North Western Railway mentioned in part (b) from the operation of the new scales of pay?

(i) If the reply to part (h) be in the affirmative, will Government please state the reason for differentiation between the policies of the two sister State-managed Railways?

(j) Do Government propose to do away with the differentiation by issuing clear instructions to the Agent, North Western Railway, to allow such staff, as were not warned in writing at the time of the appointment to the effect that they shall be brought under the new scales of pay, to enjoy the old scales of pay? If so, when?

Mr. P. R. Rau: (a) Yes.

(b) to (g). Government have no information on the specific cases mentioned, but they have issued certain general orders regarding the principles that should be followed in these cases for the guidance of the various State-managed Railways. A copy of the orders will be found in the Library of the House. Briefly stated the orders proceed on the principle that persons appointed after the 15th July, 1931, when originally orders were issued that no permanent appointments should be made for the time being, should come under the new scales of pay unless they were engaged under an agreement which entitled them to a specific scale of pay and did not provide for a revision thereof. The order also exempts persons who entered service before the 15th July, 1931, on probation or as the result of a competitive examination or by a Selection Board or Committee held before that date if they were not specifically warned that they were liable to come under the new scales of pay. These orders, however, do not apply to retrenched persons borne on a waiting list who have been or may be, re-appointed after the 15th July, 1931, but before the 1st April 1936; they will on reappointment be entitled to the old scales of pay if they had been originally appointed before the 15th July, 1931.

(h) to (j). Government are enquiring into the allegation that the two railway administrations referred to have interpreted the orders of Government differently, and will issue further instructions, if necessary.

Dr. Ziauddin Ahmad: I am sorry I did not exactly catch what the Honourable Member said. Did he say that the persons who were employed before this date on temporary posts would continue to draw the old scale of pay?

Mr. P. R. Rau: Sir, the explanation is a bit long. If my friend will kindly refer to the orders, a copy of which is in the Library of the House I think all his difficulties will be solved.

PUBLIC HOLIDAYS FOR THE TELEGRAPH BRANCH.

490. *Mr. Fakir Chand: Are Government aware that in the Telegraph Branch of the Posts and Telegraphs Department, the staff is not even allowed holidays for important festivals and religious days like Dewa and Dussehra? If so, are Government prepared to declare these public holidays for Telegraph staff as is done in Post Office and other Departments?

The Honourable Sir Frank Noyce: The attention of the Honourable Member is invited to the reply given by me to Mr. Sitakanta Mahapatra's starred question No. 370 in this House on the 6th March, 1934.

Mr. S. Satyamurti: What was the answer, Sir?

The Honourable Sir Frank Noyce: The answer was, I think, that Government were not prepared to increase the number of holidays in the Posts and Telegraphs Department as that would involve dislocation of public business.

Mr. M. Ananthasayanam Ayyangar: What is the number of Christians, what is the number of Hindus and other communities employed in the Posts and Telegraphs Department?

The Honourable Sir Frank Noyce: I should require notice of that question.

HILL ALLOWANCE FOR POSTAL OFFICIALS AT DHARAMSALA AND KULU VALLEY.

491. *Mr. Fakir Chand: (a) Are Government aware that the Government officials of different departments, such as Police, Forest and Education, get hill allowance at Dharamsala and Kulu Valley at the rate of two annas per rupee of their pay?

(b) If the reply to part (a) be in the affirmative, are Government prepared to see their way to grant similar allowance to Post Office officials at these stations?

The Honourable Sir Frank Noyce: (a) Yes, subject to certain limits.

(b) The reply is in the negative. Government consider that the rates of pay drawn by the Post Office staff in the localities referred to by the Honourable Member do not compare unfavourably with the pay *plus* hill allowances drawn by the Local Government staff of corresponding status and that there is, therefore, no case for the grant of the allowances suggested.

COMMUNAL COMPOSITION OF TELEPHONE INSPECTORS AND OPERATORS IN THE RAWALPINDI TELEGRAPH ENGINEERING DIVISION.

492. *Mr. Fakir Chand: (a) Will Government please lay on the table a statement showing communal composition of the staff of Telephone Inspectors and Telephone Operators employed in the Rawalpindi Telegraph Engineering Division?

(b) Is it a fact that there is an overwhelming majority of the Muslims among the said staff, and if so, do Government propose to take steps to remove the communal inequality?

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

(b) It is a fact that Muslims are in the majority in these posts but this is the result of recruitment over a number of years and Government are not prepared to go farther than to see that their orders regarding the adjustment of communal inequalities in the recruitment of staff, as in force from time to time, are carefully observed.

Statement.

	Hindus.	Muslims.	Sikhs.	Christians.	Total.
Telephone Inspectors . . .	4		..	..	9
Telephone Operators . . .	23	54	5	3	

TRANSIT TIME ALLOWED TO RESERVE CLERKS IN THE POSTAL DEPARTMENT ON THEIR TRANSFER.

493. ***Mr. Fakir Chand:** (a) Is it a fact that reserve clerks in the Postal Department are allowed only transit time on the occasion of their transfer from one station to another, and are Government aware that this causes them great inconvenience and loss in breaking house at one station and establishing it at another within a short space of one or two days' time at the most?

(b) If the reply to part (a) be in the affirmative, are Government prepared to order that this class of Government servants be allowed at least four days' joining time except in cases of emergency?

The Honourable Sir Frank Noyce: (a) The fact is not as stated by the Honourable Member. Except in cases of emergency, joining time in addition to the transit time is allowed according to the circumstances of each case, subject to the usual maximum limit.

(b) Does not arise in view of the reply given to part (a).

RECRUITMENT IN THE POSTS AND TELEGRAPHS DEPARTMENT.

494. ***Mr. Fakir Chand:** (a) Is it a fact that in the Posts and Telegraphs Department recruitment is confined to Revenue Divisions with the result that an official of one Revenue Division has no chance of recruitment in another Revenue Division?

(b) If the reply to part (a) be in the affirmative, are Government aware that owing to the restriction imposed, great difficulty is experienced by the sons of deceased, retrenched and living employees of the Department in securing service in the Post Office or Telegraph Office?

(c) Are Government prepared to consider the advisability of removing the restriction of Revenue Division and ordering that Heads of Circles should keep lists of sons of Departmental employees as well as a list of vacancies in each division and order their employment from time to time?

The Honourable Sir Frank Noyce: (a) Recruitment to the subordinate services in the Posts and Telegraphs Department is ordinarily confined to candidates who belong to or are domiciled in the revenue divisions in which vacancies occur. Heads of Circles have, however, been authorised to depart from this rule at their discretion if local conditions render this necessary and, in particular, have been instructed to treat with considerable liberality the applications of dependants of postal officials for employment in the same place in which the officials themselves are or were employed, provided such candidates belong to or are domiciled in the postal circle in which they seek employment.

(b) As explained above, special provision has been made for dealing liberally with the cases of the dependants of postal employees and in consequence Government have no reason to believe that the facts are as stated by the Honourable Member.

(c) In view of the reply to parts (a) and (b) above Government do not consider it necessary to adopt the Honourable Member's suggestion.

BAN ON PERMANENT PROMOTIONS IN THE POSTS AND TELEGRAPHS DEPARTMENT.

495. ***Mr. Fakir Chand:** (a) Are Government aware that:

(i) as a result of the ban on permanent promotions imposed since July 1931 a large number of officials in the Posts and Telegraphs Department have been promoted from Time Scale of pay to Selection Grade in officiating capacity against substantively vacant appointments;

(ii) and that consequently such officials whenever proceeding on leave are considered as having reverted to the Time Scale of pay and their leave period has the effect of postponing their future increments in the Selection Grade?

(b) Are Government prepared to order the removal of the ban and their confirmation?

The Honourable Sir Frank Noyce: (a) (i) and (ii). The reply is in the affirmative.

(b) The question of the removal of the ban against confirmation is under consideration and it is hoped that orders on the subject will be issued shortly.

MARKETING OFFICE, IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

496. ***Mr. Muhammad Nauman:** (a) Will Government be pleased to state when the new Marketing Office, Imperial Council of Agricultural Research, was started?

(b) What is the total staff, executive and ministerial, according to grades, and the pay of each grade?

(c) Will Government be pleased to state the names of the persons appointed in the senior and junior grade of the executive staff?

(d) Is it a fact that in the ministerial staff some men have been appointed in the lowest grade after an examination of their knowledge of shorthand?

(e) How many men sat for this examination and how many were selected?

(f) Is it a fact that these vacancies were not advertised?

(g) Is it a fact that one of the selected persons has been brought from Karachi? If so, why?

(h) Is it a fact that other persons who have been selected have been detailed in the office of the Imperial Council of Agricultural Research?

(i) Has the man brought from Karachi been made to supersede others appointed by selection?

Mr. G. S. Bajpai: (a) 1st January, 1935.

(b) and (c). A statement is laid on the table.

(d) Yes.

(e) Five sat for the examination and three were selected.

(f) Yes.

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(g) Yes. He was selected for another post requiring experience of compilation work, which he had been doing during his previous service of about four years under the Imperial Council of Agricultural Research at Karachi.

(h) Of the three candidates who were selected by examination one who stood first was transferred to the Office of Agricultural Marketing Adviser immediately and would be regarded as senior to the others. The other two were detained in the office of the Imperial Council of Agricultural Research for some time with the concurrence of the Agricultural Marketing Adviser as their services were not immediately required.

(i) He is second in the order of seniority which is based on the date of joining.

Statement of total staff, Executive and Ministerial, according to Grades and Pay of each Grade and the names of the Executive Officers, Marketing Office.

Name of officer and the post held by him.	Grade of pay.
<i>Executive Officers total 19 as below.</i>	
1. Major A. M. Livingstone, Agricultural Marketing Adviser to the Government of India	Rs. 2,500—125—2,750 plus £13-6-8.
2. Mr. A. M. Thomson, Senior Marketing Officer	900—50—1,200.
3. Mr. C. B. Samuel, Senior Marketing Officer	Do.
4. Mr. H. C. Javaraya, Senior Marketing Officer	Do.
5. Mr. Tukaram Gopal Shirname, Marketing Officer	600—30—900.
6. Mr. B. P. Bhargava, Marketing Officer	Do.
7. Mr. Dara Nusserwanji Khurody, Marketing Officer	Do.
8. Mr. S. C. Chakraverti, Assistant Marketing Officer	200—20—500.
9. Mr. E. M. Bee, Assistant Marketing Officer	Do.
10. Mr. S. K. Desai, Assistant Marketing Officer	Do.
11. Mr. P. L. Tandon, Assistant Marketing Officer	Do.
12. Mr. Triyugi Prasad, Assistant Marketing Officer	Do.
13. Mr. Hukmat Khan, Assistant Marketing Officer	Do.
14. Mr. K. Gopalan, Assistant Marketing Officer	Do.
15. Mr. S. Farzand Ali Shah, Assistant Marketing Officer	Do.
16. Mr. Nurul Islam, Assistant Marketing Officer	Do.
17. Mr. K. C. Chetty, Assistant Marketing Officer	Do.
18. Mr. Yashwantlal Triambaklal Desai, Assistant Marketing Officer	Do.
19. Mr. Fazal Haq, Assistant Marketing Officer	Do.

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Ministerial staff total 17 officers as below.

1 Superintendent	450—20—550.
3 Assistants	140—10—310—15—400 (two for a period of 3 years on Rs. 200—15—500).
3 Second Division clerks	80—4—120—5—200 plus (in the case of cashier a special pay of Rs. 20 per month).
3 Stenographers	125—5—180—10—300.
7 Third Division clerks	60—2—80—3—125. (A special shorthand allowance of Rs. 15—5/2—20 for 5 Third Division clerks.)
17	
36 Total	

Mr. Muhammad Nauman: Will the Honourable Member please state if it is a fact that the Department did not advertise these posts?

Mr. G. S. Bajpai: In so far as permanent posts are concerned, the usual practice is to draw upon the list of approved candidates which the Public Service Commission supply. As regards temporary posts, it is not usual to advertise them.

COMMUNAL COMPOSITION OF GAZETTED AND NON-GAZETTED STAFF IN THE GOVERNMENT OF INDIA OFFICES.

497. ***Mr. Muhammad Nauman:** (a) Will Government be pleased to state the total number of (i) gazetted officers (including Superintendents), (ii) Stenographers and Assistants, and (iii) clerks, in the Government of India Secretariat and attached offices by communities?

(b) Will Government please state the number of staff by classes and communities recruited in these offices from the 4th July, 1934 to date, the figures of temporary and permanent recruitment being shown separately?

(c) Will Government be pleased to state the total number of permanent and temporary subordinates at present working in the Government of India Secretariat and attached offices, who have not passed the Public Service Commission Examination and also the number of qualified Muslims who have not been able to secure employment?

The Honourable Sir Henry Craik: (a) I would refer the Honourable Member to the reply given to unstarred question No. 27 on the 31st July, 1934, and to starred question No. 29 on the 5th February, 1935. The statements relating to 1933 are available in the Library of the House.

(b) and (c). The information is being collected and will be laid on the table in due course. With regard to the second portion of part (c) of the question, I may inform the Honourable Member that as the examinations now held for the Ministerial Service are competitive, the question of declaring candidates as qualified does not arise.

COMMUNAL REPRESENTATION IN THE SUBORDINATE SERVICES AND IN THE ACCOUNTS AND AUDIT DEPARTMENT, BIHAR AND ORISSA.

498. ***Mr. Muhammad Nauman:** (a) Is it a fact that as a result of their recent Resolution on the communal representation in the subordinate services, the Government of India under their rule-making power have asked for opinions from the heads of Departments subordinate to them for fixation of the Muslim representation in the various offices of the different provinces?

(b) Will Government be pleased to state whether in inviting the opinions they laid down the criteria on which the percentage should be based?

(c) Will Government be pleased to lay on the table a statement showing such representation as has been suggested or fixed for the various offices of the Central Government in each province separately?

(d) Will Government be pleased to lay on the table a statement showing the communal representation in the Accounts and Audit Department of Bihar and Orissa, in the following form:

	Total strength of establishment (Permanent).	Total strength of establishment (Temporary).
I—Number of appointments held by :		
(i) Bengalees (domiciled)		
(ii) Bengalees (non-domiciled)		
(iii) Beharee (Hindus)		
(iv) Oriyas		
(v) Beharee Muslims		
(vi) Bengalee Muslims		
(vii) Christians?		

The Honourable Sir Henry Craik: (a) and (b). Yes. In consultation with the Heads of Departments concerned, Government are preparing schemes for locally recruited services in accordance with the principle laid down in section IV of the Resolution.

(c) Government are not yet in a position to lay any statement on the table.

(d) A statement showing the communal representation in the office of the Accountant-General, Bihar and Orissa, on the 15th February, 1935, laid on the table.

Statement.

	Total strength of establishment including Local Audit Department.	Total strength of establishment including Local Audit Department
	(Permanent).	(Temporary).
	239	19
1. Number of appointments held by—		
(i) Bengalees (domiciled) —(Hindus)	23	1
(ii) Bengalees (Non-domiciled)	163(A)	1
(iii) Beharee (Hindus)	15	4
(iv) Oriyas	4	4
(v) Beharee Muslims	13	7
(vi) Bengalee Muslims	9(B)	1(C)
(vii) Christians (of Chota Nagpur)	7	1
U. P. (Hindu)	1	..
Indore State (Hindu)	1	..
Madras	3	..
Total	239	19

(A) Includes 49 of the clerks who were transferred to the office from Bengal on information in 1912.

(B) Includes Ditto.

(C) Domiciled in Bihar and Orissa.

Sardar Sant Singh: May I know if in preparing this table any representations have been called for from other communities than Muslims?

The Honourable Sir Henry Craik: The statement, I think, is merely a statement of facts showing the people employed on a certain date.

Sardar Sant Singh: No, no, I refer to part (a) of the question, and I understood the Honourable Member to say that Government were considering the rules. May I know if in the consideration of this matter any representation has been called for from the Sikh community?

The Honourable Sir Henry Craik: What I said, Sir, was that Government are preparing schemes for locally recruited services in accordance with the principles laid down in section IV of the Resolution, that is, the Resolution of July, 1934.

Sardar Sant Singh: May I know whether in preparing those schemes 8½ per cent. is reserved for minorities?

The Honourable Sir Henry Craik: 33½? Yes.

Sardar Sant Singh: Are the claims of the Sikh community being considered?

The Honourable Sir Henry Craik: The Honourable Member had better study part (4) of the Resolution. I do not think the Sikh community are mentioned.

Sardar Sant Singh: I know they are not mentioned. What I am asking the Honourable Member is whether the 8½ per cent. reserved for other minorities includes or does not include the Sikhs?

The Honourable Sir Henry Craik: It does include the Sikhs.

Sardar Sant Singh: If it does include, what is the percentage to be fixed for the Sikhs in the scheme that is under preparation?

The Honourable Sir Henry Craik: No particular percentage is fixed.

Lieut.-Colonel Sir Henry Gidney: Is it not a fact that the 8½ per cent. embraces all minority communities and no specific percentage is allotted for any particular minority?

The Honourable Sir Henry Craik: That is correct.

Dr. Ziauddin Ahmad: Will the Honourable Member collect facts from the head of the P. W. D. at Delhi as well?

The Honourable Sir Henry Craik: I imagine that they will be collected. Yes.

Mr. S. Satyamurti: Is there any proportion fixed for efficient and honest public service apart from minorities?

(No answer.)

COMMUNAL INEQUALITY IN THE ACCOUNTS AND AUDIT DEPARTMENT,
BIHAR AND ORISSA.

499. *Mr. Muhammad Nauman: (a) Will Government be pleased to state whether they propose to take steps to make up the communal inequality in the Accounts and Audit Department of Bihar and Orissa?

(b) Will Government be pleased to state whether according to their instructions issued in 1926, one-third of the appointments in that office have been given to the members of the minority community?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to lay on the table a statement showing the appointments of the minority community between 1926 and 1934?

(d) If the answer to part (b) be in the negative, will Government be pleased to state the reasons why their instructions were not strictly followed?

(e) Is it a fact that vacancies in the Accounts and Audit Department in Bihar and Orissa have so far never been advertised in the provincial gazette or in the local newspapers?

(f) Will Government be pleased to state the procedure of selection of men in that office?

(g) Is it a fact that a percentage of ten only has been fixed for Muslims in that office under the recent Resolution of the Government of India?

(h) Will Government be pleased to state the basis on which the percentage has been fixed or suggested?

(i) Will Government be pleased to state whether the Government of Bihar and Orissa have fixed any percentage for Muslims for services under their administrative control?

(j) Do Government propose to consult the Bihar and Orissa Government before finally fixing a percentage for Muslims for subordinate services of the Central Government in the province of Bihar and Orissa?

(k) Will Government be pleased to state whether the local Governments are consulted before fixing the percentage in the Accounts and Audit Department?

The Honourable Sir James Grigg: (a) Government propose to apply the decisions regarding communal recruitment which were published in their Resolution dated the 4th of July, 1934.

(b) The instructions issued in 1926 merely stated that one-third of all permanent vacancies should be reserved for the redress of communal inequalities and it was left to the discretion of Heads of Departments and Officers to decide whether the whole of the vacancies in the reserved third should actually be filled by members of the minority communities or not.

(c) and (d). A statement is laid on the table.

(e) The information is being obtained and will be communicated later.

(f) Selection is made either on the basis of an entrance examination or by a selection board duly constituted in the office.

(g) to (k). I have nothing to add to the statement made by my Honourable colleague in reply to parts (a) to (e) of the immediately preceding question. So far as the Government of India are aware, the Local Govern-

ment have not fixed any percentage for the recruitment of Moslems for services under their administrative control.

Year.	Total number of permanent appointments made in the office of the Accountant General, Bihar and Orissa, during the year.	Number of appointments in the previous column filled by		
		Hindus.	Muham-madans.	Indian Christians.
From February 1926 to the end of—				
1927	26	25	1	..
1928	15	5	7	3
1929	10	5	3	2
1930	4	3	1	..
1931	..	..	..	..
1932	14	11	2	1
1933	1	1	..	..
1934	1	1	..	..
Total	71	51	14	6

SERVICE CONDITIONS OF EMPLOYEES WORKING ON THE EAST INDIAN
RAILWAY AFTER ITS BEING TAKEN OVER BY THE STATE.

500. *Pandit Nilakantha Das: (a) Is it a fact that, prior to the Government of India taking over the management of the East Indian Railway from the Company, the Railway Board directed the Agent, East Indian Railway, to offer the Company's employees service under Government from the 1st January, 1925, in accordance with certain conditions laid down in a Memorandum?

(b) Is it also a fact that the conditions in the Memorandum referred only to pay, allowances, provident fund, gratuity, leave, passes, medical attendance, uniform, and school fees?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether, for purposes of general working and discipline, the employees taken over from the Company were governed by all general rules and regulations of Government service?

(d) If the answer to part (c) be in the affirmative, will Government please quote the rules relating to the procedure in cases of dismissal, removal, or reduction that were in force when the East Indian Railway was taken over by Government in 1925?

(e) Will Government please state when powers to dismiss or discharge employees were delegated to the Agent, East Indian Railway?

Mr. P. R. Rau: (a) and (b). Yes.

(c) If my Honourable friend refers to the period before the East Indian Railway was taken over by the State, the answer is in the negative.

(d) I am placing in the Library of the House the rules relating to such procedure contained in the handbook of general rules and regulations of the old East Indian Railway.

(e) Such powers must have been delegated to the Agent by the Board of Directors of the Company before the management was taken over by the State and they have been continued afterwards.

RENT OFFICER OF THE CENTRAL PUBLIC WORKS DEPARTMENT.

501. *Mr. Muhammad Anwar-ul-Azim: (a) Is it a fact that the post of Rent Officer was created in the office of the Central Public Works Department in February 1932?

(b) Is it a fact that the said post was decided to be filled up by an S. A. S.?

(c) Is it a fact that the S. A. S. deputed to fill up the post on its creation had to revert on the grounds of his inefficiency, and that a non-S. A. S. of the Central Public Works Department replaced him, although there were two qualified S. A. S.'s available in the department for the purposes? If so, why?

(d) If the reply to part (c) above be in the affirmative, will Government please state the particulars of the non-S. A. S. who was appointed, as also of the two S. A. S. whose claims were not considered?

(e) What action, if any, do Government propose to take to undo the wrong caused by such unjustified supersessions?

(f) Is it a fact that by providing one of the two S. A. S. already in the department as Rent Officer, there could have been appreciable savings in the expenditure?

The Honourable Sir Frank Noyce: (a) Yes.

(b) There were no definite orders to this effect, but it was eventually decided to recruit a junior officer belonging to the Subordinate Accounts Service possessing experience in Public Works Accounts.

(c) Yes, but the Subordinate referred to was appointed only in an officiating capacity, until a permanent incumbent could be recruited.

(d) The late Mr. Nanak Chand, Superintendent, who was appointed temporarily to the post of Rent Officer, had rendered 18 years' service in the Public Works Department and had also considerable experience as a Superintendent in the late Central Accounts Office.

Messrs. M. L. Gupta and A. R. Kermani, the two persons who have passed the Subordinate Accounts Service examination, have served in the Central Public Works Department for 15 and 12 years, respectively, but have never held the post of a Superintendent in the Accounts Office or in the Central Public Works Department.

(e) None. There has been no unjustified supersession.

(f) No.

ASSISTANT SUPERINTENDENTS IN THE RENT SECTION OF THE CENTRAL PUBLIC WORKS DEPARTMENT.

502. *Mr. Muhammad Anwar-ul-Azim: (a) Is it a fact that there are three appointments of Assistant Superintendents in Rent Section of the Central Public Works Department?

(b) Will Government please state the names and particulars of the three incumbents of the posts referred to in part (a) above strictly according to seniority?

(c) Is it a fact that special pay is attached to two out of three appointments referred to in part (a) above?

(d) Will Government please state the particulars of the Assistant Superintendents who are at present in receipt of special pay, and whether seniority has been observed in allowing the special pay being drawn?

The Honourable Sir Frank Noyce: (a) and (b). No. There are only two Assistant Superintendents in the Rent Section, whose names and service are as follows:

(1) Mr Malawa Ram—	
Total service in the Department	.. 17 years and 4 months.
(2) Mr. M. L. Gupta—	
Total service in the Department	.. 13 years.

(c) A special pay of Rs. 20 per mensem each is attached to the two posts.

(d) I have given the information asked for in the first part of this question. As to the second part, seniority is duly considered in making such appointments, but merit must be the deciding factor and the two men named above were considered best fitted to work as Assistant Superintendents in the Rent Section.

OFFICIALS REPLACED BY OTHERS IN THE RENT SECTION OF THE CENTRAL PUBLIC WORKS DEPARTMENT.

503. *Mr. Muhammad Anwar-ul-Azim: (a) Will Government please state the particulars, with length of service, of the officials who have been replaced by others in the Rent Section of the Central Public Works Department since the assumption of the charge by the new Rent Officer?

(b) Will Government please state the particulars, with length of service, and the period of previous experience in the Rent Section, of other officials who replaced the old officials, *vide* part (a) above?

The Honourable Sir Frank Noyce: (a) and (b). I regret that I am not prepared to furnish the information asked for by the Honourable Member. Clerks cannot claim to remain in particular sections of an office, and interchanges are occasionally desirable for administrative reasons whether a clerk's work is good or bad.

CONSTRUCTION OF THE SIND-BOMBAY RAILWAY.

504. *Mr. Lalchand Navalrai: (a) Will Government please state since how long the question of the construction of Sind-Bombay Railway has been under consideration, and how long do Government propose to take to finally decide the matter?

(b) How many surveys of the line, as well as of traffic, have been taken in the past and with what result?

(c) Was a special Traffic Officer deputed last year to undertake a fresh Traffic Survey? If so, what is his report? Are Government prepared to publish it for the information of the public and the bodies concerned?

(d) Is it not a fact that the public and mercantile interests in Karachi and Sind have asked for early construction of the Railway?

(e) Is it not a fact that since the question of construction of this Railway was first taken into consideration, Government have started several new Capital works, some of which have been less remunerative than the proposed line in question was expected to be?

(f) If the replies to parts (d), (e) and (f) above be in the affirmative, what has prevented Government from taking the construction of this line in hand?

(g) Have Government considered that with the advent of Sukkur Barrage Scheme the produce has increased and will further increase and for its disposal new outlets will be necessary and therefore such a Railway will be an essential factor?

(h) Is it a fact that late last year, the question of the construction of the proposed Sind-Bombay Railway was referred to the Bombay, Baroda and Central India Railway Administration for report? If so, has this report been received? If so, do Government propose to publish it?

(i) When do Government expect to reach final decision on the subject?

Mr. P. R. Rau: (a) The first reconnaissance was made in 1879 and various investigations have been made thereafter. Till 1924, it was considered unlikely to be remunerative but the anticipated development of the country by the Sukkur Barrage led the Railway Board to undertake further investigations in 1927 and thereafter. Government are unable to say when a final decision will be reached.

(b) Eight.

(c) In 1933 a traffic survey was made. The report is a departmental document not intended for publication. Government have taken steps to elicit public opinion.

(d) Public opinion so far expressed has been far from unanimous.

(e) As my Honourable friend is aware, new construction was absolutely stopped about 1930 and during the following years railways have been occupied in completing projects then in hand. It is only in the last year or two, since rates of interest have fallen, that we have been able to look out for new projects which are likely to be remunerative. The only new line of any importance which has recently been undertaken is the Jhudo-Pithoro line in Sind for which the House voted a grant last July.

(f) Want of funds and doubts as to the remunerativeness of the line.

(g) The answer to the first part of the question is in the affirmative. The second part is a matter of opinion.

(h) The report of the Bombay, Baroda and Central India Railway was received a few days ago, and is under the consideration of the Railway Board.

(i) Every effort will be made to come to a decision as early as possible.

Mr. Lalchand Navalrai: Before a final conclusion is arrived at by the Board, may I know whether the Board would give an opportunity to the Karachi people to represent their case, hear both sides and then decide?

Mr. P. R. Rau: The Karachi people have represented their case already to a large extent. The Railway Board have received various opinions from different associations in Karachi, but there is nothing to prevent the Karachi people from sending further representations if they like.

Mr. Lalchand Navalrai: May I know whether the report that has been received will be published, or will the Karachi people be given an opportunity to see what that report is?

Mr. P. R. Rau: Does the Honourable Member refer to the Bombay, Baroda and Central India Railway's report?

Mr. Lalchand Navalrai: Yes.

Mr. P. R. Rau: I am not sure whether it will be published in the form in which it has been received, but the opinion of the Railway will be made available to the public.

ABSENCE OF AN UNDERGROUND OR OVERHEAD PASSAGE FOR TRAFFIC AT GADAG STATION ON THE MADRAS AND SOUTHERN MAHARATTA RAILWAY.

505. ***Mr. S. K. Hosmani:** (a) Is it a fact that there have been complaints of inconvenience caused by the absence of an underground or overhead passage for the traffic between Gadag and Betgeri at the Gadag station on the Madras and Southern Maharashtra Railway?

(b) Is it a fact that the railway authorities agreed to construct the passage, provided the Gadag-Betgeri Municipality contributed a portion of the cost?

(c) Is it a fact that the Gadag-Betgeri Municipality are not willing to contribute owing to want of funds?

(d) Are Government prepared to take necessary steps to have the passage constructed?

Mr. P. R. Rau: (a) and (b). The matter was raised at a meeting of the Madras and Southern Maharashtra Railway Advisory Committee on the 11th December, 1934. The Agent replied that he would find out what the cost of the bridge and approaches would be and ask the Municipality whether they would be prepared to bear the cost of the approaches.

(c) and (d). Government are making enquiries and will lay a statement later on.

WINDOW DELIVERIES IN THE HAVERI AND BYADGI SUB-POST OFFICES,
DHARWAR DISTRICT, BOMBAY PRESIDENCY.

506. *Mr. S. K. Hosmani: (a) Is it a fact that there was a long-standing practice of making window deliveries between 7 and 8 P.M., in the Sub-Post Offices of Haveri and Byadgi (Dharwar District, Bombay Presidency)?

(b) Is it a fact that it has been recently discontinued?

(c) Are Government aware that it has caused a great deal of inconvenience to the public in general and to the commercial community in particular?

(d) Is it a fact that complaints were made in this connection?

(e) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether they propose to start the old practice of making window deliveries, and if so, when?

The Honourable Sir Frank Noyce: (a) Prior to May, 1932, a window delivery was given out at 6-45 P.M. at Haveri and 7-30 P.M. at Byadgi.

(b) The window deliveries in question were discontinued at both places in May, 1932.

(c) The stoppage of the window deliveries has probably caused a certain amount of inconvenience.

(d) Yes.

(e) Government do not propose to reintroduce the window delivery at these places as neither of them is so important as to justify a special delivery after 6 P.M., which is the latest hour up to which mails are usually delivered.

DESPATCH OF MAIL TO SIRSI TOWN, NORTH CANARA DISTRICT, BOMBAY
PRESIDENCY.

507. *Mr. S. K. Hosmani: (a) Is it a fact that Mail to Sirsi town (North Canara District, Bombay Presidency) used to be despatched from Haveri (Dharwar District), a distance of 45 miles?

(b) Is it a fact that the same is now despatched from Hubli (Dharwar District), a distance of 63 miles?

(c) Is it a fact that service motors are running daily from Haveri to Sirsi?

(d) Will Government please state that whether they propose to arrange to despatch the Sirsi Mail from Haveri? If not, why not?

The Honourable Sir Frank Noyce: (a), (b) and (c). Yes.

(d) As the suggested service from Haveri to Sirsi would have to be introduced in addition to the one now existing between Hubli and Sirsi which serves ten other post offices en route besides Sirsi and as this would involve unnecessary additional expenditure, Government do not propose to make any change in the present postal arrangements.

PROPERTY OWNED BY THE CENTRAL PUBLIC WORKS DEPARTMENT OFFICERS
AND SUBORDINATES.

508. *Mr. A. K. Fuzlul Huq: (a) Is it a fact that Government have collected statistics regarding the property owned by the Central Public Works Department officers and subordinates in New Delhi? If so, do they propose to lay a copy of them on the table of this House?

(b) Will Government be pleased to lay on the table a statement showing the property owned in New Delhi and elsewhere by the Central Public Works Department employees, transferred to the New Delhi Municipality also?

(c) Will Government please state whether they consider the desirability of making an enquiry regarding properties owned by these officers, etc., in places other than New Delhi?

(d) Will Government be pleased to state whether they are satisfied that the property owned by their Central Public Works Department officers in New Delhi is much more than their means, and do Government propose to institute an impartial enquiry in the matter in order to punish those officers who are found dishonest?

(e) Is it a fact that Sardar Bahadur Teja Singh Malik, Superintending Engineer, II Circle, has purchased a big house in Darya Ganj? Has this house been shown as his property in the statement asked for by Government? If not, will Government be pleased to state whether they are prepared to consider the desirability of making an enquiry regarding the name of the person in whose name the house stands?

The Honourable Sir Frank Noyce: (a) The answer to the first part is in the affirmative and to the second in the negative. The information has been collected with reference to the Government Servants' Conduct Rules, and Government do not consider it desirable in the public interest to publish in this House or elsewhere the declarations made under these rules by officials serving in the Central Public Works or any other Department.

(b) No.

(c) Information regarding the facts referred to is included in the returns already called for.

(d) The object of those of the Government Servants' Conduct Rules which deal with the acquisition of property is the prevention of abuses, and the Honourable Member may rest assured that this object will not be lost sight of when the information collected is examined. But the Honourable Member perhaps forgets that many members of the Central Public Works Department have a share in or have inherited family property.

(e) I would refer the Honourable Member to the answer to part (a) of this question.

Mr. A. K. Fuzlul Huq: With reference to his answer to the second part of sub-clause (a) of the question, will the Honourable Member be pleased to state whether there are any reasons why this information should not be disclosed to this House?

The Honourable Sir Frank Noyce: I have stated the reason why Government do not consider it in the public interest to make the inquiries.

Mr. A. K. Fuzlul Huq: Why do Government consider it not in the public interest, in view of the serious allegations made?

The Honourable Sir Frank Noyce: That is a matter of opinion, and I have nothing to add to the reply I have given.

Mr. A. K. Fuzlul Huq: Will the Honourable Member be pleased to state, in the interest of the public service and in fairness to the officers against whom allegations are made, if it is not fair that the information should be laid before the House?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already answered that.

Mr. A. K. Fuzlul Huq: One more supplementary question. With reference to the other portion, is it not a fact that there is a Delhi Weekly called the *Riasat* which made certain serious allegations against some of these persons making fortunes out of contracts and that a committee of inquiry was appointed by the Chief Commissioner of Delhi?

The Honourable Sir Frank Noyce: That, Sir, must have been before my time, and I have no knowledge of it.

Mr. A. K. Fuzlul Huq: Will the Honourable Member be pleased to state when he received notice of this question of mine?

The Honourable Sir Frank Noyce: I cannot say when this question first reached me, but there is no reference to any commission appointed by the Chief Commissioner of Delhi to inquire into any allegation.

Mr. A. K. Fuzlul Huq: My question is, after receiving notice of this question, did the Honourable Member himself make inquiries whether the allegations made in this question are correct or not? Did he make any inquiries himself or did he depend upon the reports of subordinates?

The Honourable Sir Frank Noyce: It is not my business to make inquiries into allegations of this character unless they are supported by categorical evidence.

Mr. A. K. Fuzlul Huq: May I take it then that the answer given by the Honourable Member is based on the statements made by the very persons against whom these allegations have been made?

The Honourable Sir Frank Noyce: My answer is based on a report from the Head of the Department concerned in whose discretion and in whose ability to answer it I have every confidence.

Mr. A. K. Fuzlul Huq: I have one more question

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Mr. A. K. Fuzlul Huq: Very well, Sir.

PERCENTAGE OF SIKHS IN THE DELHI PROVINCE AND THEIR APPOINTMENT IN THE CENTRAL PUBLIC WORKS DEPARTMENT.

509. ***Mr. A. K. Fuzlul Huq:** Will Government be pleased to state the proportion of Sikhs in the population of Delhi Province as compared to that of other communities? If very small, will they please justify the new appointment of Sikhs in all ranks and files in the Central Public Works Department?

The Honourable Sir Frank Noyce: According to the Census Report of 1931 the population of Sikhs in the Delhi Province is 1.01 per cent. of the total population. The prescribed reservation of vacancies is 25 per cent. for Muslims and 8½ per cent. for other minority communities. From the 1st of January, 1934, up to date, the percentage of vacancies in the Central Public Works Department which went to Sikhs was 12.5 for subordinate appointments, 6.9 for clerical appointments and eight for appointments on the drawing establishment. The corresponding percentages for Muslims were 25, 27.6 and 38. I do not consider that any justification is necessary for these figures.

Mr. A. K. Fuzlul Huq: Will the Honourable Member be pleased to state whether Government propose to take steps, so that in the matter of receiving patronage, all communities may have a fair share?

The Honourable Sir Frank Noyce: I am sorry I did not catch the Honourable Member's question.

Mr. A. K. Fuzlul Huq: I asked whether Government will take steps to see that all communities get a fair share in the matter of contracts and appointments?

The Honourable Sir Frank Noyce: There are definite orders on the subject of appointments. I think my Honourable friend referred both to appointments and contracts. There are definite orders of Government on the subject of appointments and they will be followed. So far as I know, communal questions have not yet entered into the question of contracts, and I hope it will be a long time before they do.

Sardar Sant Singh: Will the Honourable Member state if contracts are given to Muslims in the same proportion fixed by Government in their circular of the 4th August, 1934?

The Honourable Sir Frank Noyce: No, Sir.

Sardar Sant Singh: Will there not be a rebellion on the part of the Muslim population on that account?

POSTINGS, TRANSFERS AND APPOINTMENTS IN THE CENTRAL PUBLIC WORKS DEPARTMENT.

510. ***Mr. A. K. Fuzlul Huq:** (a) Is it a fact that the postings, transfer and appointments in the Establishment, Technical or Clerical, in the Central Public Works Department are made by the Superintending Engineers in

consultation with the Administrative Officer and Mr. Hari Chand, the Superintendent of the Establishment Branch? If so, will Government be pleased to state the necessity of maintaining a Chief Engineer for the Central Public Works Department?

(b) Do Government propose to consider the question of entrusting to the Consulting Engineer with the Government of India the supervision of the Central Public Works Department and the Road Engineer's work? If not, why not?

(c) Is it a fact that orders issued to the different circles in the Central Public Works Department relating to establishment matters bear the seal "signature of the Chief Engineer" only? If so, will Government be pleased to state whether they are satisfied that orders on such cases are passed by the Chief Engineer?

(d) Will Government be pleased to state the duties of the Chief Engineer besides supervision? Has he got the power to delegate his powers to his junior officers even in important matters?

The Honourable Sir Frank Noyce: (a) No, under the rules, transfers and postings within his circle can be made, subject to certain exceptions, by the Superintending Engineer; but, in practice in the Central Public Works Department all postings and transfers are made after discussion with, and with the approval of, the Chief Engineer.

(b) No. It would be quite impossible for one officer to carry on the duties of a general consultant, and at the same time to administer both the Central Public Works Department and the Road Fund.

(c) No. The Chief Engineer's signature is typed on letters as a matter of administrative convenience in certain cases, but always with his express or general approval.

(d) The Chief Engineer is responsible for the efficient administration and general professional control of Public Works within the jurisdiction of the Government of India, and is the chief professional adviser of the Government of India in all matters connected with public works. He has no authority to delegate his powers.

Mr. A. K. Fuzlul Huq: Will the Honourable Member be pleased to state if he has considered the amount of saving that would be effected by the suggestion made in this question?

The Honourable Sir Frank Noyce: No, Sir. I have stated the reasons which make it impossible to adopt the Honourable Member's suggestions and there is no question, therefore, of considering what savings will be effected if they were adopted.

Mr. A. K. Fuzlul Huq: Not even from the point of economy?

The Honourable Sir Frank Noyce: I have nothing to add.

RELATIONSHIP OF A SIKH CONTRACTOR OF THE "A" DIVISION OF THE CENTRAL PUBLIC WORKS DEPARTMENT WITH A SUBORDINATE OF THAT DIVISION.

511. ***Mr. A. K. Fuzlul Huq:** (a) Is it a fact that in the "A" Division under the control of Sardar Bahadur Teja Singh Malik a Sikh contractor of that Division is the brother-in-law of a subordinate of that Division who supervised his work?

(b) Are Government aware that such a practice is not desirable in the interest of Government? If so, what action do they propose to take against the officer concerned?

The Honourable Sir Frank Noyce: (a) No.

(b) Does not arise.

Mr. A. K. Fuzlul Huq: May I ask if the Honourable Member has made a personal inquiry whether the statement I have made in (a) of the question is correct?

The Honourable Sir Frank Noyce: Sir, I venture to submit that if the Honourable Members on these Benches were to make personal inquiries into all the allegations contained in the questions they are answering, they would be quite unable either to attend to their duties in this House or to the duties of administering the Departments in their charge.

Dr. Ziauddin Ahmad: Does the Honourable gentleman mean to say that although he is giving the answers he does not take any personal responsibility for them?

The Honourable Sir Frank Noyce: I did not say that I did not take any personal responsibility for the replies I gave. I said that I do not make personal inquiries into the various allegations contained in this and similar questions, if I am satisfied with the report of the head of the Department concerned. That, I consider, is sufficient discharge of my duties and responsibilities.

Mr. A. K. Fuzlul Huq: I want to put one more supplementary question.

Mr. President (The Honourable Sir Abdur Rahim): Enough questions have been put. Next question.

IGNORING OF THE CLAIMS OF MUSLIMS WHILE ENTERTAINING NEW SUBORDINATES IN THE CENTRAL PUBLIC WORKS DEPARTMENT.

512. ***Mr. A. K. Fuzlul Huq:** (a) Is it a fact that recently under the orders of the Superintending Engineer, II Circle, five new subordinates have been entertained in the "B" Division of the Central Public Works Department, of which two are Sikhs and three Hindus? If so, why have the claims of Muslims been ignored?

(b) Is it a fact that Government orders of appointing 25 per cent. Muslims do not apply to appointments under the control of the Central Public Works Department, specially in the II Circle? If so, will Government be pleased to lay a copy of those orders on the table?

The Honourable Sir Frank Noyce: (a) No. Appointments are made under the orders of the Chief Engineer with due regard to the state of the cadre of the Department as a whole. I have had the position for the period from the 1st January, 1934, up to date examined, and find that during that period no permanent appointments of subordinates were made. Thirty-two temporary or officiating appointments were made for periods of three months or more, and of these 25 per cent. went to Muslims, 62.5 per cent. to Hindus, and 12.5 per cent. to Sikhs.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The discussion of the Demands for Grants in the Railway Budget will now be continued, but before the motions are taken up, the Chair wishes to inform the House that representations have been made to it by the Leaders of the different Groups and by certain Honourable Members, representing Members who do not belong to any Group, that they have arrived at an arrangement as regards the motions for the reduction of grants and the order in which they will be taken up and discussed. It has been arranged that the Independent Party will today move their motion for a cut in order to raise the question of the grievances of third class passengers; and if, after that motion has been disposed of, time is still left, then the Congress Party will devote the rest of the time to discussing the question of the restoration of the salary cuts. On Monday, the Nationalists will devote the morning to discussing certain motions regarding the Indianisation of the railway services; and the European Group will begin at 3 p.m. in the afternoon with their motion regarding the manipulation of the railway freight. On Tuesday, the Members who do not belong to any Group, will discuss the labour grievances under appropriate headings, the wagon policy and the question of the transport of agricultural products, and, if any time is left after that, the Independent Party will have an opportunity of moving any motion they want. This is the arrangement which has been arrived at. The Chair would now like some Member of the Independent Group to inform the House which motion they want to take up.

Mr. A. K. Fuzlul Huq (Bakarganj *cum* Faridpur: Muhammadan Rural): I rise, Sir, on a point of information. As regards the Members who do not belong to any Group, you have decided that you will give them an opportunity of expressing their views on some of those points in which they are interested, namely, the grievances of third class passengers.

Mr. President (The Honourable Sir Abdur Rahim): They will have an opportunity like the rest of the Honourable Members.

Demand No. 6-E. Sir Joseph Bhore.

DEMAND NO. 6-E.—WORKING EXPENSES—EXPENSES OF THE TRAFFIC DEPARTMENT.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I move:

"That a sum not exceeding Rs. 10,74,20,000 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, 1936, in respect of 'Working Expenses—Expenses of the Traffic Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 10,74,20,000 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, 1936, in respect of 'Working Expenses—Expenses of the Traffic Department'."

(1302)

Grievances of Third Class Passengers.

Maulvi Muhammad Shafi Daudi (Tirhut Division: Muhammadan): I beg to move, Sir, cut No. 283:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be reduced by Rs. 100'."

I move this cut in order to discuss the grievances of the third class passengers. Sir, the catalogue of their grievances is very large and no Honourable Member of the House is unaware of their untold difficulties. We have been discussing this subject ever since we have got the right to discuss the Railway Administration, and from time to time promises have been made that they will be removed; but, even after so many years what we find is that not a fringe of their difficulties has been touched. It is a matter which can be more imagined than described: Honourable Members of this House may not have the occasion for going either to the third class booking offices or the third class compartments to see what they are suffering from. I will not deal with all of them, it would be impossible for me to deal with all of them. I will only draw the attention of this House to a few of their grievances which I consider most urgent and which call for the attention of the authorities without any loss of time.

Sir, if you imagine how the third class passengers fare at the booking offices, you will simply be horrified to visualize their confusion at the time. Although the rule provides that at some stations, big junction stations, the booking offices should be open for the twenty-four hours, still we have seen how these booking clerks deal with the third class passengers who go there to ask for tickets, not to say, Sir, of way-side stations, where, though the provision again is, that it should be done for some minutes beforehand, yet it is opened just at the moment, just a few minutes only before the train arrives, and you can imagine the lot of the poor third class passenger who has come from some distant village with his family and who is now in this very awkward position. He has got his luggage in one place, he has got some of his dependants with him whom he cannot leave alone, and then he has to run to the only gate where he finds that there is a great rush! Then, there are pickpockets who take advantage of the great confusion at the time. All this confusion arises, because the men at the booking office have no desire to do their duties as properly as they should. I have intervened several times on questions like these, and at my intervention something has been done. Unless the railway authorities take it to heart, I do not think we will have the desired result in all such cases.

I ask the House to imagine the trouble of the third class passengers when they enter into a train. You may enter into any third class carriage and you will find it as dirty and as filthy as possible. I know that the passengers themselves sometimes make it dirty, but it is the duty of the railway administration to get it cleaned after an interval of every three or four hours. Sir, it appears that the cleaners at the platforms are meant only for the higher class passengers who order them to sweep their compartments, but these poor people, who travel by third class, do not even know that they have a right to demand the cleaning of their compartments. Whatever that may be, the result is that the poor fellow has to sit in that dirt and filth which, I think in these days of the 20th century and with the administration in the hands of such a civilized Government, nobody would tolerate. There has been some improvement, no

[Maulvi Muhammad Shafi Daudi.]

doubt, in the case of the East Indian Railway and North Western Railway known to myself, but there has been no improvement, whatsoever, in the case of the Bengal and North Western Railway and the Assam Bengal Railway.

The latrines are those which were constructed, I think, in the very early days of the railway running in that part of the country. They have not been improved at all. They are so small that it is very difficult for a fat man to get into them and very difficult to sit in them with any comfort whatsoever. In fact, I am told by many of my friends who have travelled on the Bengal and North Western Railway that there is no space left when they have to sit in them. It is indeed very pitiable that complaints have often been made on this score but nothing comes out of them.

Then, I come to the food supply at the railway stations for these third class passengers. There is no doubt that there is a big restaurant car for higher class passengers but the third class passengers have got to depend upon the vendors and what I have been noticing is that the supply of food is going from bad to worse every day. It appears that the administration is making some profit out of it or wants to make profit out of it or wants to give some profit to somebody else in this direction. It is becoming the monopoly of a few persons and these monopolists, after they have secured the contract in the way best known to themselves, do not care as to whether the supply of food is of all varieties or whether it is sold at cheap rates. The rates, no doubt, have gone up very much because of these monopolies and the variety is, of course, badly wanting. The proposition is a very simple one. The monopoly is given to one or two people who are the favourites of the railway authorities who want to make the most of it and will not give what is due to these poor passengers for the money that they pay for their food. We made complaints on this score, I think, on the floor of this House year before last, and we especially drew attention to the sad state of affairs at Dinapore Division and also at Howrah Division. The Bengal and North Western Railway which runs in Bihar and Orissa is hopeless in this respect. It might have been improved on Lucknow side but there is no improvement whatsoever on the stations which are in the Bihar and Orissa province. I myself had made a complaint about the Tea Stall at the Sonapur station, which is an important junction, but no attention was paid by the Gorakhpur Authorities and we had to suffer in silence. I do not know whether anything has been done in this connection, because, last year, we were promised that an inquiry was being held as regards Dinapore and Howrah stations. We have not been told anything since then. However, we find that this monopoly system is not going to give either the variety of food to these passengers or reduce the rates at which the food is supplied. The monopolist has got to make his own share of the profit and then he has got to re-sell it to lower vendors who have got to make their share of the profit. In this way there are so many middlemen who are brought in by the railway administration. I cannot understand the wisdom of this course which is being adopted.

Now, as regards the drinking water. The drinking water has been very scarce even now. The third class carriages which have got water taps in the case of the Bengal and North Western Railway are often almost empty; there is no water at all sometimes. Even in the case of the first and second class compartments there is, sometimes no water what to say of the third

and inter. class compartments. We have got to run to the station master and tell him that we are badly in need of water and then he provides it. This has happened to myself, and when complaints are made nothing whatsoever is done by the authorities. It appears that they turn a deaf ear to all these requests from Indians.

I feel, however, very much pained at one sight which I wish to describe to this House. I hope I will be supported in this respect by the whole House so that the condition may soon improve. It is this. The railway servants consider themselves something like supermen in regard to the third class passengers. It appears that the third class passengers are no concern of these railway servants and they are meant only for the higher class passengers. They will attend to the first and second class passengers and do all that they require, but whenever any request is made by a third class passenger, they will not care for it at all. That has been the invariable practice of almost all the servants at the railway stations. There can be no doubt that the railway servants have not improved at all in this respect. I feel very much that the third class passengers, who are generally villagers and labourers and who have paid their full fares for travelling, are not given the treatment which they deserve for the money they have paid. If this is the state of things going on for a long time, I think the railways will have a bad time in the future as compared with the bus services which are running now in large numbers. Whenever people find the two services side by side, they generally avoid the railway service for the simple reason that their self-respect is not wounded if they go by the bus. I am very much pained at the sight of the third class travelling public, and I, therefore, think that some serious efforts should be made to teach these railway servants civility, politeness and courtesy, towards the third class passengers in their charge. We have been complaining about this for a long time past, and I remember our good old friend, Sir George Rainy, gave us assurances on this point that he would look into the matter as a serious proposition. I remember, he said that it was courtesy and politeness shown by the higher authorities to their subordinates that will permeate and go down to the lower strata and then the ordinary railway servants will show the same courtesy, civility and politeness, to the people in lower classes on the railways. But I think poor Sir George Rainy had not been able to do much in this respect, because nothing appears on the paper. At least we should expect that if something had been done by the railway authorities, it would not have escaped from the Reports that they have produced and which have been circulated to us. The Report does not show that cases of incivility and impoliteness have been dealt with by the railway authorities during the year under review. The only information that we have on this subject is contained in the Time-table of the East Indian Railway where they say, on page 123, that "complaints of incivility, obstructiveness or want of attention, on the part of the railway servants should be made to the Chief Operating Superintendent, Calcutta, or to the Divisional Superintendent at their respective headquarters and six of them are named below." That is the only thing that I find on paper in regard to incivility or impoliteness of the railway servants. Imagine for a moment whether the third class passenger is used to make complaints to the Chief Operating Superintendent at Calcutta or the Divisional Superintendent of Howrah or Dinapore or Allahabad or Moradabad. Is it possible that these third class passengers would be going to do that? We have found that even the higher class passengers have made complaints and the railway servants

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have given some excuse or other for avoiding those complaints, what to talk of third class passengers who are mostly illiterate. I believe, if this is the experience of the whole House, I think it must be so, then some practical measures should be taken to meet this difficulty of the third class passengers. I beg to suggest some in the short space of time that I have got at my disposal. I think that rules and regulations have been and will be made by the railway authorities. If the railway authorities have a little sympathy towards these third class passengers, and if the House is able to press this point today in this debate, I think they will be ready to make rules and regulations, but that will not do. The rules and regulations will not help us much. What I want is that these rules and regulations should be translated into all the vernaculars of the different places and placards should be made of these rules and regulations and should be posted on the station walls, near the booking offices of all stations without any exception. These rules and regulations should be printed in vernaculars in the time-tables and prominently enough so that people may know what the rules are which the railway authorities have made. I think the rules should not only contain the duties of the railway authorities but also the obligations and duties expected of the third class passengers. These third class passengers have got to be taught what their duty is while they are in the train. I quite realise that they should know how to behave while in the train but they should also know how they expect to be treated by the railway servants. All these obligations and duties should find a place in those placards and widely it should be broadcast so that people from one end to the other might know what their duties are and what their obligations are. If that is done, I hope people will know how to claim their right and the railway servants will also feel that the time has come when they cannot shirk their responsibility to these poor third class passengers. Above all, I should think that the railway servants should feel that they cannot any longer remain entrenched in the position in which they now find themselves. They now feel that the third class passengers cannot do any harm to them. They feel that the third class passengers are not their masters, that their master is somebody else. I am tempted to take my cue from the Honourable the Railway Member when he said the other day that his master is the Secretary of State in England. That is our great trouble. The railway employees, however, who are meant to serve these third class passengers, should be made to feel that their masters are these third class passengers who form 95 per cent. of the travelling public on the railways. It is they who pay 60 crores to the Railways and not the higher class passengers who are no doubt attended to most seriously on all the railways. Therefore, the paramount need is that if the railway administration approves of it, they should inculcate in the minds of their servants that the time has now come when the railways should not be considered as anything but a commercial proposition to which people must be attracted. I know it is a monopoly and that is why the railway servants feel themselves quite secure. However, if the self-respect of the people is wounded, as it has been many a time, then it might create very bad result. I think nobody would like to see that the public which pays for the travelling should be treated in that manner. I have no doubt that this aspect of the question will be sympathetically considered by those who are in high position. I am also sure that those Honourable Members who have similar experience like myself about third class travelling public will come forward and sup-

port my motion and confirm me in my view that in this respect, pressure could be brought on the authorities to look into this aspect of the question most seriously and most attentively. With these words, I move.

Mr. President (The Honourable Sir Abdur Rahim): *Out motion moved:*

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be reduced by Rs. 100."

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I rise to offer my whole-hearted support to this motion. One of the most pleasing features I have observed, since I have been a Member of this Assembly, has been the growing interest of all Parties in this Honourable House in the welfare and comfort of third class passengers and which, I think, is a very desirable thing indeed. The Honourable the Mover of this motion has brought before the House certain grievances which I, as one who travels all over India, can support and support whole-heartedly. Indeed I can corroborate many of the things he said. But, Sir, it almost seems idle for us, year in and year out, to emphasise these grievances when one is faced with that intolerable and insuperable bar to all our appeals, I refer to that individual who is called the Agent of a Railway. He is the biggest autocrat that India has ever produced. And as long as you have an autocrat as the Agent of a railway (there are certainly very glaring exceptions, of course).—I say, so long as you have that spirit in the Agent as the master—not the servant of the public, it goes down from him to the subordinate employee, and it is that spirit which is reflected in the lower services of the railway that creates these many grievances which my friend, Mr. Shafi Daudi, has related. I have witnessed and I have interfered myself in some acts of unkindness and discourtesy perpetrated on these poor third class passengers. I do not want to weary this House with a recital of these incidents, but I ask, in all seriousness, what is the use of asking such people, as per orders read out by my friend, to report their complaints to the Chief Commercial Manager? He never sees them, and I do not think they would go beyond the Babu in the office. So it is ridiculous to issue such instructions to the public. I would suggest to the Railway Member that a further notice be issued to all Agents drawing their attention again to the seriousness of the position and asking that all staff should be seriously warned against unkind treatment and discourtesy to passengers. Sir, I do think, there is a vein of truth in what the Honourable Member said that it is for these reasons, and for no other, that many of the public prefer to travel by motor buses.

Sir, the Honourable the Mover of this Motion first dealt with the question of foodstuffs. When this matter was discussed on the floor of the House last year, many of us took part and the Honourable Member promised to take action. From information I possess, I know that he has taken action. Sir, the supply of foodstuff is a matter of great importance to the travelling public. The travelling public puts its faith in the railway administration for the supply of proper food, I say this because, when a passenger pays his fare he expects to get certain amenities. The first class passenger gets his food from refreshment rooms or the dining cars and this is not always of the best. I think the best we have on Indian railways is in the Bengal Nagpur Railway, but this Department is generally worked at a loss, though, I believe, they made a profit on it this

[Lieut.-Colonel Sir Henry Gidney]

year. The second class passenger also has his amenities supplied. But it is the third class passenger who is the biggest sufferer. I believe I am right in saying that the foodstuff on the railways,—I am referring to the third class passengers,—are supplied from two sources—The Railway Administration or private vendors who hawk the platforms. I believe there are certain railways who propose to take unto themselves the manufacture and supply of all these foodstuffs and aerated waters, etc. No doubt the food will be cleaner, and, may be, they would be cheaper also, but I do not think such usurpation would be a right policy, because it would seriously and unfairly interfere with the freedom and recognised rights and protection of private enterprise and industry. But that such foodstuff wants careful attention is beyond doubt, and I would suggest to the Honourable Member the advisability of having some travelling food inspectors. It will mean a few more appointments to be created, but I think it is necessary. These food inspectors should accompany the trains and not be rigidly located at stations where the food inspector and the food vendors generally become very close friends at the expense of the quality of food. They should really be travelling with the trains, because a lot of food vendors travel with the trains and get out at stations and ply their goods to the passengers. I would suggest this for the Honourable Member's serious consideration.

Sir, the accommodation, water and sanitary inconveniences to which my Honourable friend has referred, I shall not refer except to support him in their entirety. I do consider that, in view of the fact that the railways would come to a stand-still if it were not for the revenue obtained from third class passengers, they deserve more attention than they receive. It is a common sight and many a hundred yards record has been broken when one sees a railway employee on the platform running after a first class passenger, specially when that first class passenger happens to be travelling in a white carriage,—I mean a saloon,—and contrast it with the slow movie motion with which he attends to third class passengers. I maintain that these third class passengers should get more comforts, apart from the overcrowding which cannot be denied. The Financial Commissioner, replying to this question, the other day, took the average of passenger traffic and the average of carriage capacity with the railways and very correctly said that there is no overcrowding.

Mr. P. R. Rau (Financial Commissioner, Railways): No, Sir. I did not say there was no overcrowding. I said the position had improved in the last four or five years.

Lieut.-Colonel Sir Henry Gidney: I am sorry if I did not quite correctly represent what the Honourable Member actually said, but the fact remains that the charge was made that there was overcrowding, and, I think, my Honourable friend, Mr. James, asked a supplementary question on it. But, apart from this, one cannot get away from the fact that there is overcrowding in certain railways and at certain times of the year which perhaps cannot always be avoided. One cannot avoid it during *melas*, wedding and holidays when you expect certain trains to be overcrowded. But this grievance is to be seen especially in that railway which gives the highest dividends to its shareholders, the Bengal and North Western Railway. There, there are in comparison with other railways, very

few conveniences and amenities for third class passengers. It is a positive disgrace that a railway, which gives such high dividends to its shareholders, should use the money which it takes from the public and give it to their shareholders instead of giving more attention to their patrons, the third class passengers.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): And the Madras and Southern Mahratta Railway also.

Lieut.-Colonel Sir Henry Gidney: I believe so I accept what the Honourable Member says.

Now, Sir, as regards electric fans: I think fans should be supplied not only for first and second class, but also for third class passengers. Indeed, all railways should fit every third class carriage with at least one or two fans. Drinking water is another very serious matter. I do know that great care is today given by the medical department to see that a pure supply of drinking water is available at various railway stations and in the carriages, and I think they deserve all credit for this improvement, because I can carry my mind back to many years ago when drinking water was very bad. But I think more and more care should be given to this vital matter of a pure supply of drinking water.

Another very serious grievance that my Honourable friend mentioned is the want of sufficient water for ablution and sanitary purposes when travelling. I have had this experience myself, when travelling in a first class carriage (generally at Government expense), of having no washing and flushing water. If I go to the station master or any other officer on duty on the station, instead of getting water, I have more often got a flow of words like water from his mouth and nothing else comes out of it except a continuance of the inconvenience. I do consider that there should be more care given to the inspection of these carriages and the water supply.

Another Honourable speaker called railway servants as supermen in their discourtesy to third class passengers; to some extent he was right but I must admit that during the past few years there has been a marked improvement in the treatment by the staff towards passengers. I have noticed great improvement particularly in certain railways, in the treatment of the staff towards third class passengers. I do believe that the grievances of the third class passengers form a very very important part of the administration of all railways, and I would like to impress on the Railway Member. (I know he has got this at heart and I know he is giving a good deal of attention to the matter) the necessity of giving more stringent orders to every railway not to confine courtesy and attention, at times amounting to servility, to the comforts of their officers in their saloons, not even to Members of Government and their saloons or to their first and second class passengers, but to give more attention to those who really keep the railways running, *viz.*, third class passengers, who deserve the sympathy of the entire House. I know this matter is receiving the constant attention of the Honourable Member, but I hope it will receive his further attention and so he will remove these grievances and inconveniences.

Mr. N. M. Joshi (Nominated Non-Official): Mr. President, for many years I have made my voice hoarse in talking about the grievances of the third class passengers. I assure you that it is not a pleasure to go on repeating one's speech year after year. If I speak this morning, I do so, because

[Mr. N. M. Joshi.]

I feel that if I do not take part in this discussion, I shall be failing in my duty. Year after year, I have given certain figures. This year I asked my Honourable friend, Mr. P. R. Rau, whether he finds any defects in those figures. I had his assurance that, so far as those figures go, he has no fault to find. We shall consider the explanation of those figures. The Indian railways possess one first class seat for 12 passengers; they possess one second class seat for 90 passengers, and they have only one seat in the third class for 400 passengers. These three figures will show you the amount of comparative overcrowding between the first, second and third class

An Honourable Member: What are these figures?

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): How can they seat 90 persons in one seat?

Mr. N. M. Joshi: If you cannot understand it, I cannot explain it to you. I am giving the total number of seats which the railway people possess and I am giving you the total number of passengers every year: the result, as I say, is that one seat is used by 12 first class passengers in a year or 12 times by one passenger: one second class seat is used by 90 second class passengers or 90 times by one passenger; and one third class seat is used by 400 passengers or 400 times by one passenger

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I just say that you should also give the mileage, because one particular passenger may travel a thousand miles and another only ten miles.

Mr. N. M. Joshi: If my Honourable friend, Dr. Ziauddin Ahmad, had not intervened, I would have given him those figures too. It is true that a first class seat travels longer than a third class seat, and a second class seat also travels longer than a third class seat. The average lead of a first class seat is 180 miles, the average lead of a second class seat is 60 miles, while the average lead of a third class seat is 35 miles. Giving advantage to the first and second class of longer leads, you will find that there is six times more over-crowding in the third class than in the first class, and twice as much overcrowding in the third as in the second class. I shall not tire the House with many more figures. But I shall just quote some figures to show the finances of the Railway Board.

The Railway Board spends Rs. 260 for a third class seat, while it spends on one first class seat and one and a half second class seat together, Rs. 4,000. The Railway Board makes Rs. 241 per third class seat by an expenditure of Rs. 260: the Railway Board spends Rs. 4,000 on one first class seat and one and a half second class seat together—because there are what you call bogey carriages—and the Railway Board earns about Rs. 550 by investing Rs. 4,000. I must make it clear that Rs. 241 is not the earning on a total capital of Rs. 260: the Railway Board had naturally to invest some capital in making rail roads and buildings and everything else. But, having built the stations and the railways, the Railway Board spends Rs. 260 on a third class seat and they earn Rs. 240. I should, therefore, like to know why the Government of India, taking for granted that the

Railways are a business concern, should not invest more money on purchasing third class seats than in purchasing second and first class seats. If they have more third class seats and more comfort for third class passengers, you will attract third class traffic and you will get more money; but the Railway Board's policy is otherwise—I shall discuss it later on . . .

Dr. Ziauddin Ahmad: May I interrupt and ask whether these figures he is quoting give the cost of the wagons only or they include also the running expenses?

Mr. N. M. Joshi: I am not giving the running expenditure at all; and I, therefore, myself said that the figure of 260 does not include the whole. What I am telling you is this: if you have more third class seats and run them, you will certainly make more profit. This does not require much arithmetical knowledge; it is a simple proposition: I never said that you make 240 by an investment of 260—I never said that: I said that it is a more profitable thing to invest that money in purchasing third class carriages than first and second class carriages. That is very simple arithmetic.

I do not wish to speak about the various other grievances except one: I want to say a word about the third class latrines, and, only the other day, I got a letter from a friend of mine, a part of which I shall read:

"I have often travelled in third class compartments with accommodation for 60 to 80 passengers, every seat occupied, having only one lavatory without water tap, or, if there be a water tap, without water in the tank; and, I believe, this is the usual provision in other parts of the country."

I want to know whether there is not any law in this country which can fix the minimum latrine accommodation for the number of passengers. Even the Factory Act provides that there should be one latrine for a certain number working in a factory. The factory worker can go outside and ease himself, but what can the railway passenger do in a carriage? (Laughter.)

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): There is one lavatory for ten prisoners in the jail.

Mr. N. M. Joshi: I would, therefore, like this House to consider very seriously whether we cannot by legislation compel the Government of India to provide a certain amount of minimum lavatory and latrine accommodation in the trains. Mr. President, for every twelve first class seats,—I am giving the minimum figures,—there is one latrine, and if you take the third class, there is not even one latrine for 25 or 30 passengers; sometimes 60 or 80 passengers have to be content with one latrine. I can quite understand your giving greater comfort to the first and second class passengers, but what I want to know, Mr. President, is whether the natural needs of the first and second class passengers are different in this respect. (Laughter.) I can understand your providing one latrine to a full first class compartment, but if it is a question of the number of latrines, it should be the same, whether it is for the first class, second class or the third class passengers. I do not wish to say anything more about the

[Mr. N. M. Joshi.]

details of these grievances, but I wish to say only one word about the policy of the Government of India. I have shown enough to prove that the policy of the Government of India is a policy of favouring one class at the cost of another class. Take any question, take the question of the treatment of the railway employees or the treatment of passengers,—take any question you like, and you will find that the Government of India follows only one principle, and that is, give more to those who have and give less to those who have little. I have also shown sufficiently that the Government of India make very little money comparatively from the first and second class passengers, and yet they lavish money in providing comforts for them. The Railway Board make three-fourths of their passenger revenue from third class passengers, while, when it is a question of making improvements, they stint money in effecting improvements for them. Mr. President, I would like the Government of India to consider what is their policy. Is it their policy to favour one class of people, to afford cheaper and more comfortable travelling facilities to people travelling in higher classes at the cost of third class passengers? I do not mean to suggest for a moment that Government should afford facilities to third class passengers at the cost of the first and second class passengers, although there may be nothing wrong in putting forward such a suggestion, but I want the Government of India to distribute the money which they get from the third, second and first class passengers in proportion to the amount they get from the different classes, and if that is done, I shall be quite content; but, Sir, the policy of the Government of India is not to do justice to all classes of passengers; their policy is to favour the well to do classes at the cost of the poorer classes. The Government of India regard the railways, as I have stated several times before, as a business proposition. Is this a business proposition to spend more money on those classes of passengers from whom you make the least amount of money and stint money for affording travelling facilities for people who give you the largest amount of passenger coaching traffic? I should like the Government of India to change their policy. Let the Indian Railways be run on business lines if you like, but it is wrong to run the railways on the lines of favouring one class at the cost of another. Mr. President, this policy of favouring one class at the cost of another class is a form of corruption, it is a form of bribery. There is no difference between a small railway employee who takes money from a passenger and the Railway Board who take money from third class passengers and distribute it to the class to which the Railway Board belongs. It is as much a bribery or corruption as the lower railway employees resort to. I would, therefore, like those Members, who want to get rid of corruption and bribery of railway employees, to first try and get the Railway Board's policy improved. If the Railway Board is corrupt, how can that Board stop the corruption among their employees?

Mr. President, I wish to say another word both to the Government of India and to the Members of the Legislature. The Government of India devote some pages in this book to show what they have done to improve the conditions of third class passengers. I would like them to give a sort of Report telling us how much money they received from third class passengers and from the other classes, and if money is available, for improving the amenities, how that money is distributed amongst the first, second and third classes. That will give the Legislature some idea whether

the Railway Board is fair to the third class passengers or not. What is the use of your giving a list of your having done something at one station or taken away another thing from another station? That gives absolutely no real knowledge whatever to the Legislature.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Lieut.-Colonel Sir Henry Gidney (one of the Panel of Chairmen).]

I would, therefore, like the Government of India to give us an intelligible Report, instead of telling us how many carriages were added on a particular railway line or how many waiting sheds were built at some places. These lists are quite useless. Give us a Report showing what you are doing for improving the condition of third class passengers.

Mr. Chairman, one word more to the Members of the Legislature. I have several times complained that the Government of India does not make proper use of the Central Advisory Council that exists. From the Report I find that only one meeting of this Advisory Council was held,—I do not know whether it sat for one day or two days,—but I would like the Government of India to place the whole question of third class passengers grievances before the Central Advisory Board, they should place all matters relating to travelling facilities, carriages, latrines, seats, food, in fact everything connected with the comforts and conveniences of third class passengers before the Central Advisory Council and get a certificate every year from this Council to the effect that nothing more could be done for improving the facilities of third class passengers. I would also suggest one thing to the Members of the Legislature, and it is this, when the different Parties elect members to the Central Advisory Council, they should expect a Report from the Members so elected to the Advisory Council saying that they were satisfied with what the Government of India have done for third class passengers. I feel, Sir, that if the members of the Central Advisory Board make proper use of that Board, we can certainly expect at least some reform in the direction in which we want reform. Mr. Chairman, I have done.

Munshi Iswar Saran (Benares and Gorakhpur Divisions: Non-Muham-
I.P.M. madan Rural): Most of us are vitally interested in this problem of third class passengers; if we, not ourselves, our relations and our friends, travel third class; we hear about their agony from them. I have looked carefully into the report of the Railway Board, and Members opposite cannot say that I am unfair to them if I take the improvements which have been effected by the various railway companies during the year in the matter of third class passengers. Mr. Chairman, this question is not being discussed here for the first time; in a way, it is a hardy annual. We discuss it year after year and we have been doing so for so many years. Some of us have a feeling of absolute distress that so little is being done. There is one railway company which runs through the constituency which I have the honour to represent, and that is, the Bengal and North Western Railway. There is a feeling that no amount of complaint will have any effect on the Bengal and North Western Railway.

[Munshi Iswar Saran.]

Be that as it may, let me invite the attention of my Honourable friend, the Honourable Sir Joseph Bhore, to certain facts which I have carefully summarised. In Chapter VII—called Miscellaneous—of the Report of the Railway Board, this is what we get. I shall confine myself to the Bengal and North Western Railway. Train Services—there is no doubt that train services if they are increased will greatly help third class passengers, because many trains are frightfully overcrowded:

“From the 1st October, two light passenger trains running between Gorakhpur and Nowgarh were extended to Barhni.”

That is to say, there was a slight extension over a short area in the Bengal and North Western Railway. Improvements in the design of and accommodation in passenger carriages:

“Improved types of seats and cushions and fan regulators were provided in upper class carriages. (*Pray note.*) The lavatory compartments of the new third class carriages were being fitted with double water cocks.”

That is all that has been done. Take again, the supply of drinking water. To that, reference has already been made by me in my speech during the general discussion of the Railway Budget:

“During the hot weather, 92 extra watermen were employed in addition to the permanent strength of 169. Seven additional hand water carts were supplied to the following stations.”

Vendors' stalls:

“Refreshment stalls at Chupra Kacheri, a vendor's shop at Sagauli and tea stalls at Gorakhpur, Sonapore, Savan, Bhatni, Barauni Junction . . . were provided.”

Waiting rooms and halls:

“An upper class waiting room was provided at Siswa Bazar. Two double seated benches were provided each on platforms at Gonda, Mau Junction and Aunrihar.”

In one year they have provided two benches! Opening of new stations and city booking offices:

“An out agency was opened at Marufganj for parcels and goods traffic.”

I have given you a summary of all that has been done by this company during the year 1933-34. I put it to the Railway Member whether he considers this record to be satisfactory. Even if the Railway Member does not give a reply to my question now, I shall earnestly appeal to him to make a note of these points and ask railway companies really to do something.

We are asked more out of season than in season not to import politics into the discussion of railway questions and, I imagine, legislation for a Federal Railway Authority is going to be passed by Parliament and not by this Assembly so that we Indian politicians may not be able to approach the problem with political bias. Let us now look at the question from a purely business point of view. The statistics which have been provided to us, show that the number of passengers in all railways—I have taken

only two classes—in the year 1933-34—I hope my Honourable friend, Mr. Rau, will correct me if my figure is wrong—I have always been bad at figures, I am not like my Honourable friend Dr. Ziauddin, who is a senior wrangler of first class, is over four lakhs, the number of passengers in all railways of third class is over 47 crores. The income from passengers of first class in 1933-34 was roughly over Rs. 76 lakhs, and from third class passengers was about Rs. 27 crores. As a purely business proposition, if a business concern finds that a particular class of its customers brings the bulk of its income, what will that concern do? If it does not provide all comforts, all conveniences, as far as possible, to the customers who bring in the largest amount of income, either that business or concern will fail or it has taken leave of its senses. I shall leave it to my Honourable friends opposite to decide whether the Railway Administration has taken leave of its senses, or is going to fail. There can be no manner of doubt that those customers who give you most of the money are dissatisfied or are put to terrible discomfort and inconvenience, surely, this is not business.

There is a long catalogue of grievances which every year are brought to the notice of the railway authorities. It is not much use repeating them. I shall make a suggestion, if I may. I hope, if my Honourable friend considers that this suggestion is worthy of his consideration, that in the annual report of the Railway Board, in future, a particular chapter may be devoted to a detailed description of all that has been done, during the year, for the comfort and convenience of third class passengers. Then there will be left no room for controversy, then there will be left no room for dispute between Members opposite and ourselves in regard to facts in connection with this problem. Such a chapter will enable them and ourselves to decide whether all that can be done has been done or not.

Mr. Chairman (Lieut.-Colonel Sir Henry Gidney): The Honourable Member's time is almost up.

Munshi Iswar Saran: If they add this chapter, they will earn our thanks.

May I, in conclusion, make a personal appeal to the Honourable Sir Joseph Bhore? Before he leaves his present office, let him write a strong note and send it round to all the railways saying that the lot of third class passengers deserves to be improved.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan): I also rise to support the motion of my Honourable friend, Mr. Shafi Daudi. When I was a small boy in my then usual place of residence. . . .

An Honourable Member: Palace?

Seth Govind Das:—Yes, Raja Gokul Das' Palace, though it is no longer my residence now—in the lap of my old grandfather, Raja Gokul Das, at the time of a Hindu festival, *Navratra*, that is, sometime in October, I used to hear a prayer recited by a learned Brahmin. Every year, I used to hear the same prayer, in the same phrases and in the same words. When I came to this House in 1923 and remained here for two years, when I went to the Council of State in 1925 and remained there for four years,

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[Seth Govind Das.]

and now when I have come back here, I feel the same sensation which I used to feel in my boyhood at the time I heard that prayer. Whenever these demands are discussed, the same cuts are moved and the same phrases and the same words are used. We are at the old old place and we find no improvement in any respect. The Government say that all our doings here are based on political motives. The Honourable the Leader of the Opposition said the same thing for the Government yesterday, but, as far as the question of the third class passengers is concerned, I think it would be admitted by every section of the House, and also by the Government, and it was admitted by you too, Sir, when you just spoke, that it is beyond politics. I had no personal experience of third class travelling up to 1921, but since I joined the Non-Co-operation Movement, I had that experience. The Honourable the Mover of this cut said in his speech that perhaps no Honourable Member of this House has that experience. I expected him to have that experience, because he was one of us from 1921, up to, I think, 1927, and, I thought that he must also have travelled in the third class. I can say, Sir, with some personal experience, that the miseries of the third class passengers cannot be described in words. From the time a third class passenger enters the railway boundary and up to the time he leaves it, he is in a miserable position. When he goes to buy his ticket, it is with great difficulty that he is able to do so, after receiving many pushes from all sides, hearing some abuses from the booking clerk, and that is generally when the passenger wants back the change, because these booking clerks have very little change with them. The same treatment is meted out to him as soon as he enters the platform, and when he enters the compartment these miseries increase still further. It has been provided in the Railway Act that no overcrowding should be allowed whatsoever.

Mr. Chairman (Lieut.-Colonel Sir Henry Gidney): Will the Honourable Member let the Chair know how long he will take to conclude his speech?

Seth Govind Das: I shall not take more than seven or eight minutes, Sir. In section 63 of the Indian Railways Act, it is said:

"Every railway administration shall fix, subject to the approval of the Governor General in Council, the maximum number of passengers which may be carried in each compartment of every description of carriage, and shall exhibit the number so fixed in a conspicuous manner inside or outside each compartment, in English or in one or more of the vernacular languages in common use in the territory traversed by the railway, or both in English and in one or more of such vernacular languages as the Governor General in Council, after consultation with the railway administration, may determine."

Again, section 93 says:

"If a railway company contravenes the provisions of section 53 or section 63, with respect to the maximum load to be carried in any wagon or truck, or the maximum number of passengers to be carried in any compartment, or the exhibition of such load on the wagon or truck or of such number in or on the compartment or knowingly suffers any person owning a wagon or truck passing over its railway to contravene the provisions of the former of those sections, it shall forfeit to the Government the sum of twenty rupees for every day during which either section is contravened."

In spite of these provisions, we find that the authorities do nothing in this respect. The overcrowding is still there. You, Sir, when you were

king, said that there was overcrowding only in some of the railway, but, I say, there is overcrowding in most of them, and the condition of the third class passengers is precarious owing to this overcrowding.

Much has been said today about food, and about latrines, and I do not want to take the time of the House in repeating what has already been said. In these two prime necessities of life are overlooked, it is useless to talk about fans and cushions and other such things. And, in spite of these necessities of the third class passengers, the fare has considerably increased since the year 1913. The Honourable Sir Charles Innes, then Commerce Member, gave certain figures about this increase, in the year 1926, when speaking on Mr. Joshi's cut. He said:

"As regards the third class passengers, the average rate in 1913-14 was 2.29 pies per mile and in 1926-27 it was 3.53 pies per mile, that is an increase of 54 per cent."

Mr. Joshi was, of course, well equipped with figures and he immediately contradicted the Honourable the Commerce Member and said:

"You are giving me the average increase. There are many railways in which the increase has been 100 per cent. Take the South Indian Railway. The fare for ordinary trains was 2 pies and now the fares are 5 pies."

Since 1924, I do not know what increment has taken place, but I think, the fares have increased since the year 1924. The Honourable the Commerce Member said, Sir, that there had been a decrease recently, but, now, if we look at the speed of the increase and the speed of this decrease which has taken place recently, we find that the increase was by leaps and bounds, while the decrease is very slow.

I shall not take more time of the House, and, while concluding, I shall only say that we do move these cuts, but at the same time we do not expect anything tangible from this Government. Up to the time we are not free, up to the time, Sir, this Government is not pushed out of this country (Hear, hear), our grievances, our troubles, are going to remain, as they are, but when we are here, we have to do something, and that is the reason, Sir, why, in spite of having no hope, in spite of seeing that all that we do, all that we ask the Government to do for the country, is in vain and is never heeded, we, on this side of the House, go on doing what we think to be our duty. With these very few words, I support the motion of my Honourable friend.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. B. B. Varma (Muzaffarpur cum Champaran: Non-Muhammadian): Sir, Honourable Members who have preceded me have ably placed the grievances of the third class passengers, and, therefore, I will take not more than three or four minutes. Sir, I wish to put before you the grievances of the travelling public on the Bengal and North-Western Railway only. The voicing of their grievances has become an annual affair of this House.

[Mr. B. B. Varma.]

I find, Sir, that lengthy speeches have been made, year after year, cataloguing their grievances but the net result so far has been in Sir Samuel Hoare's language: "Let the dogs bark, the caravan passes on". No attempt has been made to give the least comfort to third class passengers on this Railway. In the north Bihar, apart from the overcrowding and other numerous inconveniences, there are still trains running without latrines in the third class compartments. About 80 years ago the Railway Company was established in this country but the Bengal and North Western Railway have not, in that long period, thought it necessary to provide latrines for the travelling public in several trains. The trains which are running between Muzaffarpur and Narkatiaganj, Darbhanga, Narkatiaganj, Jayanagar, Sagauli, Samastipore and Bhabiani, to name only a few, have no latrines. Some of these trains start in the midnight and reach their destination quite late in the morning, and, therefore, the inconveniences of the third class passengers, especially of the lady passengers, can better be imagined than described. It is an irony of fate, Sir, that the third class passengers, who are the backbone of the railways and the source of enormous income, are treated no better than cattle. The time has come when the Government should pay a little more attention to this question and make an earnest effort to remove the grievances of the people at as early a date as possible.

Mr. Basanta Kumar Das (Surma Valley *cum* Shillong: Non-Muhammadan): Mr. President, having inflicted a gaping cut yesterday on the head of the Railway Administration, so to speak, we are here today engaged very laboriously in inflicting another cut for the purpose of drawing the attention of the railway authorities to the grievances of the third class passengers which have not been so long properly attended to. Sir, why are we doing all this? We really feel that the constitution of this railway administration is an abnormal constitution and it will not collapse or even bleed if we go on inflicting gaping wounds. Therefore, we are going to inflict another cut, feeling confident that, in spite of the severe cut that we inflicted, it will be still functioning. Sir, the grievances of the third class passengers are not being discussed for the first time in this House: they have invariably been discussed every year in the past.

The other day, Sir Cowasji Jehangir said that we are working here this year in an atmosphere of irresponsibility, but, Sir, may I ask a question of him? What did his work in this Assembly, in an atmosphere of responsibility, secure for the third class passengers from the railways? So, Sir, we are really doing things in an atmosphere of irresponsibility, and, so far as we are concerned here on this side of the House, we feel that it was really with the intention of rousing a sense of responsibility in those who lack it that we are putting forward all these motions in this House. Sir, I need not narrate all the grievances of the third class passengers. Their catalogue is too long and they have been sufficiently enumerated in this House. Sir, the Honourable Mr. Joshi has given figures and if the voice of figures is to have any effect, then there cannot be any denying of the fact that the grievances of the third class passengers loudly call for redress. Of course, the Honourable Mr. Joshi has given only some figures but I wish to add also some more figures in order to establish how real are the grievances of the third class passengers and how this Government and the Railway Administration are neglecting them and are not doing what they ought to do for the third class passengers.

Now, Sir, with regard to the question of the provision of latrines in third class compartments, I shall place before this House a few figures from page 271 of the Report of the Railway Board for the year 1933-34, Volume II. It would appear that the percentage of vehicles provided with latrine accommodation in third class compartments in the Bengal Nagpur Railway is only 57.1; in the Bombay, Baroda and Central India Railway, 58.6; in Burma Railways, 88.4; in the Eastern Bengal Railway, 68.4; in the Great Indian Peninsula Railway, 77.7; in the Madras and Southern Mahratta Railway, 90.7; in the Nizam's State Railway, 88.5; in the South Indian Railway, 49; in Barsi Railway, Darjeeling Himalayan Railway, no latrines; Gondal, 2.6; in Jamnagar and Durgam, no latrines; in Junagadh State, 15; and in Mysore, nil. These are the figures so far as the question of latrines is concerned.

Then, there is another aspect of the question which should be taken into consideration. We find from this Report that 48 crores of people had recourse to travelling in third class and only 50 lakhs had recourse to travelling in first and second classes. For improving the amenities of the third class passengers, Government spent only Rupees 2 lakhs 19 thousand in 1934, as against an income of Rupees 26 crores, 79 lakhs from third class passengers alone. This will unmistakably go to make out the point that railways are making a huge profit at the expense of the third class passengers. This is a very iniquitable position which cannot at all be defended on behalf of Government. The other day, the Honourable the Railway Member said, that the reduction of fares in third class has given him a very good result, and, in order to make out that point, we find that there was an increase of about 60 lakhs of passengers by third class, and, from this, it would appear that the reduction of fares generally increases the number of passengers. So, it would make out a case for the reduction of fares more and more, with profit to the Railway Companies. I submit that if only the Railway Administration would lighten the fares, it would be a real benefit to the travelling public, the bulk of whom represents the third class travelling public. There the Government would not lose much. With regard to the difference in fares prevailing in different railways, I may mention that in the Assam Bengal Railway, the third class passengers pay really more than what the third class passengers pay in other railways. It is also a point which should be considered by the Government whether a uniform rate of fares cannot be brought into existence in all the railways. For travelling third class from my town of Sylhet to Calcutta, one is to pay Rupees eight, whereas, for travelling from Calcutta to Delhi, the third class fare is Rs. 10. Now, the distance between Calcutta and Sylhet will be half the distance from Delhi to Calcutta, and yet, for the former distance, the third class passengers have to pay more. I submit that the question of uniformity of rates is also a question which should be taken into consideration. It appears from page 91 of the Railway Board Report for 1933-34, that the number of third class passenger carriages has gone down by 1,596 and the number of first and second class passenger carriages has gone up by 192. It would appear, that while we are getting more travellers in the third class, we are reducing the number of carriages, whereas, in the case of first and second classes, we are increasing the number. I do not understand this policy of Government. This kind of policy really establishes the case put forward by the Honourable Mr. Joshi. The figures which I have just given go to establish that the case of third class passengers is really a bad one which urgently calls for redress. I will not detain

[Mr. Basanta Kumar Das.];

the House any longer by adding to the list of grievances that has been put forward already by other Honourable Members, but I want to say one thing, that if really the Railway Administration is to proceed on humane lines, then it is absolutely necessary that the case of the third class passengers should be considered very seriously just now. We have before us the huge skeleton of a Statutory Railway Authority with the full promise of soon gaining in flesh and blood and being endowed with active life, which means that the right of this House would be taken away very soon, and before that authority comes into existence, it is up to us to urge on the attention of the Government that they should accept a policy which will be considered to be really on humane lines. With these words, I support the cut.

Mr. C. N. Muthuranga Mudaliar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, in supporting this motion, I shall not detain the House for a long time though the importance of the subject is very great. This matter has been discussed, year in and year out, for the last thirteen years and even more, and, every time during the general Budget, as well as on cut motions, this subject has been discussed threadbare. The other day, the Honourable Member for Railways said that if Honourable Members had read one chapter in the Railway Administration Report which relates to this subject matter, they would not find very much to cry over this. Sir, I have gone through that particular chapter which the Honourable Member has referred to. What do I find there? Some third class compartments have been reconditioned. Some lavatories have been introduced here and there, an electric light has been put in another place, and some tube wells have been sunk in some of the way side stations and a few more watermen have been appointed. All this is not enough. This is a long delayed reform which the third class passengers feel very greatly and very acutely. This reform must be effected in all the places and on all the lines of railways at an early date. It is not a reform like the Indian constitution reforms which the Indians are asked to wait for till eternity, nor can the reform of third class passengers grievances be given in doses, like the gradual development of self-governing institutions. We cannot have this reform of third class passengers grievances in such a gradual manner. It must be done at an early date. Already people are very much dissatisfied. I may inform the House that in some places, the third class passengers have started *satyagraha* and a few of them have been sent to jail also. Such being the case, these grievances of the third class passengers must be redressed at once and on all lines. Though I am not inclined to go into the details of these grievances, I should just like to mention a few of them which I am familiar with, and which, I think, have not received sufficient publicity in this House.

I will take first the waiting rooms for third class passengers. Let me mention one place, Conjeeveram, a great pilgrim centre. At times of festivals a large concourse of people gather there. But what do we find? A big cattle-pen like shed and it is roofed over with zinc sheets. In the hot sun the people are scorched and they feel very sultry and when there is rain the people cannot hear the sound of their own voices and hear nothing but the sound of the rain. I mention this place only as an example but there are many other places like that; and when the pilgrims resort

to these festivals they cannot keep to their time. When their work is over they go to the station and the waiting sheds, and what do we find there? There is no proper light for these passengers; they sit down or sleep in the darkness.

Leaving that subject now let me next mention the booking offices. In many of these way-side stations the booking clerk himself is the ticket collector. When two trains arrive at the station in opposite directions, these booking offices are not opened sufficiently early. At the time of the arrival of the train, the booking clerk goes to the platform to collect the tickets, and, before he comes to issue tickets, the other train arrives, and the passenger, in his anxiety to catch the train, runs into the train even without a ticket, and, on the way, or at his destination, he is caught and he has to pay double fare. That is the way in which many of these passengers happen to travel without tickets. Let me mention another station. At Egmore station, in the heart of the city of Madras, the booking office is approachable by the third class passengers only through a corridor-like passage. The tickets are not issued sufficiently early but just before the arrival of the train; the passengers rush into the corridor. They press against each other and in their anxiety to rush out and catch the train they even forget to get back the cash after purchasing their tickets. To that extent, even a few coppers, the passenger loses and the booking clerk profits. And that is not a single instance. I simply mention a central city station but this happens in other way-side stations also.

Leaving the booking office when the passenger goes to the station, there again what do we find? There, again, the passage is very narrow and the ticket collector who checks the tickets delays them. The passage to the platform is not opened sufficiently early and these people in their mad rush press against each other. They pick up quarrels among themselves. The other day some Honourable Member here mentioned that while getting into the train or getting down people often quarrel and kick up a row. That happens even at the entrance to platforms. These things must be immediately rectified.

Then, these third class bogie carriages nowadays sometimes take 90 and even more passengers. In this hot sun in the second class compartments for four passengers they get two fans but in a compartment intended to accommodate 60 or even 90 passengers there is no fan. Then, Sir, the Honourable Member for Railways said the other day that only a very few compartments are not fitted with lavatories. Sir, I do not think the Honourable Member thinks that passengers travelling short distances would not have calls of nature on the way. I feel that even short distance passenger trains must have lavatories and wash basins and every other comfort that the second class passenger has got. And even those lavatories which are there are very narrow. Some Honourable Members here mentioned that they could not very well go in and come out. I have seen those latrines; they are perhaps three feet square or even less and such small lavatory has to serve 60 or 90 people. In the first and second class carriages we have got very spacious lavatories and in the first class carriages we have even got shower baths.

An Honourable Member: But no water. (Laughter.)

Mr. C. N. Muthuranga Mudaliar: That is another matter. But with regard to third class passengers I should like to mention only about a spacious lavatory with lighting arrangements and also sufficient water for all these 60 or 90 passengers. Let us not think only of higher class passengers but also of the conveniences of third class passengers.

Sir, in days gone by, we had third class compartments to accommodate 8, 12, 16 or 20 passengers. Nowadays we do not find such small compartments. Consider for a moment a small family or a marriage party or a pilgrim party deciding to reserve a compartment. Is it possible to reserve a compartment in a bogie carriage? Such small compartments also should be made available for third class passengers and the system of reserving compartments, as existed in the old days, should also be revived for the convenience of third class passenger families who wish to travel in railway trains.

Sir, let me now mention that in the South Indian Railway and in the Madras and Southern Mahratta Railway there are lots of passengers from suburban places to Madras City, including many students and officers, railway men or mill workers. For them the season ticket rates are, to my knowledge, very heavy. Those rates should be lowered and every sort of convenience should be given to these officials and students.

In the South Indian Railway there is electrification as far as Tambaram. Similar electrification might be introduced in the Madras and Southern Mahratta from Madras to Arkonam and Madras to Ponneri, so that season ticket holders and ryots desiring to go to the city may have the convenience of speedy trains and quick locomotion. In some trains this system of issuing merchants' passes is prevalent for second class passengers. Such merchant passes should also be issued to *bona fide* traders and others who travel third class. I do not wish to detain the House very long. The Honourable Member, when introducing the Budget the other day, said that it was the last budget that he was introducing. I am afraid this is perhaps the last budget for us also on which we can ventilate the grievances of third class passengers. Perhaps next year the Railway Budget may not be before us and so I would request Honourable Members of this House, if they really feel for the third class passengers—we have heard so many of them get up and ventilate their grievances and many more are yet to speak—and if they really want to show their sympathy for the third class passengers, they must support this motion and vote for it: perhaps this is the last vote that we are going to exercise on behalf of the third class passengers. I hope Honourable Members will remember this.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I can honestly claim that I have no right to speak on this railway cut, because, of all the Members in this House, I have not read anything on the subject from the speech of the Honourable Member down to any of the printed papers which have been supplied to me. I know nothing of the subject, and I am honest enough to confess about it; but, as a traveller, I think I can give points to all the Members combined on this side and that. I have travelled three or four times all over India, on every railway system: I have travelled in Europe, I have travelled in France, Italy and the Riviera, I have travelled in America, in Egypt, in Palestine, Syria and Iraq: I have travelled in Kenya, Tanganyika and in Portuguese East Africa also; I do not know how many hundred thousand

miles I have travelled in the railways, and, therefore, I must know something about the requirements on railways. On that I can lay claim to the indulgence of the House. There is no doubt about it. I am not going to pitch into the Honourable Member—I think he has been sufficiently punished (Laughter); but I have a few suggestions to make which I make in the hope that next time we meet here—as I hope we will all meet—the Railway Board and the people responsible for railway management will have a very nice story to tell and we will all congratulate them heartily if we find that they have done something for the third class passengers . . .

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): They will not come here next year!

Maulana Shaukat Ali: There can be no question about this overcrowding and nobody denies that there is a lot of overcrowding in the third class carriages. What they are going to do about it and how they are going to meet it is their look out: but the third class passengers must have the decencies of life provided for them. One thing I feel strongly, and it is the amount of bullying and pushing that the third class passenger has to face. I have travelled everywhere, among the Arabs who are not so far advanced as we are; but I have always found that in Egypt and in other countries the third class passengers receive by far more consideration than they do here. It is true that we have large crowds travelling here, but that means that we have a much larger number of people who pay their fares to the railway administration, and I think they have a right that they should be properly treated and carried comfortably. I travel with my eyes open when I travel in foreign countries, and I assure you that in Egypt—where I have travelled first, second and third class—I used to get down and go to the people to talk with them; and I utilised my travel to good purpose: and I say that in no country is there this amount of abuse, pushing and the worry that the third class passenger has to face here, and I think it is a disgrace to this Assembly and to this House which is responsible for the administration.

An Honourable Member: We ought to throw them out morally.

Maulana Shaukat Ali: Physically or morally do it—any way you like: I believe, as I told you, in the constitution which God Almighty has given to me: I am not non-violent: if I receive any ill-treatment, my right hand will give a very good answer and I think the time will come when we will have to teach people to use the strength that God has given to them to see that we are not insulted. I have great sympathy with the railway officials.

Some Honourable Members: No, no.

Maulana Shaukat Ali: I tell you frankly that I have seen wonderful improvement in the treatment of third class passengers even in the last few years; but that is not sufficient. For you to say: "we have done a

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great deal" is not sufficient: you have to see how much you have left undone, and the time has come for you, with your budget of 99 or 100 crores, to do something more for the third class passengers. I am not an expert, but I would suggest a few things. None of us have a chance of being experts in this matter; but I want that the railway officials should be properly taught to have self-respect: if they have self-respect they will see that the third class passengers are their own people and who also have self-respect. I do not want honorary inspectors or even paid inspectors appointed to supervise food,—I remember very well in younger days, when I was rich and travelled very well and could patronise the restaurant car, that I met a man who had not much money, but somehow or other got into the good books of the railway authorities and he had a free pass as an inspector of Indian food on the Great Indian Peninsula Railway. He was, of course, travelling first class, and at every station he used to get down and go to the vendors of sweets and fruits, etc., and after some time he asked me to have tea with him in his compartment, and when I went there, I found the whole compartment loaded with beautiful sweets and fruits of all varieties collected from all the stations as a present. We do not want that kind of man

Dr. Ziauddin Ahmad: Sir Henry Gidney's inspector?

Maulana Shaukat Ali: I do insist, from the Honourable Sir Joseph Bhole and Mr. P. R. Rau down to the lowest official, that when they travel on business, on any railway—and they have to travel about a good deal—they must make it a point to get down at every stopping station and see the conditions prevailing there in the booking office and in the third class waiting rooms and in the overcrowded third class carriages. It would not hurt them a bit—in fact they will be thoroughly amused and they will not feel the time hanging heavily: they might even occasionally travel for a few stations in third class carriages. Especially, Sir, in Northern India, in the monsoon, the conditions are horrible. People of the South are lucky when they do railway travelling in the rains, because the weather gets very nice and cool; they do not need a fan, but in upcountry, in the United Provinces and the Punjab, specially during rains, conditions are so abominable that it is really a surprise to me how more deaths do not take place as a result of heat apoplexy, suffocation and things of that kind. Of course, the first class passengers pay a very heavy charge for their comforts, and certainly they have a right to expect more comfort for the money they pay, because, if they did not want those comforts, they would not have cared to travel by first class, but it is the poor third class passengers, who need better condition for whom my friend, Mr. Joshi, pleaded this morning,—I see he is dosing (Laughter)

Mr. N. M. Joshi: No, no, I am listening to you.

Maulana Shaukat Ali: It is the third class passengers who suffer the most. If those who are responsible for the railway administration really understand and appreciate the amount of suffering caused to third class

passengers when travelling during summer, I am sure they will certainly / to improve matters. I do not know why, when so much overhead expenditure is undertaken, when there is such an efficient organization,—when they are doing so many good things for improving stations and buildings, they do not care to consider the needs and comfort of the third class travelling public. I think the railway authorities have just provided very fine new stations at Cawnpore and Lucknow, and they are providing all sorts of amenities for everybody, Hindus, Muslims, Christians, like European refreshment rooms, Hindu refreshment rooms, Muslim refreshment rooms, and, therefore, I think, Sir, it is high time that the Railway Board made up their minds to spend some money, not in any niggardly spirit, but with a very generous hand, to see that within a year they did something tangible for the benefit of the third class travelling public so that, when we come back next year, we may be able to offer our sincere congratulations to the Honourable Sir Joseph Bhole, Mr. Rau and others connected with the railway administration for the good act they had done. Sir, it is really no pleasure to me to criticise those who are responsible for the railway administration. Now, after having said this much, I really want to point out that, so far as the first and second class passengers are concerned, from my experience, I can safely say that in no part of the world, do they travel more comfortably than in India when performing night journey. In America there are certainly more comfortable seats, the passengers are provided with nice cooled ice water, there are refreshment rooms almost at hand, in fact every possible comfort is provided, but, when I travelled from New York to San Francisco, I had to travel sitting, for 3½ days, because there was no room to stretch properly in the day time and for the nights we had to pay extra fare for sleeping cars, whereas in India, if one takes sufficient precaution by reserving a berth in the first or second class, he gets the whole seat to himself even for the day.

An Honourable Member: Not for the day.

Maulana Shaukat Ali: According to the rules, a berth cannot be reserved during the day, but, as a rule, you get it all right. As a matter of fact, I personally have never been worried by anybody when travelling even during day time, but, as I said, in foreign countries we have to pay extra for sleeping accommodation. I don't see why the railway authorities should not consider the desirability of attaching a few extra carriages to afford facilities for long distance third class passengers so that these poor people can get a little sleep in the night. These extra carriages can be taken out in the morning, but for the nights it is very desirable that you should put on a few extra carriages for long distance passengers. In Europe carriages are put on at night and are taken off in the morning, to provide sleeping accommodation to passengers. I certainly think that something of that kind can be done in India also for long distance third class passengers. I don't want that these extra carriages should be monopolised by people who will travel over a short distance, but they should be meant solely for the benefit of long distance passengers. For instance, when a man is travelling beyond a certain distance and he has to spend one or two nights in the journey, some kind of mark can be put on his ticket so that he may get into one of the extra carriages that would be

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put on for the night, because the trains are generally overcrowded. I have not the expert knowledge to put forward concrete suggestions just at present, but if you want me to discuss the matter thoroughly with you, I can give more time to this work, and I think within six months I can study the whole question and come to you with concrete proposals as to how to better the condition of third class travelling public. Sir, as I said before, I have travelled by first, second and third class also, but when once I tried to get into the third class lavatory, because of my big size I found it very difficult to get in (Laughter), but, somehow, when I got in, I was very unhappy, because the whole place was very dirty and filthy beyond description. Sir, I am not a very pious man, but I like to offer prayers when I was travelling in a third class compartment, I had to miss my prayers, because there was not sufficient accommodation for a man of my size. Sir, I admit I am a very abnormal creature (Laughter), I admit that, but still, the whole place was stinking terribly, there was filth thrown about, and so, I got out and could not say my prayers. However, now that the Government mean to do something for the improvement of the travelling public, to improve the sanitary and other conditions, I think they should provide really tip-top lavatories in place of the small, dark, dirty lavatories in third class carriages, so that, the travelling public may really enjoy their travel so lest we may come back next year and really offer our congratulations to you on your having done something tangible for the benefit of the poor people. I don't say for a moment that my friends opposite—the Honourable Sir Joseph Bhore or Mr. Rau—have no sympathy for the poor travelling public; they have every sympathy, I admit, but they must really do something to improve the sanitary conditions in third class carriages, because, in some third class compartments there are no lavatories at all, there is no washing arrangement, there is sometimes no water, I remember very well the days when there were no lavatories at all in third class carriages, and when people had to get down at stations where the trains stopped for a few minutes. We used to be told that the permanent way would get dirty if lavatories were provided in third class carriage. I don't know the name of the person, but I remember, as a youngman, that some railway expert was brought out from England by the railway authorities to examine the railway problem, and he said, "how long would you like yourself to continue without any amenities like that?" Therefore, Sir, I suggest that every official, however high or low he may be, should be told that he should, under no circumstances, show any kind of discourtesy or impertinence to the poor third class travellers (Hear, hear), and every official, who proceeds on tour, must make it a point to see that these orders are carried out by the subordinate staff. I have myself bullied the railway officials, because with a big burly man like me some of the puny little ticket collectors could not play tricks. (Laughter.) Sometimes I have bullied some of these people myself, because when they bullied me, I showed them my right arm. Therefore, Sir, I want the Honourable Member in charge and others subordinate to him who are responsible for the railway administration to see that something is done for the benefit of the poor third class travelling public. I would very much request my friends in this House not to dishearten Honourable Members opposite; we must encourage them and give them injections of hope and courage, and let us wait till next year to see whether they will do something tangible or not for the third class passengers

Mr. J. A. Milligan (Bengal: European): Sir, I rise to support the motion for the cut ("Hear, hear" from Opposition Benches), but as every aspect of the grievances of third class passengers has been exhaustively examined by previous speakers, I shall not endeavour to add to that side of the question. My reason for speaking today is that I have had considerable experience in relation to the adequacy of accommodation of third class passengers on ordinary trains in connection with emigration of labour to Assam. I have not had any personal contact with this during the past twelve months, and my information is that conditions have considerably improved, but from what I saw on the last occasion when I had an opportunity of forming an opinion, I felt there was still great room for improvement. This is a matter on which a mere expression of sentimental opinions is no good; a mere expression on the part of the railway authorities of sympathy with our views is no good. We must have some practical scheme. I suggest there are three lines on which something can be done effectively. The first thing that is wanted is the designing of a really good third class coach. (Hear, hear.) Until such a design is worked out, there is not much use in advocating increased building. Having got a really good third class coach designed, a building programme should be definitely embarked upon and a scheme of replacement which we can all see working until every one of the long distance trains is fully equipped with these improved coaches, the other coaches being put to the short distance trains and less important runs. The second point is that at as many places as possible along the line there should be spare coaches which can be attached to a train when required. (Hear, hear.) I have experienced in the past the greatest difficulty in getting an extra coach put on, even though there was a number of passengers about to get into the train that more than justified the addition that was asked for. Another defect is that station masters have not the power, as a rule, to put these coaches on even if they have coaches lying at the station. They have to refer to some authority in the distance, who may be on tour, and I have often found that, though the accommodation was there, at the station available, the coach could not be put on because the station master was not authorised to do so. It seems to me that the chief value of this debate will be to strengthen the hands of the Railway Board, who, I know, are just as anxious as we are to improve the conditions of travel for third class passengers. We will strengthen their hands by the opinions expressed today and enable them to insist that the individual railways shall take steps to ameliorate the lot of third class passengers.

The Honourable Sir Joseph Bhore: I know that this is a matter upon which Honourable Members in this House and the public feel very strongly. That is a feeling with which I personally have the warmest sympathy, and I can assure the House that that sympathy is shared by the Railway Board. On theory and on principle I do not think that there is any difference between Honourable Members opposite and ourselves. But when it comes to deciding how to put those principles into practice, then we are faced with two difficulties, firstly, in regard to the extent to which we can translate those principles into practice, and secondly, the speed with which we can make changes. Honourable Members will realise that we have inherited an old system and that it is impossible for us to metamorphose that system within a limited space of time. But I will endeavour to give to the House a reply which will, I hope, convince them that we not only appreciate the difficulties but that we are making steady

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progress to meet and overcome those difficulties. I am not usually in the habit of making long quotations from previous speeches, but I hope you will forgive me if I repeat what I said during last year's debate, both because Honourable Members who are new to this House may not have had the opportunity of referring to earlier debates and also because what I said on that occasion seems to me to be extremely relevant, and if I may say so, to give a satisfactory reply to most of the points which Honourable Members have so vigorously pressed this afternoon. Let me, first of all, point out that it is a matter of some difficulty to decide between the competing claims of reduction of third class fares and the provision of extra amenities. I personally feel that a reduction of fares in this country is calculated to be a greater boon to the mass of the travelling public than perhaps the provision of extra amenities. My Honourable friend, Seth Govind Das, made the remark, I think, that third class fares in this country had increased in the last ten years.

Seth Govind Das: No. They have increased from 1913—that is what I said.

The Honourable Sir Joseph Bhore: I have figures since 1924 and I would like to give the House those figures for the three largest State Railway systems. On the North Western Railway system, in 1924 the charge for all distances was $3\frac{1}{2}$ pies per mile. In 1935, the charge is three pies per mile for distances between 1 and 50 miles, $2\frac{3}{4}$ pies per mile for distances between 51 and 300 miles, and $2\frac{1}{2}$ pies per mile for distances over 300 miles. Then let us take the East Indian Railway. There, in 1924, the charge was $3\frac{1}{2}$ pies per mile for all distances. Today the charge is $3\frac{1}{2}$ pies per mile for distances from one to 50 miles, $2\frac{3}{4}$ pies per mile for distances from 51 to 300 miles, and $1\frac{3}{4}$ pies per mile for distances over 300 miles. Take, lastly, the Great Indian Peninsula Railway. In 1924, the charge was four pies per mile for distances between one and 300 miles and $3\frac{1}{2}$ pies per mile for distances over 300 miles. Today it is four pies per mile for distances between one and 50 miles, and three pies per mile for distances over 50 miles.

An Honourable Member: Has the Honourable Member got the figures for the Bengal Nagpur Railway?

The Honourable Sir Joseph Bhore: I am only taking the three State Railway systems.

Seth Govind Das: Will my Honourable friend.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member does not give way.

The Honourable Sir Joseph Bhore: Will my Honourable friend permit me to go on? I am absolutely at one with those who consider that there should be a definite and continuous improvement of the conditions under which the third class passenger travels today in this country. But, because the changes have not been so spectacular as to impress themselves on the casual traveller and on the casual observer, it does not mean that

changes have not been made or that improvement is not being steadily pursued. May I take, first, the question of rolling stock and seating accommodation for third class passengers? In this connection, I would like to tell the House again what I told it last year. I said:

"While I frankly admit that in regard to the older stock complaints are fully justified, definite steps are being taken to improve third class rolling stock. All the new stock is mounted on standard underframes and the result is that there is practically no differences whatsoever in riding between lower class and upper class stock. The underframe is exactly the same in first class bogies as in third class bogies. That, I think Honourable Members will admit, is a step in the right direction. Then there is another point. In the old stock, provision was made in a single vehicle for 132 passengers and two latrines. In the new stock there is provision for four compartments for 114 passengers only and five latrines. I shall be happy, if I get the opportunity, to show to members of the Central Advisory Committee, who may be interested in the matter, the new stock, so that they can satisfy themselves that there has been some definite progress in the plan and construction of the new bogies for third class passengers (and here may I extend that invitation to Members of the House as well). Then, Sir, take the question of accommodation provided for individual passengers. We provide something like $19\frac{1}{2}$ inches for each passenger and that compares with just under 20 inches provided for third class passenger on the railways in the United Kingdom. I think Honourable Members will admit that the comparison is by no means to our discredit. But, when we come to the question of overcrowding, we are of course dealing with a very difficult matter indeed. So far as the space provided is concerned, I do not think that there can be any legitimate ground of complaint but it happens that passengers, for their own reasons, often desire to travel by a certain train and in very many instances in a certain compartment. The question is whether it is doing a kindness to these people to keep them back for a later train or permit them to undertake the journey under conditions of a certain degree of discomfort. Honourable Members will realise that it is not always possible to add additional carriages, especially where a train is loaded to full capacity. Nor is it always possible to duplicate trains because there may not, in all, circumstances, be sufficient passengers to fill the additional train."

Now, Sir, in regard to overcrowding, I have not the faintest doubt that overcrowding does take place but with reference to what my friend, Maulana Shaukat Ali, said, I can assure him that I have had reason, on more than one occasion, to travel during the rush hours on suburban trains in London, and I can assure him and Members of this House that the overcrowding here is nothing in comparison. I frankly admit that this is no argument why we should not attempt to improve matters, if they are really found to call for improvement.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Does the Honourable Member compare the rush in the trains in England with the *mela* rush here?

The Honourable Sir Joseph Bhore: I confess frankly that I have no experience of a *mela* rush, but I certainly do not want to repeat my experience during the rush hours in the suburban trains of London.

(Interruptions from Members on the Opposition Benches.)

Mr. President (The Honourable Sir Abdur Rahim): Honourable Members should refrain from making running comments on the speech.

The Honourable Sir Joseph Bhore: I think that we on this side do treat Honourable Members opposite with courtesy in this matter and I do

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hope they will return the courtesy to us. Sir, as regards catering arrangements, Honourable Members will bear in mind that we discussed this matter, at very great length, during the course of our debate, on a Resolution brought forward by my Honourable friend, Dr. Ziauddin Ahmad. I then promised that we would refer the matter to all Agents and ask them to consult their local advisory committees and when their answers have been received I fully intend to place the matter before the Central Advisory Committee before we finally decide the question of revising our procedure and practice.

Then it was suggested by one speaker that we should impress on our railway servants the necessity for civility towards passengers of all classes. Now, I can assure my Honourable friends in this House that the most stringent instructions have been issued to all railway servants to see that the utmost courtesy and civility are extended to every class of passenger travelling by railway and I should be only too glad if any Honourable Member would make any practical constructive suggestions to me to show how we can improve matters.

Then Munshi Iswar Saran made a suggestion that we should consider whether we could not add a chapter showing what has been done every year for third class passengers. That is a suggestion which I shall certainly bear in mind. It was also suggested that the conditions of third class travel might be improved by the provision of fans. This also is a question which we discussed at very great length in the last meeting of the Central Advisory Committee, and my recollection is that we came definitely to the conclusion that it would not be possible at once to introduce such an innovation into third class carriages. I remember that the initial cost was estimated at something like two crores of rupees and the annual recurring charge at something like 25 or 30 lakhs a year but it was suggested that a beginning might be made with the intermediate class. We are having estimates prepared and when these estimates are ready, I hope I shall be able to bring that question again before the Central Advisory Committee.

Sir, I know Honourable Members always desire, when possible, to have specific information given to them, and I know that figures often carry conviction, when generalities, however true they may be, fail to achieve that result. For instance, if I were to tell the House that we have done everything we could to improve facilities, that we have been doing our best to remove difficulties, it would carry far less conviction than if I were to give to the House specific figures of what we have provided and indicate how that money has been allocated and this I propose to do. During the past ten years we have spent a sum of 242 lakhs on the following items. Water supply 42 lakhs, waiting rooms and halls, largely for third class passengers 83 lakhs, Indian refreshment rooms 25 lakhs, booking facilities 25 lakhs, latrines and sanitary arrangements 21 lakhs, raised platforms 46 lakhs and, during that period, Sir, we have made additions to third class carriages costing us something like 10½ crore of rupees. During the coming year 1935-36, we have made provision for an expenditure of 63 lakhs on these various items. Now, Sir, from what I have said I hope Honourable Members will appreciate that we are not standing still. Even during these years of depression, we have year by

year set aside very substantial amounts with the idea of securing steady improvement in the conditions of third class travel. With regard to this cut motion, I submit to the House that the object of the mover has been served by bringing the question once more to notice. I hope I have satisfied the House that we are not standing still and that we are doing something to ensure steady progress. And if I have satisfied them that this is the case, then I submit that there is no reason to censure us by pressing a motion. I would, therefore, ask my Honourable friend not to press a motion.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be reduced by Rs. 100."

The Assembly divided:

AYES—80

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Abdullah, Mr. H. M.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U
Badi-uz-Zaman, Maulvi.
Bajoria, Babu Baijnath.
Baqui, Mr. M. A.
Bardaloi, Srijut N. C.
Bhagavan Das, Dr.
Chattopadhyaya, Mr. Amarendra Nath
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Fakir Chand, Mr.
Fuzlul Huq, Mr. A. K.
Gadgil, Mr. N. V.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Gidney, Lieut.-Colonel Sir Henry.
Giri, Mr. V. V.
Govind Das, Seth.
Gupta, Mr. Ghansham Singh.
Hockenhull, Mr. F. W.
Hosmani, Mr. S. K.
Hudson, Sir Leslie.
Iswar Saran, Munshi.
James, Mr. F. E.
Jedhe, Mr. K. M.
Jehangir, Sir Cowasji.
Jinnah, Mr. M. A.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Khan Sahib, Dr.
Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Lindsay, Sir Darcy.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mehr Shah Nawab Sahibzada Sir
Sayad Muhammad.
Milligan, Mr. J. A.
Morgan, Mr. G.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Muhammad Nauman, Mr.
Murtuza Sahib Bahadur, Maulvi
Syed.
Nageswara Rao, Mr. K.
Pant, Pandit Govind Ballabh.
Raghubir Narayan Singh, Choudhri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Scott, Mr. J. Ramsay.
Shafi Daudi, Maulvi Muhammad.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sheodass Daga, Seth.
Siddique Ali Khan, Khan Sahib-
Nawab.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.
Ziauddin Ahmad, Dr.

NOES—37

Abdul Aziz, Khan Bahadur Mian.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Ayyar, Rao Bahadur A. A.
 Venkatarama.
 Bajpai, Mr. G. S.
 Bhore, The Honourable Sir Joseph.
 Chatarji, Mr. J. M.
 Clow, Mr. A. G.
 Craig, The Honourable Sir Henry
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Drake, Mr. D. H. C.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Graham, Sir Lancelot.
 Grigg, The Honourable Sir James.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kirpalani, Mr. Hiranand Khushiram.
 Lal Chand, Captain Rao Bahadur
 Chaudhri.

Metcalf, Mr. H. A. F.
 Monteath, Mr. J.
 Mukerje, Mr. N. R.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Nayar, Mr. C. Govindan.
 Noyce, The Honourable Sir Frank.
 Owen, Mr. L.
 Raisman, Mr. A. J.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. P. R.
 Sarma, Mr. R. S.
 Scott, Mr. W. L.
 Sher Muhammad Khan, Captain
 Sardar.
 Singh, Mr. Pradyumna Prashad.
 Sircar, The Honourable Sir Nripendra
 Sloan, Mr. T.
 Swithinbank, Mr. B. W.
 Tottenham, Mr. G. R. F.
 Tylden-Pattenson, Mr. A. E.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not wish now to put Demand No. 6-E to the vote of the House, because there is another motion which, the Chair believes, the European Group will move. Under the arrangement that has been arrived at, the Chair believes an Honourable Member of the Congress Party will move the next motion under Demand No. 3.

DEMAND NO. 3.—MISCELLANEOUS EXPENDITURE.

The Honourable Sir Joseph Bhore: Sir, I move:

"That a sum not exceeding Rs. 12,50,000 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, 1936, in respect of 'Miscellaneous Expenditure'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 12,50,000 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, 1936, in respect of 'Miscellaneous Expenditure'."

Rational and Economic Administration of Railways.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, I move:

"That the demand under the head 'Miscellaneous Expenditure' be reduced by Rs. 10."

Sir, I propose to deal with some of the salient features of railway administration. I intend to restrict myself to financial questions, and, so far as possible, I will try to discuss the points in issue on economic grounds. I have no intention of importing any passion or prejudice into this matter and I expect that every Honourable Member of this House will consider

the questions dispassionately and extend his support to the motion that I have the privilege to move. Sir, I want to press primarily for the rational and economic administration of railways. I hold that the present arrangement is not satisfactory and the way the Railway Department has been managed and regulated cannot be regarded in any way as sound or in accord with the canons of finance and business economy. Sir, there are two main props to the railway system—the rates and fares on the one hand and the working expenses on the other. The railway coach rests on these two wheels and both of them rest on the pivot of the general level of prices. In a way, there are two barques, one relating to tariff rates, fares and freights and the other relating to the expenses and they both must float on the level of prices. In order that the equilibrium may be maintained between them, whenever the level of prices rises they must ascend and when the level of prices descends, they must drop. That, Sir, is the fundamental cardinal principle which must regulate railway administration but the history of the last few years proves that railway administration has not been conducted on these lines. Sir, what I am saying can be made clear by one single illustration. When wheat sells at Rs. five a maund, a freight of Re. one from Lahore to, say, Karachi or Calcutta, may be reasonable. But when wheat sells at Rs. two a maund, if the same rate is retained or if further enhanced, that would be disastrous. Sir, it is not only a question of the rates and fares, but there is also the connected question of the expenditure incurred and involved in the working of railways. Before dealing with the state of affairs, as it existed some time back, I would like to make a survey of the last few years in order to prove it to the House that the steps taken by the railway administration in managing the affairs of the railways were not in consonance with reason or established principles of business.

Sir, the railways have been admittedly run at a loss for the last five 4 P.M. years. The loss amounts to Rs. 72 crores. I include in the figure the unpaid share of the stipulated amount that was to be contributed towards the general revenues. The railways have yet to pay a debt of about 26 crores on this account. Besides, the depreciation fund has been depleted: the railway reserve has been eaten up and the stores balances, which stood at a very high figure some years back, have been practically exhausted. This is the result of the working of the railways of the last five years. So far as the budget year is concerned, the budget indicates that there will be a deficit of about two crores. But the real deficit comes to about eight crores, for, if we add to the actual deficit as shown in the budget the amount that has to be contributed to the general revenues, we find that the deficit comes to not less than eight crores. It would have been more had the new method of calculating the depreciation fund not been adopted. There is a difference of 45 lakhs between the amount credited to the depreciation fund last year and that proposed in the budget for the coming year. If the old method of calculating the fund had been continual for the next budget year, then the deficit would have been greater still. I think the remarks that I have made will leave no room for doubt as to the proposition I stated at the outset. In short, during the last five years, the railways have been working at a net loss of more than 72 crores and the railways have to pay a debt of 26 crores to the general revenues and the deficit during the budget year will not fall short of eight crores. These facts are indisputable. It is made out by the Honourable Member for Railways that things are brightening up. What he said in the

[Pandit Govind Ballabh Pant.]

course of his speech and the papers that have been placed before us are meant to convey the impression that they have turned round the corner and that the position has changed. In fact, even that is not quite correct. What is the criterion? Even if we go back to another quinquennium we still find that the financial condition is much worse than what it was even ten years back. I would not like to go backwards beyond the year 1924-25, as it was in that year that the new system of accounting and of the separation of railway budget from the general budget was introduced. So, comparisons prior to 1924-25 might not be altogether safe. But taking 1924-25, as the starting year from which the new accounts came into operation, what do we find? We find that while the mileage has increased the railway receipts have really decreased, surpluses have been converted into deficits; the net revenue per crore of the capital at charge has gone down and the income per mile has also gone down. It is not fair to restrict the comparison to the amounts of receipts only as the Honourable the Finance Member did. We have to take into account the capital at charge in various years, and we have also to take into account the route mileage of the railways that were owned by the State, whether managed by the State itself or by companies. We find, in fact, that while the capital at charge has grown by about 25 per cent. and the mileage has also grown by almost as much between 1924-25 and the budget year, the revenue has actually gone down by about 10 per cent. It was about 100 crores in 1924-25, while in the budget year, it is expected to border on the line of about 90 crores. On the other hand we find that the working expenses are, in fact, more than in 1924-25. If we include the charges for depreciation, the working expenses in this year will be found about five per cent. higher than they were in 1924-25. Further, we have to take an important and vital point into consideration and that should be given the great weight it deserves. In 1924-25, the index figure of general prices stood at about 230, while the index figure for general prices in the current year stands at about 130. Coupled with this phenomenal fall in prices, all that I have observed becomes still more deplorable, striking and significant and fully demonstrates the extravagant, unscientific and perverse methods of the administration of railways in this country. Sir, the level of prices having come down by about 50 per cent., the railways should have effected commensurate economies in the administration. There were various ways, such as amalgamation and grouping, standardisation, encouragement of indigenous industries, manufacture and stores and others, but I will not dwell on these aspects at this stage. I am concerned with one main feature and that is the reduction in the pay bill. I can understand sympathy with people who are underpaid. One may understand their desire to help those people who are getting no more than up to Rs. 200 or Rs. 300. But how can any sane man justify the proposal, in the face of this state of utter bankruptcy, to restore the salaries of those people who are receiving thousands and in addition the Lee Commission privileges, overseas pay and passages? How on earth can any Government, can any administration, which has been put to a loss of more than 72 crores in the last five years and has to undergo a loss of about eight crores even during the budget year, justify the restoration of the salaries and the withdrawal of the cut in the case of people drawing thousands a year and in some cases every month? Sir, I presume that you are aware of the pay that public servants get in England. The Prime Minister does not receive more than £4,000.

The Honourable Sir James Grigg (Finance Member): No, it is £4,500.

Pandit Govind Ballabh Pant: His original pay was £5,000, and, with the imposition of the cut, it was £4,000 until a few months ago, and when half the cut was restored, it became £4,500. At the current rate of exchange, the salary of £4,000 comes to roughly Rs. 4,400 per month. What does the Minister of Transport get in England? It is £1,700. The Parliamentary Secretary, Transport, gets £1,080. These are the rates of pay that men in charge of the huge machine there, of all sorts, means, and media of transport get in a rich country like England. Mind you, Sir, there in England, in spite of the fact that the last budget disclosed a surplus amount, they did not restore the salary cut by more than half. Here, my Honourable friend, the Railway Member, in spite of his admission of a fact which could not but be admitted that there is still a large deficit, comes forward and proposes the restoration of the full salary cut. He has no thought for the 47,000 people who have been thrown out of employment and have no means of livelihood at present. He does not think of the high rates and tariffs which are unbusinesslike and which hamper the progress of trade and industry in this country, but he puts forward the proposal that the salaries of those people, whom we cannot touch and whose salaries appear in the pages of this budget in crooked figures, should be raised and that the cut that had been made should be withdrawn. I submit that nothing could be more reckless. I submit, Sir, that nothing could be more stupid, I submit nothing could be more irresponsible.

Mr. M. S. Aney (Berar Representative): Callous.

Pandit Govind Ballabh Pant: One of my friends says it is callous. Yes, Sir; judged in terms of the average income and the national dividend in the country, it is nothing short of callousness of the most brutal type. But, Sir, the mischief does not end there. In fact, their entire policy is grossly unscientific and repugnant to the accepted principles of business management. What would a business man do in these circumstances? What is the ordinary person engaged in transport doing today? Can anybody who carries loads from one place to another, whether on his back or on a camel or on a horse, charge today what he was charging five or ten years back? Have not the rates come down everywhere? Have not the rates of shipping industry come down everywhere? Have not the rates of the P. & O. and other steamers gone down? And what have Government on the other side? I will not go into details but, I can say this that the rate of fare per passenger mile and of freight per ton mile today is higher than it was about five or six years ago. I have got the figures with me but I will not embarrass the House with details. The Honourable the Commerce Member said that the rates were lower. I was surprised at that statement. I will not use the word audacity. I will just read out to you what the Railway Report for 1931-32 says on page 19:

"In order to counteract as far as possible the fall in their traffic earnings, consequent on the general trade depression, the principal railways enhanced their rates and fares.

Coaching Traffic.—In the case of traffic carried by passenger train enhancements were made :—

(i) in the fares for all classes on several railways, and for third class on some others,

(ii) in the rates for luggage and parcels; the enhanced rates being about 15 per cent. more than the rates previously in force.

[Pandit Govind Ballabh Pant.]

Certain railways also withdrew some of the concessions they were allowing, e.g., week-end, holiday and other return tickets.

Goods Traffic.—In the case of traffic carried by goods train freight rates for coal were enhanced on several of the principal railways by the imposition of a surcharge of 15 per cent. In addition, Railways, after an examination of their tariffs, increased their rates for various other commodities which were considered able to bear enhanced rates, according to the local conditions obtaining on each of their respective systems."

Sir, can any impartial judge concede that this course pursued by Government was not detrimental to the larger interests of the country? What did the exigencies of the situation require? Prices had fallen by about 50 per cent: all trade, all traffic, all commerce had practically come to a stand-still; there was a deadlock in the country and national dividend had shrunk by about 50 per cent. What were the remedies adopted by Government? What would any national Government do in these circumstances? Was it or was it not the primary duty of Government, in these circumstances, to bring about a substantial decrease in the rates and fares charged for all goods and for all passengers? Does not a prohibitive tariff hamper the progress and movement of commodities and of trade and commerce? Does it not stand in the way of industrial development, and is it not obvious that when prices go down by 50 per cent. and the rates and fares are increased it is nothing if not the freak of a perverted and inverted and stupid order of things? I submit, Sir, Government could not have done worse; no enemy could have done worse than what the Commerce Department did in these circumstances. Sir, that the present rates are prohibitive is proved by what the Honourable the Commerce Member told us the other day. He told us that he had made some little reduction in the North Western Railway which had resulted in an increase of eleven per cent. in the number of third class passengers. What does that show? It proves that the present rates are beyond the means of the masses of the people in this country. Whenever the freights are lowered there is a larger volume of traffic and a larger quantity of goods carried from one place to another. That clearly proves that the present standard is prohibitive and unless it is cut short there can be no recovery. We are here face to face with a gigantic problem. Unemployment stares us in the face on the one side, dislocation in the industrial world presses us on the other. And what are the remedies that the mighty devise to meet the situation? There is my Honourable friend, the Finance Member, fresh from England, and he will be able to tell the Government how many millions of pounds, for the relief of unemployment or old-age pensions or for other things, are every year provided by the British Government in England. What is being done in this country for the encouragement of trade and commerce and for keeping the rates and fares at a level with the general level of prices? I wish the Commerce Member had some spare moments at least to hear an account from the Finance Member of what is being done in other countries. And what has he been doing here?

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Even compare the salaries.

Pandit Govind Ballabh Pant: My Honourable friend, Mr. Lahiri Chaudhuri, wants me to make a comparison of the salaries. I am prepared to do that. I have just told you, Sir, that the salary of the Minister of Transport in England comes to about £1,700 which is about Rs. 2,000 a month. I will not say what salary the Commerce Member gets. I will

mention only our principal railway officers. The salary of the Commissioner of Railways is Rs. 5,000, of Members of Railway Board Rs. 4,000 each, of Agents about Rs. 3,500 each—please note not per year but per month. I presume the Honourable the Commerce Member knows that the average individual in this country is perhaps ten times if not 20 times poorer than the average citizen in England; and he knows perhaps that he is 30 times, if not more, poorer than the average citizen of the United States of America. And the Commerce Member belongs to the people and we belong to him and that is the apparent reason why he occupies that place—But strange is his remedy: Gives more to those who have, from those who have not or out of the little the children of the soil possess! And that will work the salvation of the poor and the suffering and the starving masses in this country! Sir, that is the present state of affairs. And how did the Government devise its method of retrenchment and economy? They made a general cut of ten per cent in the case of all public servants getting Rs. 50 and more. In their outlook a salary of Rs. 7,000 or 8,000 is just equivalent to a salary of Rs. 50. The poor clerk at the bottom with the misfortune of early marriage and about half a dozen or a dozen children should be deprived of the same proportion of his meagre pittance as the gentleman at the top, either leading a single life, though unable to purchase a coat in 20 years, or married and having a few mouths to feed is required to do out of the thousands he gets every month. What did they do in England? In the case of salaries of £4,000 and more they made a reduction of 20 per cent. and further provided that in case this 20 per cent. cut left a margin above £1,000, the salary will be still further reduced and brought down to £4,000. In the case of people getting between £2,000, and £4,000, the reduction was 15 per cent.; in the case of those getting between £1,000 and £2,000 it was 10 per cent.; and in the case of those between £200 and £1,000 the reduction was only by 5 per cent. and there were no cuts below £200. There they made some discrimination between the needs and requirements, the resources and the means of different classes. But here, when it comes to heaping disabilities, we on this side alone are selected for that purpose. The Arms Act applies only to us. But when it comes to making cuts in money, then we are treated uniformly, with equity, with justice, without discrimination. I, however, would have no quarrel if some discrimination had been made in the matter of this restoration of salary cuts. I would have no quarrel in fact if a general policy of levelling up and levelling down had been followed in this country. I would have no quarrel if men receiving Rs. 200 or Rs. 250 or even Rs. 300 had been given back the little that had been taken away from them; but how can anybody on earth justify the attitude of the Government in restoring the salaries of those who had been receiving thousands before, who have now to pay much less for their requirements? I believe Honourable Members of this House have seen the Report of the Lee Commission. On what did the Lee Commission base its recommendations? Why did it propose an increase in the salary? I have got the report with me: the recommendations were based essentially and substantially on one point, namely, the rise in prices between 1919 and 1923: on account of the rise in prices money had lost in value and consequently it was considered necessary by the Commission and the Government to revise the salaries in order to make compensation for the rise in prices. But, now, when there is an unprecedented fall in prices we are told curiously enough "we are bound by a solemn pledge and we have to fulfil it". What is the pledge? I do not understand.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded half an hour.

Pandit Govind Ballabh Pant: Then I will conclude: I am thankful to you, Sir, for your indulgence: I submit that the administration of railways is irrational, anti-national, and detrimental to the larger interests of the railways themselves, and the course which the Government has adopted, during the last few years, is perverted, stupid and harmful.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Miscellaneous Expenditure be reduced by Rs. 10.'"

Mr. Ghanshiam Singh Gupta (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I support the motion moved by my respected friend, Pandit Govind Ballabh Pant, and I shall scrupulously follow the advice that was given to us. I will neither import heat nor shall I import vehemence into this debate. I shall confine myself to certain points that I want to bring to the notice of this House. It is well known that the bulk of the population of India lives in the villages, that the bulk of the population is agricultural. From the budget I have not found any instance, any passage, in which I can see that this Railway Budget has been so prepared as to look to the interests of the agriculturists. The interests of the agriculturists appear to be nobody's business in this House. The reason is that they are not vocal. . . .

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member speaking to the motion which has been moved by Pandit Govind Ballabh Pant? There is nothing about agriculturists there.

Mr. Ghanshiam Singh Gupta: The railway policy has been so administered as not to look to the interests of the agriculturists, and I shall give only one or two instances of that. One is that the fencing system of railways has not been extended. I have not seen in the budget speech or in the railway report anywhere as to how many miles of railways have been fenced more than they were before this year. The next thing is this: that although facilities for the transport of coal and other things that help industries have been provided in the current year's budget, nothing has been done to support the agriculturists. It is said that any support that should be given must be given openly and directly and not indirectly. If that is the case, why should there have been any relief in the case of coal? I put it to the Government Member, if you wanted to give direct and open support, why did you not give such support to coal and other industries? I have no quarrel with the support indirectly given by way of reduction of freight in the case of coal; but my submission is this: that if you are against giving indirect support to any matter, why then say that so far as agricultural things are concerned we only believe in the open method of help and not in this indirect method of help? I want to know and I put this straight question: has any reduction in the fare of agricultural cattle ties have been given on agricultural produce. While such facilities indirectly of course help the agriculturist, it helps also the commerce and industrialist. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Chair reminds the Honourable Member that he is not really speaking to the motion before the House: it is not freights or rates.

Mr. Ghanshiam Singh Gupta: I shall try and come to the point. (Laughter.) I am a new man in this House. I shall try to say this: that the railway administration should have been so managed as to give some relief to the vast population which is mainly agriculturist. Take another point in which the railway administration has not done its duty, that is, the Indianisation of the services.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks the Honourable Member is going to another point which also is not covered by this motion.

Mr. Ghanshiam Singh Gupta: All right: I will leave that point. What I want to say is this; that the railway administration should have so functioned as to be of service to the vast population which is, I again say, agricultural: I do not know whether I am to the point or not: my friend Pandit Govind Ballabh Pant's cut is of a general nature: it is a miscellaneous cut under the demand Miscellaneous. I stand subject to correction, and I shall always be ready to correct myself—I thought that we could touch all miscellaneous subjects. My Deputy Leader has confined himself to one point out of that miscellaneous item, and I wanted to confine myself to another point from that miscellaneous item. Now, Sir, there is one thing that I wish to bring to the notice of the Railway Board, and it is this, that the railway should be properly fenced. The other thing I want to mention is that freights on agricultural cattle and agricultural implements should be reduced, and the reason is quite obvious. Sir, I come from a place, which is suffering very much, for want of reduction of freights and fares. The Bengal Nagpur Railway has not been fenced from Nagpur right up to a long way towards Calcutta, with the result that in Chattisgarh, which is a very important agricultural country, a good many cattle get injured. (Laughter.) Sir, if I am irrelevant, I should be excused. That is all I have to say. (Laughter.)

Mr. M. S. Aney: I move that the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The Chair takes it that there is no other Honourable Member desiring to speak.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): I wish to speak.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will put the question. The question is that the question be now put.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): Sir Joseph Bhore.

The Honourable Sir Joseph Bhore: Sir, . . .

Mr. S. Satyamurti: On a point of order, Sir. I find when this debate is going on, the Government never interfere until the closure is moved. No doubt, when the closure is made, it is in your discretion to allow the Mover of the motion to reply; but, Sir, I want to suggest to you respectfully that it will be possible for this House to debate these motions, as

[Mr. S. Satyamurti.]

they should be debated, if you exercise your discretion only occasionally, when you feel that the Mover should have a right of reply. The Standing Order makes it quite clear, that when once a closure is accepted by you and it is agreed to by this House, the right of reply lapses, unless you, in your discretion, permit the Mover to reply. I made a suggestion yesterday to the Government, but they did not accept it. This is really becoming a one-sided show, and I suggest, Mr. President, that, in the interest of a proper debate, you should not allow the Honourable the Commerce Member to reply.

Mr. President (The Honourable Sir Abdur Rahim): As regards the point of order raised, it has always been the practice to give the Government Member the right of reply, and though there may be discretion lodged in the Chair, this has been the universal practice, and the Chair does not propose to depart from it.

As regards the Members of the Treasury Benches not intervening earlier in the debate, that is a matter in which the Chair cannot intervene, and it must be left to the Government Member and other official Members to decide when they can usefully take part in the debate, though the Chair might suggest that it would perhaps help the Opposition if they knew what the Government have got to say on any particular point that is raised. Beyond that, the Chair is not prepared to go at present.

The Honourable Sir Joseph Bhoré: Sir, with reference to the remarks that have fallen from the Chair, may I make just one point, and it is this, that during these debates on motions for cuts in connection with demands, the main object of Government, I take it, is to give to the House information on the points that have been raised, and it is quite impossible, Sir, for me to get up, or for any other Member on the Government side to get up, after one or two speakers have spoken and give all the information that the House might require in connection with the question at issue. We must wait to hear the course of the debate. In this particular case, Sir, may I bring to your notice that there were only two speakers on the opposite side, and I do not think that any blame can rest upon me for not rising before.

Now, may I, Sir, confine myself to what I take to be the real object of my friend's motion today, which is to draw attention to the removal of the cut on the pay of railway employees. In regard to that matter, I have very little to add in explanation of our action to what I have already said in the course of my Budget speech. I would suggest to the House that the question at issue is of much more general application and that it could much more appropriately be ventilated when the General Budget is taken up. The Railways have merely applied the decision which was taken by the Government of India in regard to all members of their services. It is a mere accident, Sir, that the Railway Budget happens to precede the General Budget in point of time, and I would again suggest that the House might suitably postpone the discussion of this matter until the General Budget is in process of mutilation at its hands. (Laughter.) The reason, Sir, why we felt compelled to apply the decision of Government in this matter to Railways, I have already explained. In the first place, a good many of our servants are Government servants and it would have been impossible to deny to them the application of a decision which was

being applied to all other Government servants. In the second place, our lower paid staff would,—and I think quite naturally—have resented their being singled out for special invidious treatment, more particularly when there is not an unreasonable prospect of our being able to balance our Budget, so far as the commercial lines are concerned, without the help of the cut. If the motion is carried, it will be calculated, I submit, to lead to a very large measure of hardship on the lower paid employees. I am not able to allocate the total of the cut which has been restored, between each category and each grade of railway servants, but we had a calculation made some time ago. We took a certain level—those drawing Rs. 500 and above and those drawing Rs. 500 and below. I can assure the House that something like 90 per cent. of this cut will go to those who are drawing less than Rs. 500 a month. In regard to the suggestion that the cut may be maintained on the higher paid officers, I would say that, if that suggestion is prompted by a desire to secure economy, then from the figures that I have just given to the House, there is no question of any material economy. It would only lead, so far as I can see, to resentment on the part of those who have been singled out for special treatment, and I submit that it is not worth our while, for a comparatively paltry sum, to arouse resentment which can only work to the detriment of the railways. Sir, I must oppose the cut motion. (Cheers.)

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That the demand under the head ‘Miscellaneous Expenditure’ be reduced by Rs. 10.”

The Assembly divided:

AYES—59.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Aney, Mr. M. S.
Asai Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U
Badi-uz-Zaman, Maulvi.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Baqui, Mr. M. A.
Bhagavan Das, Dr.
Chattopadhyaya, Mr. Amarendra Nath.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachalam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Fakir Chand, Mr.
Gadgil, Mr. N. V.
Giri, Mr. V. V.
Govind Das, Seth.
Gupta, Mr. Ghansham Singh.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.

Khan Sahib, Dr.
Khare, Dr. N. B.
Lahiri Chaudhury, Mr. D. K.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi
Syed.
Nageswara Rao, Mr. K.
Pant, Pandit Govind Ballabh.
Raghubir Narayan Singh, Choudhri.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sheodass Daga, Seth.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Ayyar, Rao Bahadur A. A.
 venkatarama.
 Bajpai, Mr. G. S.
 Bhore, The Honourable Sir Joseph.
 Buss, Mr. L. C.
 Chatarji, Mr. J. M.
 Clow, Mr. A. G.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Drake, Mr. D. H. C.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Graham, Sir Lancelot.
 Grigg, The Honourable Sir James.
 Hockenhull, Mr. F. W.
 Hossack, Mr. W. B.
 Hudson, Sir Leslie.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kirpalani, Mr. Hiranand Khushiram.
 Lal Chand, Captain Rao Bahadur
 Chaudhri.

Lindsay, Sir Darcy.
 Mehr Shah, Nawab Sahibzada Sir
 Sayad Muhammad.
 Metcalfe, Mr. H. A. F.
 Miligan, Mr. J. A.
 Monteath, Mr. J.
 Morgan, Mr. G.
 Mukerjee, Mr. N. R.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Nayar, Mr. C. Govindan.
 Noyce, The Honourable Sir Frank.
 Owen, Mr. L.
 Raisman, Mr. A. J.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. P. R.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Scott, Mr. W. L.
 Sher Muhammad Khan, Captain
 Sardar.
 Singh, Mr. Pradyumna Prashad.
 Sircar, The Honourable Sir Nripendra.
 Sloan, Mr. T.
 Swithinbank, Mr. B. W.
 Tottenham, Mr. G. R. F.
 Tylden-Pattenson, Mr. A. E.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Nationalist Group would like to move their motion today. There are only a few minutes left. The Chair, therefore, adjourns the House till Monday morning.

The Assembly then Adjourned till Eleven of the Clock on Monday, the 25th February, 1935.

LEGISLATIVE ASSEMBLY.

Monday, 25th February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. Frank D'Souza, M.L.A. (Government of India: Nominated Official):

QUESTIONS AND ANSWERS.

REVISION OF PAY FOR FUTURE ENTRANTS TO THE INDIAN CIVIL SERVICE AND THE INDIAN POLICE SERVICE.

516. ***Mr. T. S. Avinashilingam Chettiar**: (a) With reference to the answer to starred question No. 10, dated the 24th January, 1934, will Government be pleased to state if any recommendations have been made to the Secretary of State regarding the revision of pay for future recruits to the Indian Civil Service and the Indian Police Service? If so, in what directions and when are the new scales of pay expected to be introduced in their case?

(b) Are Government aware of the great discontent among the subordinate ranks of the services and among the members of other all-India services, such as the Indian Audit and Accounts Service, owing to the discriminatory treatment meted out to them in the matter of reduction of their salaries?

(c) Was it not one of the recommendations of the General Purposes Retrenchment Committee that the reduction in the scale of salaries of all Government servants should take place all round and simultaneously and not piecemeal just as Government have done at present?

The Honourable Sir Henry Craik: (a) The answer to the first part of the question is in the affirmative. As regards the second part, I am unable, in accordance with the existing practice, to disclose the nature of the recommendations made. The Secretary of State has decided to postpone further consideration of this question until after the passing of the Constitution Act.

(b) No, Sir.

(c) I would refer the Honourable Member to the reply given by my predecessor in this House to part (1) of question No. 1191 on the 28th November, 1933.

Mr. T. S. Avinashilingam Chettiar: On a point of order, Sir, I should like to submit to you, Mr. President, that this habit of referring to answers that were given some years back is really a handicap to us, and I would

submit, Sir, that answers should be referred to only if they were given within the Session, or else the very purpose of answering questions would be nullified. I would like you, Mr. President, to give us a ruling.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable the Home Member proposes to do so, he may read out the answer that has been referred to.

The Honourable Sir Henry Craik: I shall be glad to do so, Sir. The answer dealt with two parts of the question and it was as follows:

"The officer on Special Duty took up the case of the Indian Civil Service and the Indian Police at an early stage of his enquiry. The problems arising in these two services are more complicated than in the services recruited solely in India, and as they are All-India Services, it has also been necessary to consult all local Governments. This has naturally caused some delay in the consideration of the case."

Mr. T. S. Avinashilingam Chettiar: Is it not true, Sir, that the pay of the services recruited by the Government of India was reduced as far back as 1933?

The Honourable Sir Henry Craik: I am not sure of the exact date. Pay for new entrants? As long back as when?

Mr. T. S. Avinashilingam Chettiar: 1933.

The Honourable Sir Henry Craik: I am not sure of the exact date.

Mr. S. Satyamurti: With reference to the answer to part (a) of the question, may I know the reasons why the Government of India decline to state what their recommendations to the Secretary of State are?

The Honourable Sir Henry Craik: Because it is not usual, or in accordance with constitutional practice, to disclose recommendations made to the Secretary of State.

Mr. S. Satyamurti: Sir, the Government of India usually decline to answer "on the ground of public interest"—that is the Standing Order—but they should at least say that "we consider it to be not in the public interest to give an answer". I am asking the Honourable the Home Member whether he considers that it is against the public interest to give an answer to this question of a very important character concerning the pay of our future recruits to the I. C. S. and the Indian Police Service.

The Honourable Sir Henry Craik: Yes, Sir, it is contrary to the public interest. The matter is still under correspondence with the Secretary of State, and, until a decision is arrived at, I cannot disclose the recommendations made.

Mr. T. S. Avinashilingam Chettiar: May I know how many years ago the recommendations of the Retrenchment Committee regarding the rates of pay for the services recruited by the Government of India were made and when the reductions in pay were made? I refer to the recommendations made by the Retrenchment Committee presided over by the Honourable the President. I ask, when were they accepted as regards the services recruited by the Government of India?

The Honourable Sir Henry Craik: Well, the recommendations of the Retrenchment Committee will be found in their Report.

Mr. T. S. Avinashilingam Chettiar: The recommendations were given effect to as regards the services recruited by the Government of India in 1933, is it not so?

The Honourable Sir Henry Craik: As I have already said, Sir, I do not know the exact date, but I believe that is approximately correct.

ARREST OF KHAN ABDUL SAMAD KHAN.

517. ***Seth Haji Abdoola Haroon:** (a) Will Government be pleased to state what the main reason was for the arrest of Khan Abdul Samad?

(b) What are the proceedings of his trial?

(c) Did he stand his trial by the local *jirga* or any other court of law? If the answer be in the negative, why was his case entrusted to a *jirga*?

(d) Was he sentenced as a political prisoner? If so, is he being accorded equal treatment as is being done in the case of other political prisoners in British India?

Mr. H. A. F. Metcalfe: With your permission, Sir, I will answer parts (a) to (d) of the Honourable Member's question together. The information asked for will be found in the following replies already given to which the Honourable Member's attention is invited:

(1) the reply given to his question No. 264 which was laid on the table of the House on the 14th March, 1934;

(2) the reply given to his questions Nos. 250 and 253 which was laid on the table of the House on the 16th August, 1934;

(3) the reply to question No. 581 asked by Maulvi Shafi Daudi which was laid on the table of the House on the 21st January, 1935.

ARREST OF ABDUL SALAM AND HAKIM ABDUL REHMAN.

518. ***Seth Haji Abdoola Haroon:** (a) Is it a fact that the main cause of the recent alleged arrest of Abdul Salam and Hakim Abdul Rehman is due to their making criticisms on the present *jirga* system as published in a booklet which was distributed?

(b) Are Government prepared to modify the present *jirga* system and adopt therein the system of franchise and nominations as is prevalent in other provinces? If not, why not?

Mr. H. A. F. Metcalfe: (a) No. These two men were arrested for the purposes of an enquiry in regard to the publication of a book containing seditious poems intended to bring the Government into hatred and contempt. They were, however, released on the undertaking of the Malik of their tribe that they would be responsible for their future good behaviour.

(b) The Honourable Member's attention is invited to part (d) of the reply to question No. 255 given to the House on the 30th July, 1934.

PREFERENCE TO EDUCATED BALUCHIS AND BALUCHISTANIES FOR POSTS IN BRITISH BALUCHISTAN SERVICE.

519. ***Seth Haji Abdoola Haroon:** (a) Are Government prepared to give preference to educated Baluchis and Baluchistanies for posts in British Baluchistan services?

(b) Are Government prepared to make direct appointment of suitable Baluchis and Baluchistanies for high posts in British Baluchistan?

(c) In order to safeguard the interests of educated Baluchis, are Government prepared to reserve a certain percentage of posts in Baluchistan services only for Baluchis?

(d) Are Government prepared to enlist and take up Baluchis for high posts in British Baluchistan Levy Corps?

(e) Are Government prepared to give first preference to Baluchis (forming a most backward Muslim community) in Government services in India?

(f) Are Government prepared to give first preference to those Baluchis who so desire, in regard to high ranks in British Indian Army?

(g) Are Government aware that enlistment of Baluchis is slow in British Army and particularly in Baluchis Regiments in British Indian Army? If so, why?

(h) Are Government prepared to enlist first Baluchis as officers and in other ranks in Indian Police, and Baluchistan Police services?

Mr. H. A. F. Metcalfe: (a) The Local Administration does recruit suitable educated youths of the indigenous tribes of Baluchistan for all services in the Province.

(b) "High posts" in Baluchistan are usually filled by promotion; but, should occasion arise for direct recruitment to such a post, a qualified local man would certainly be preferred to an outsider.

(c) Government cannot give any such undertaking nor do they consider it desirable to discriminate in the matter of appointments between the three main tribal divisions in the Province, i.e., Pathan, Brahui and Baluch.

(d) There is no Levy Corps in British Baluchistan. The composition of the Mekran and Chagai Levy Corps is almost exclusively Baluch and Brahui, and this is true also of their Indian Officers.

(e) Government regret that they are unable to treat the Baluchis as a separate entity in regard to representation of minority communities in public services, but otherwise the field is open to them to the same extent as to other communities.

(f) No. Government are not prepared to give preference to any one class over another in this respect.

(g) No Baluchis are enlisted in the British Army. Baluchis from Baluchistan proper were formerly enlisted in the Indian Army, but they were found to be unsuitable: the desertion rate among them was abnormally high, and it was found very difficult to obtain suitable recruits. Their recruitment was, therefore, discontinued in 1925.

Baluchis settled in the Punjab are enlisted as Punjabi Mussalmans on exactly the same conditions and terms as other Punjabi Mussalmans. There were 441 such Baluchis serving in the Indian Army on the 1st January, 1934.

(h) Direct appointments to the Indian Police in British India, including Sind, are ordinarily made by competitive examinations held on a provincial basis, and appointments to other ranks, i.e., Provincial and Subordinate Services, are made under rules and regulations framed by the Local Governments. As regards appointments to such services in Baluchistan, the position is as stated in (a) above.

Seth Haji Abdoola Haroon: Is it a fact that there are three Baluchi regiments at present in India and the recruitment of sepoy to these regiments is not made from the Baluchi tribes?

Mr. H. A. F. Metcalfe: I am afraid that I can give no detailed information on that point. The question should probably be rather addressed to the Army Department. But I have explained as far as I know what the position as regards the recruitment of Baluchis is, namely, those who live in Sind are recruited.

Seth Haji Abdoola Haroon: My question is not for the Sind Baluchis: my question is for the Baluchistan itself. How is it that previously the Government used to recruit from Baluchistan sepoy for these Baluchi regiments, but they are not so recruiting now?

Mr. H. A. F. Metcalfe: That information I have already given in reply to the original question. I have also explained the reasons why Government have ceased recruiting Baluchis actually from Baluchistan itself.

Mr. Ahmed Ebrahim Haroon Jaffer: May I ask the Honourable the Foreign Secretary whether the recent Resolution of the Home Department giving 25 per cent. of services to the Muhammadans will also apply to Baluchis in Baluchistan?

Mr. H. A. F. Metcalfe: I am afraid I must ask for notice of that question. It is much too complicated for me to answer straightaway.

Seth Haji Abdoola Haroon: Is it a fact that the Baluchi tribes have always been regarded as brave and faithful and yet the Government say that they are not suitable? May I know the reasons of their unsuitability for recruitment to these Baluchi regiments?

Mr. H. A. F. Metcalfe: The only reason that I am aware of is that there was a high rate of desertion. But there may have been other reasons. If the Honourable Member wants more reasons, I think it would be better for him to put down a question on the paper.

DIESEL ELECTRIC LOCOMOTIVES.

520. ***Pandit Nilakantha Das:** (a) Will Government be pleased to state whether Diesel electric locomotive is a patent one? If so, to whom does the patent belong, and which is the manufacturing firm?

(b) How are purchases made of these locomotives? Are they purchased by arrangement or by tender system?

(c) How many electric locomotives have been purchased up to date, and how many Diesel locomotives, giving their price and description?

Mr. P. R. Rau: (a) It is a long time since the Diesel engine was invented and the original patents have expired many years ago. I understand Diesel electric locomotives are now being manufactured by a large number of firms. The locomotives manufactured by each firm incorporate special features some of which may be patented.

(b) The recent purchase of two Diesel electric locomotives for the North Western Railway was made through the Indian Stores Department and after calling for world wide tenders.

(c) The total number of electric locomotives used on Indian Railways is 75. Details of prices paid are not readily available. Two Diesel electric locomotives of the 0-4-4-0 type of 350 horse power costing approximately Rs. 1,41,000 each were purchased in 1930 for the North Western Railway. Two more of 1,300 horse power, costing approximately 3½ lakhs each, are expected to be delivered during the course of the year.

Pandit Nilakantha Das: I heard the Honourable Member say that parts of this Diesel engine are patented. Is it so?

Mr. P. R. Rau: I understand that some parts of the locomotives manufactured by any firm may be patented.

Prof. N. G. Ranga: Is it impossible to manufacture these locomotives in this country?

Mr. P. R. Rau: No, it is not impossible. Nothing is impossible.

Prof. N. G. Ranga: Will Government try to manufacture them?

Pandit Nilakantha Das: If some parts of the locomotive are patented, may I know how tenders are invited from all over the world?

Mr. P. R. Rau: The tenders are invited according to the specification, and the actual locomotives tendered may be in accordance with this specification.

Pandit Nilakantha Das: May I ask how many firms have supplied these Diesel engines in the past? One or more than one?

Mr. P. R. Rau: I should like to have notice of that question.

Mr. S. Satyamurti: Are any attempts being made to investigate the possibility of manufacturing locomotives in this country?

Mr. P. R. Rau: Yes, Sir. I think I have explained to this House more than once that the question is under investigation.

Mr. S. Satyamurti: At what stage is the investigation standing now?

Mr. P. R. Rau: I am afraid I cannot say.

Mr. S. Satyamurti: Will it ever be completed?

Mr. P. R. Rau: I hope so; certainly.

Pandit Nilakantha Das: Is it not a fact that this investigation began some time in 1927-28?

Mr. P. R. Rau: No.

Mr. S. Satyamurti: Then, when did it begin?

Mr. P. R. Rau: Some time last year.

Mr. V. V. Giri: May I ask, Sir, who are the members of that Committee?

Mr. P. R. Rau: There is no Committee.

TRADE COMMISSIONERS IN FOREIGN COUNTRIES.

521. ***Pandit Nilakantha Das:** (a) How many Trade Commissioners have been appointed by Government in foreign countries? Will Government please state their names, qualifications, headquarters and nature of work in each case?

(b) How many of them, if any, have been recruited from the Indian Civil Service, and if any, why?

(c) Under whose direct supervision do they work, and what have they done in pushing Indian products in the foreign markets?

(d) What is the total expenditure, and the expenditure in each case?

The Honourable Sir Joseph Bhore: (a) There are three Indian Trade Commissioners at present, one each in London, Hamburg and Milan. Dr. D. B. Meek, lately Director General of Commercial Intelligence and Statistics, is the Indian Trade Commissioner in London, Mr. S. N. Gupta, I.C.S., Indian Trade Commission, Hamburg, and Mr. M. R. Ahuja, Indian Trade Commissioner, Milan. The last named was selected in 1931 on the recommendation of the Public Service Commission and received training in the Commercial Intelligence and Statistics Department, Calcutta, and lately also in the Trade Department of the office of the High Commissioner for India in London. The nature of work done by these officers relates mainly to the development of markets for Indian goods in the areas for which they are responsible.

(b) Only one, namely, the Indian Trade Commissioner, Hamburg. This officer was selected for the post in view of his experience as Deputy Trade Commissioner, London, for more than two years.

(c) For administrative purposes these Trade Commissioners are under the control of the High Commissioner for India in London. As regards the results achieved by them in pushing Indian products in foreign markets, the Honourable Member is referred to the quarterly and annual reports on the work of Indian Trade Commissioners. The quarterly reports are published in the *Indian Trade Journal*, copies of which are in the Library of the House. Copies of the annual reports are also to be found in the Library.

(d) The latest budget estimate for 1955-56 is £25,170 made up as follows:

		£
Indian Trade Commissioner, London.	..	12,900
" " " Hamburg	..	5,960
" " " Milan	..	6,310

Mr. B. Das: Have Government considered the representations of the Indian Federation of Chambers of Commerce and various other Chambers of Commerce?

The Honourable Sir Joseph Bhoré: I am afraid I should require notice of that question. I would not be able to answer it straight off.

Mr. Sami Vencatachellam Chetty: Are Government aware that at least one of the Trade Commissioners is ignorant of the tariff duties on Indian articles which are sent to the country in which he is a Trade Commissioner?

The Honourable Sir Joseph Bhoré: I have no reason to believe that, Sir.

Mr. S. Satyamurti: May I ask, Sir, what are the criteria which the Government follow in deciding the places in which they appoint Trade Commissioners for India?

The Honourable Sir Joseph Bhoré: The criteria are what the Government consider are the places where openings for Indian trade offer the best chances.

Mr. S. Satyamurti: Have Government considered the claims of any places other than these three?

The Honourable Sir Joseph Bhoré: I believe so.

Prof. N. G. Ranga: How many more Trade Commissioners do the Government of India propose to appoint in the next year?

The Honourable Sir Joseph Bhoré: We do not propose to appoint any during the coming year as far as I recollect. There is no budget provision.

Mr. S. Satyamurti: What are the qualifications for the selection of these Trade Commissioners?

The Honourable Sir Joseph Bhoré: The qualifications are a good knowledge of trade and commerce and a general acquaintance with the commerce of the country.

Mr. S. Satyamurti: May I ask, Sir, why is no Indian sent to London? Why is only a European sent to London?

The Honourable Sir Joseph Bhoré: Is my Honourable friend referring to the Trade Commissioner in London?

Mr. S. Satyamurti: Yes.

The Honourable Sir Joseph Bhoré: I am sure that if my Honourable friend had come in contact with Dr. Meek, he would have realised that he was one of the outstanding figures here so far as knowledge of Indian trade and commerce is concerned.

Mr. S. Satyamurti: Is there no Indian anywhere near him?

The Honourable Sir Joseph Bhoré: Not that I am aware of.

Pandit Nilkantha Das: Is there a proposal to make all Trade Commissioners Indians in the future?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

CONNECTION OF THE INDIAN STORES DEPARTMENT IN INDIA WITH THE INDIA STORE DEPARTMENT, LONDON.

522. ***Pandit Nilkantha Das:** (a) Has the Indian Stores Department in India any connection with the India Store Department, London, under the High Commissioner?

(b) Does the Indian Stores Department in India supply orders for foreign materials to Railways, Army and other Government and semi-Government Departments?

(c) Are such orders also placed separately with the India Store Department, London? If so, is there any division of articles of purchase in each case, i.e., orders for such foreign articles to be placed in India and such and such articles to be placed in England?

(d) Is there any arrangement for centralising State purchases in the Indian Stores Department? If not is there any centralised arrangement for State purchases? If not, in what way and through what agency are State purchases made and supervised?

The Honourable Sir Frank Noyce: (a) The Indian Stores Department utilises the services of the India Store Department, London, for:

(i) the inspection of stores ordered and manufactured abroad (i.e., outside India);

(ii) the distribution of invitations to tender;

(iii) obtaining advice of experts on tenders for technical stores; and

(iv) collecting information regarding the capacity, etc., of manufacturing concerns abroad, and in regard to prices and other trade intelligence.

(b) Yes.

(c) I would request the Honourable Member to see the Rules for the supply of articles required to be purchased for the Public Service, a copy of which is available in the Library of the House.

(d) The attention of the Honourable Member is invited to the Final Report of the Stores, Printing and Stationery Sub-Committee of the Retrenchment Advisory Committee, and the annual Administration Reports of the Indian Stores Department, copies of which are available in the Library of the House.

Pandit Nilakantha Das: There have often been proposals to centralise the stores purchased under the Government of India. Has that been made? I know there is some recommendation for purchasing as much as possible through the Stores Department and there are also some rules to that effect. I want to know if any attempt has been made to centralise under the Government of India the stores purchased?

The Honourable Sir Frank Noyce: I am not quite clear to what my Honourable friend refers. I take it that he is referring to the purchases for the Railway and the Army Departments which have not been centralised in the Indian Stores Department.

Pandit Nilakantha Das: Yes, I am referring to that.

The Honourable Sir Frank Noyce: There are special reasons why these two Departments have their own purchasing agency, but the amount of work done by the Indian Stores Department on their behalf is growing.

Mr. S. Satyamurti: What are the special reasons why the Army and the Railways have got their own separate buying agency?

The Honourable Sir Frank Noyce: I think it would be better if my Honourable friend would put down a question on the paper.

Mr. Sami Vencatachellam Chetty: Is it a fact that the Indian Stores Department insists upon contractors to railways buying articles from that Department, though the price of such articles is higher than the market rate?

The Honourable Sir Frank Noyce: There, again, I should like to have notice. It seems to me that this question should more properly be addressed to the Railway Department.

Mr. B. Das: With reference to part (d) of the question, was it not one of the recommendations of the Stores Retrenchment Committee to reduce the personnel of the London Store Department and to make it subordinate to the Indian Stores Department in India?

The Honourable Sir Frank Noyce: I would refer my Honourable friend to the debate on this subject on Thursday, the 30th August, 1934, in which I explained to the best of my ability the exact relationship between the Indian Stores Department and the Store Department in London.

Pandit Nilakantha Das: Was it not one of the instructions to the London Store Department some time ago that they should buy in the best market and not necessarily in the cheapest market? Does that instruction still hold good?

The Honourable Sir Frank Noyce: I think my Honourable friend is referring to the operations of the India Store Department in London. In cases in which they do not accept the cheapest tender, a statement is placed on the table of the House with the reasons why the cheapest tender was not accepted. However, cases in which the cheapest tender is not accepted are few and far between. I shall be placing on the table of the House a statement on that subject in a few days and I think during the period it covered there were only two small cases.

Mr. S. Satyamurti: With reference to part (c) of the second part, may ask for a categorical answer whether there is such a division or not?

The Honourable Sir Frank Noyce: I would refer my Honourable friend to the stores purchase rules. He will find in rules 7 and 8, the rules governing purchases outside India. They show the cases in which orders can be placed for stores with the Store Department in London. There are the only cases and there are no others.

Pandit Nilakantha Das: The rules 7 and 8 refer to stores supplied in India on rupee tender? Are these articles purchased from abroad supplied in India on rupee tender?

The Honourable Sir Frank Noyce: Rules 7 and 8 refer to cases in which it is not necessary to call for rupee tenders. These two rules govern the special cases in which it is not necessary to call for rupee tenders.

Prof. N. G. Ranga: Is it a fact that the Stores Department strain every nerve to purchase as far as possible only British goods?

The Honourable Sir Frank Noyce: No, Sir. Emphatically not. My Honourable friend will find that the purchases through the India Store Department, London, show a very great decrease in recent years.

Dr. G. V. Deshmukh: They do it without straining.

EXTENSION OF THE LARKANA-DODAPUR BRANCH LINE OF THE NORTH WESTERN RAILWAY BEYOND DODAPUR UP TO JACOBABAD.

523. ***Mr. Muhammad Nauman** (on behalf of Mr. Nabi Baksh Illahi Baksh Bhutto): (a) Will the Honourable Member for Railways be pleased to state whether it is intended to extend the Larkana-Dodapur Branch Line of the North Western Railway beyond Dodapur up to Jacobabad?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state when the extension would take place?

Mr. P. R. Rau: (a) The question is under investigation by the Agent, North Western Railway, and his report is awaited.

(b) I regret I am not in a position to say when a conclusion will be reached.

TRAVELLING TICKET EXAMINERS IN THE KARACHI DIVISION OF THE NORTH WESTERN RAILWAY.

524. ***Mr. Muhammad Nauman** (on behalf of Mr. Nabi Baksh Illahi Baksh Bhutto): Will the Honourable Member for Railways be pleased to state:

(a) the total number of Travelling Ticket Examiners in the Karachi Division of the North Western Railway, as it stood on the 1st of January, 1925;

(b) whether their number was increased afterwards; if so, to what extent, and since when;

- (c) what the additional expenditure incurred on account of the appointment of a larger number of Travelling Ticket Examiners than before is;
- (d) the reasons for appointing more Travelling Ticket Examiners;
- (e) the figure of the average income to the railways, as a result of the activities of the Travelling Ticket Examiners, per year, before their number was increased;
- (f) whether the income from that source has now increased owing to the appointment of more Travelling Ticket Examiners; if so, the average additional income per year now; and
- (g) whether Government are aware that some of the newly appointed Travelling Ticket Examiners are alleged to be in the habit of harassing passengers in order to increase income and thereby justify their appointment?

Mr. P. R. Rau: With your permission, Sir, I propose to reply to questions Nos. 524 and 525 together. The information is not readily available and Government consider that its collection will involve an amount of labour and expense which is not likely to be justified by the results.

TRAVELLING TICKET EXAMINERS IN THE KARACHI DIVISION OF THE NORTH WESTERN RAILWAY.

+525. ***Mr. Muhammad Nauman** (on behalf of Mr. Nabi Baksh Illahi Baksh Bhutto): Will the Honourable Member for Railways be pleased to state:

- (a) the number of Mussalman and non-Muslim Travelling Ticket Examiners respectively in the Karachi Division of the North Western Railway, as it stood on the 1st of January, 1925;
- (b) how many new appointments of Travelling Ticket Examiners have been made after that and what the percentage of Mussalmans promoted to or appointed in that grade was;
- (c) what the present number of Mussalman and non-Muslim Travelling Ticket Examiners, respectively is; and
- (d) whether the Travelling Ticket Examiners get travelling allowance in addition to their pay? If so, how much per day?

QUALITY OF FOOD, FRUIT AND ARTICLES KEPT FOR SALE AT RAILWAY STATIONS IN THE KARACHI DIVISION OF THE NORTH WESTERN RAILWAY.

526. ***Mr. Muhammad Nauman** (on behalf of Mr. Nabi Baksh Illahi Baksh Bhutto): Will the Honourable Member for Railways be pleased to state:

- (a) whether Government are aware that food, fruit and articles kept for sale at Railway stations in the Karachi Division on the North Western Railway are generally old, stale and unfit for human consumption;

- (b) whether Government are aware that whenever any complaint is made by public on this score, the station staff show a partial attitude towards the vendors; and
- (c) whether Government are prepared to issue fresh orders, enjoining upon the Railway staff to take a serious view of the matter whenever any complaint of this nature is made and ask the higher authorities of the division to inspect stalls on all stations by paying surprise visits till, at least, the present state of affairs improves?

Mr. P. R. Rau: (a) The Agent, North Western Railway, states that while there may be isolated complaints from time to time, the conditions mentioned are definitely not general.

(b) This is possible only on the assumption that the station staff are negligent or culpable, but disciplinary measures would be taken against them if any connivance is noticed by inspecting officers, or is brought to light by complaints from the public which can be substantiated.

(c) The necessity for the supply of good food and for complaints to be investigated is kept before the staff by notifications issued periodically. The last such notification was issued on the 25th January, 1935. Surprise checks on vendor stalls are made by supervising officers.

Mr. Lalchand Navalrai: May I know if there are Sanitary Inspectors on the North Western Railway and why are they not engaged for the purpose of inspecting the foodstuffs?

Mr. P. R. Rau: I have just informed the House that surprise checks on these lines are made by supervising officers.

Mr. Lalchand Navalrai: Are these supervising officers Sanitary Inspectors or somebody else?

Mr. P. R. Rau: I do not know who it is that makes these surprise visits.

Mr. Lalchand Navalrai: May I, therefore, request the Honourable Member if he will be prepared.

Mr. President (The Honourable Sir Abdur Rahim): It is not a question.

Mr. Lalchand Navalrai: Will the Honourable Member see his way to instruct the Agent to give this duty to the Sanitary Inspectors?

Mr. P. R. Rau: I do not see any necessity to give instructions to the Agent as to the agency by which these surprise checks should be made.

Prof. N. G. Ranga: Is the Honourable Member aware that even in the Madras and Southern Mahratta and South Indian Railways, the food supplied is generally stale, old and unfit for human consumption?

Mr. P. R. Rau: It is a far cry from Karachi to Madras.

†For answer to this question, see answer to question No. 524.

Prof. N. G. Ranga: In view of the fact that the food supplied at railway refreshment rooms and at the railway carriages that carry refreshments is so wretched and so bad in quality, will the Honourable Member consider the advisability.

Mr. President (The Honourable Sir Abdur Rahim): Does the question refer to Karachi Division on the North Western Railway?

Prof. N. G. Ranga: Yes, Sir. Is the Honourable Member prepared to consider the advisability of arranging for the supply of food directly by the railway companies and not through private agencies?

Mr. President (The Honourable Sir Abdur Rahim): Over the North Western Railway?

Prof. N. G. Ranga: Yes, Sir.

Mr. P. R. Rau: I do not think that railways should be expected necessarily to embark upon such a costly venture.

ALLEGED PARTIALITY SHOWN TO NON-MUSLIMS IN THE NORTH WESTERN RAILWAY WORKSHOP OFFICES, SUKKUR.

527. ***Mr. Muhammad Nauman** (on behalf of Mr. Nabi Baksh Illahi Baksh Bhutto): Will the Honourable Member for Railways be pleased to state:

- the number, community-wise, of clerks working in the offices connected with the North Western Railway Workshop at Sukkur;
- the number, community-wise, of journeymen connected with the North Western Railway Workshops at Sukkur;
- whether it is a fact that three men working in the above Workshop, named Kartarchand, Amarsingh and Lachhman, have been given promotions in preference to Mussalman employees who are said to be senior to them and more worthy of promotion;
- whether it is a fact that the Head Clerk in that office is a Hindu of the same place; if so, how long he has been in that office;
- the number of Mussalman aspirants for these appointments;
- whether it is a fact that there is a general complaint of partiality being shown to non-Muslims, at the expense of Mussalmans, in the matter of appointments, promotions, etc., so far as the above workshop is concerned; and
- if so, what steps Government propose to take to redress the grievances of Mussalmans?

Mr. P. R. Rau: Government have no information. These matters of detail have been left to the Agent, North Western Railway, to whom I am sending a copy of the question.

Mr. Lalchand Navalrai: May I know what has been left to the Railway Board if everything has been left to the Agent to attend to?

Mr. P. R. Rau: One rupee. (Laughter.)

COMMUNAL COMPOSITION OF CERTAIN APPOINTMENTS IN THE CUSTOMS DEPARTMENT, KARACHI.

528. ***Mr. Muhammad Nauman** (on behalf of Mr. Nabi Baksh Illahi Baksh Bhutto): (a) Will Government be pleased to state, community-wise, the total number of appointments, permanent, temporary and provisional, made since 1925 in the cadre of:

- Appraisers,
- Examining Officers,
- Preventive Officers,
- Assistant Preventive Officers,
- Clerks (Upper and Lower Divisions),

in the Customs Department at Karachi?

(b) Is it a fact that the orders of the Government of India regarding the recruitment on communal basis were not followed, and will Government be pleased to state whether steps are being taken to rectify the past deficiencies by proportionately increasing the number of new recruits from the communities affected?

Mr. A. J. Raisman: (a) A statement regarding permanent appointments is laid on the table of the House. Information regarding temporary and provisional appointments is not readily available.

(b) It is not a fact that the orders of the Government of India have not been observed in the past.

Statement showing community-wise the number of permanent appointments made since 1925 in the Karachi Custom House.

	Europeans and Anglo-Indians.	Hindus.	Muslims	Sikhs.	Indian Christians.	Others.	Total.
Appraisers	2	4	3	..	..	2	11
Examining Officers	..	5	2	..	2	1	10
Preventive Officers	3	3	4	..	..	..	10
Assistant Preventive Officers	..	..	..	..	1	..	1
Clerks (Upper Division and Lower Division)	2	41	12	1	9	3	68
Total	7	53	21	1	12	6	100

SCHEME FOR OPENING TWO NEW BRANCH LINES OF THE ASSAM BENGAL RAILWAY.

529. ***Mr. Basanta Kumar Das:** (a) Will Government be pleased to state if there was any scheme prepared for opening two branch lines of the Assam Bengal Railway, one connecting the Sub-Divisional headquarters of South Sylhet with the Kulaura station, and the other for connecting the Sub-Divisional headquarters of Sunamganj with the District headquarters of Sylhet? If so, will Government be pleased to state the full particulars of the two projects as far as possible and to state when the projects are going to materialise?

(b) Are Government aware that for want of suitable means of communication with the headquarters of the district of Sylhet the people of the two sub-divisions are suffering great inconvenience?

Mr. P. R. Rau: (a) A survey was made in 1929 of a line from Kulaura to Maulvie Bazaar. This scheme which was combined with another to form the Srimangal—Maulvie Bazaar—(Kulaura) project with branch to Manumukh, was not considered as likely to be remunerative. A survey of a line from Sylhet to Chatak was made as a part of the Sylhet-Chatak-Therriaghat project; the report on the Sylhet-Chatak portion is now being brought up to date.

(b) I am willing to take it from my Honourable friend that the facts are approximately as stated by him.

Mr. Basanta Kumar Das: Do Government contemplate to open this line in the near future?

Mr. P. R. Rau: That depends on the results of the investigation that is being made at present.

Mr. Basanta Kumar Das: Are Government aware that the Sylhet-Chatak line would open up a part of the country which produces the celebrated Sylhet lime and oranges?

Mr. P. R. Rau: That, Sir, will no doubt be brought out by the investigation.

BRANCH LINES OPENED BY THE ASSAM BENGAL RAILWAY.

530. ***Mr. Basanta Kumar Das:** (a) Will Government be pleased to state how many lines of branch lines of Railway were opened by the Assam Bengal Railway within the last ten years?

(b) Are Government aware that the Assam Bengal Railway Company has not put any fencings as required by law on either side of its branch lines in the districts of Sylhet and Cachar? If not, are Government prepared to make an enquiry about this and insist on the Railway to put up fencings at an early date?

(c) Are Government aware that accidents on these lines are very frequent? If not, are Government prepared to make an enquiry to ascertain the number of casualties due to such accidents?

Mr. P. R. Rau: (a) Nine.

(b) and (c). There is no legal obligation for a railway to fence every line. The views of the Government are embodied in a statement laid on the table of the House on the 2nd September, 1929.

Mr. S. Satyamurti: What was that statement placed on the table in 1929?

Mr. P. R. Rau: The statement covers about four or five pages of typed matter, and I do not think it is necessary to read it at present.

Mr. S. Satyamurti: Do Government accept the obligation to fence these lines at least when they pass through crowded villages or towns and through crowded localities generally?

Mr. P. R. Rau: Yes, Sir. I suppose so.

Mr. S. Satyamurti: It is not a question of supposition; I want to know what the policy of Government is.

Mr. P. R. Rau: I would invite my Honourable friend to read that statement.

Mr. S. Satyamurti: Sir, I make an appeal to you. We are given a statement which is five years old, and we are asked to look into it, although it is not laid on the table. How can we ask supplementary questions?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's answer is that the information is given in that statement which is a lengthy one.

Mr. S. Satyamurti: But it should be placed on the table. Otherwise, how can we ask supplementary questions?

Mr. President (The Honourable Sir Abdur Rahim): If any question arises upon that statement, the Honourable Member is at liberty to put down a question on it.

Dr. Ziauddin Ahmad: Has the Inspector of Safety ever reported against or in favour of these fences?

Mr. P. R. Rau: I should like to have notice of that question.

COVERED AND RAISED PLATFORMS FOR IMPORTANT STATIONS ON THE ASSAM BENGAL RAILWAY.

531. ***Mr. Basanta Kumar Das:** (a) Are Government aware that the Assam Bengal Railway Company has not provided many of its important stations with covered and raised platforms? If not, are Government prepared to make an enquiry into this and ascertain how many stations have got raised and covered platforms and how many have not?

(b) Are Government aware that on account of the fact that the Assam Bengal Railway lines pass through districts in which there are excessive rainfalls, the passengers suffer great inconvenience on account of the absence of covered platforms?

Mr. P. R. Rau: (a) and (b). It is left to the discretion of the Railway Administrations to provide high level platforms and covering for them at stations where the traffic offering justifies their provision. I would, therefore, suggest that this matter be brought to the notice of the Agent, Assam Bengal Railway, through his Local Advisory Committee.

Prof. N. G. Ranga: Is the Honourable Member aware that the Local Advisory Committee has recommended the raising of these platforms?

Mr. P. R. Rau: On the Assam Bengal Railway?

Prof. N. G. Ranga: Yes, Sir.

Mr. P. R. Rau: I am not aware of that, and if my Honourable friend will kindly show me the proceedings of the Committee in which that recommendation was made, I will consider it.

Prof. N. G. Ranga: May I ask the Honourable Member to take the trouble of consulting that report of the Local Advisory Committee?

Mr. P. R. Rau: I thought my Honourable friend had seen the report and I hoped he would be willing to spare me the trouble of going through it myself. It will save me a certain amount of time which I can usefully employ in other directions.

Mr. S. Satyamurti: Have Government made any inquiries after receiving this question whether the passengers do or do not suffer great inconvenience?

Mr. P. R. Rau: No, Sir; because Government consider that these matters of local importance are best dealt with by the Local Advisory Committees who will bring specific inconveniences to the notice of the Administrations in their lines.

Mr. S. Satyamurti: Do Government refuse to take any action on questions tabled by Honourable Members in this House pointing out these inconveniences?

Mr. P. R. Rau: No, Sir. I am quite prepared to send a copy of this question to the Agent of the Assam Bengal Railway.

Mr. S. Satyamurti: Will Government make inquiries and take action if the Honourable Member is found to be correct?

Mr. P. R. Rau: No inquiry is necessary to prove that if there is no covered platform, and there is heavy rain, passengers are likely to suffer inconvenience.

Mr. S. Satyamurti: In view of the categorical statement that, if there are uncovered platforms, the passengers will suffer inconvenience in the rain, will the Railway Board or Government take steps to mitigate the inconvenience?

Mr. P. R. Rau: The question is whether the inconvenience is so great that it must be remedied at once; and that, I submit, is for the Local Advisory Committee to consider.

THROUGH CARRIAGES BETWEEN CHANDPUR AND SYLHET ON THE ASSAM BENGAL RAILWAY.

532. *Mr. Basanta Kumar Das: Are Government aware that on account of the opening of direct communication between Shillong and Sylhet by the new Shillong-Sylhet motor road, there has been an increase of through passengers between the main line of the Assam Bengal Railway and the Sylhet Kulaura line? If so, are Government prepared to ask the Assam Bengal Railway to make provision for through carriages between Chandpur and Sylhet to be attached to No. 2 Down Surma Mail and No. 1 Up Surma Mail?

Mr. P. R. Rau: The reply to the first part is in the negative. As regards the second part, I shall convey the Honourable Member's suggestion to the Agent, Assam Bengal Railway, for consideration.

PERSONS DETAINED WITHOUT TRIAL UNDER REGULATION III, POLITICAL PRISONERS, DETENUS AND INTERNEES.

533. *Dr. P. N. Banerjee: Will Government be pleased to state:

- (a) the total number of persons detained without trial under Regulation III in Bengal and in other provinces, together with the dates of commencement of their detention and the periods of such detention;
- (b) how many of these political prisoners have not been given any allowance for their dependants and why;
- (c) how many detenus and internees have been permitted to appear at the University examinations, and how many of them have been successful; and
- (d) what facilities Government are ready to give to the successful candidates at examinations for prosecuting further studies?

The Honourable Sir Henry Craik: (a) I invite attention to the reply I gave on the 6th February, 1935, to question No. 86.

(b) No family allowance has been sanctioned in the case of twelve State Prisoners detained under Regulation III of 1818 either because they have no dependents or because their detention did not affect the circumstances of their relatives.

(c) Only two State Prisoners now detained under Regulation III of 1818 have applied for permission to appear at University examinations. Arrangements are being made for them to study for the examinations and to appear in due course.

(d) Does not arise.

Mr. S. Satyamurti: What does the Honourable Member mean by stating that the circumstances of the dependents were not affected by the detention of these persons?

The Honourable Sir Henry Craik: I said no family allowance has been sanctioned in the case of twelve State Prisoners either because they have no dependents or because their detention did not affect the circumstances of their relatives. The second case is very much the same as the first.

Dr. P. N. Banerjea: Were these persons earning any incomes at the time they were detained?

The Honourable Sir Henry Craik: I cannot say, but nobody except themselves was dependent on that income.

Mr. S. Satyamurti: I am asking about those who have dependents. How many of them had dependents?

The Honourable Sir Henry Craik: None of them had any dependent at all.

Mr. Sri Prakasa: How do Government find out that the detention of these persons does not affect the other members of their families?

The Honourable Sir Henry Craik: By making local inquiries

Mr. Sri Prakasa: What is the nature of those inquiries?

Sir Cowasji Jehangir: Has there been any protest from these twelve people or from any of them?

The Honourable Sir Henry Craik: I cannot say without notice.

POLITICAL PRISONERS DETAINED WITHOUT TRIAL.

534. ***Dr. P. N. Banerjea:** Will Government be pleased to lay on the table a full list of the political prisoners detained without trial, stating at the same time their places of detention?

The Honourable Sir Henry Craik: I invite the Honourable Member's attention to my replies to question No. 96 on the 6th February and question No. 223 on the 14th February, 1935.

ALTERNATE ROUTE BETWEEN BENARES CANTONMENT AND STATIONS ABOVE ALLAHABAD TOWARDS DELHI.

535. ***Mr. Sri Prakasa:** (a) Are Government aware that though the routes *via* Janghai and *via* Moghalsarai are alternate routes between Benares Cantonment and Allahabad, they are not regarded as such between Benares Cantonment and stations above Allahabad?

(b) Are Government aware that this causes much confusion and results in conflicting interpretations being put by the different Railway officials dealing with passengers holding such tickets, and much unnecessary harassment is caused to passengers travelling between these stations?

(c) Are Government prepared to instruct the authorities concerned to make suitable changes in the byelaws, so as to make that route alternate not only between Allahabad and Benares Cantonment, but also between Benares Cantonment and stations above Allahabad towards Delhi?

Mr. P. R. Rau: (a) Yes.

(b) No. The rules in the East Indian Railway's time-table clearly permit passengers holding tickets from Benares Cantonment to Allahabad or *vice versa* to travel by either route. There is no rule permitting this between Benares Cantonment and stations above Allahabad.

(c) I am conveying my Honourable friend's suggestion to the Agent, East Indian Railway, for consideration.

Mr. Sri Prakasa: My question is whether Government are aware that, by limiting this alternative route to Allahabad and Benares, they are causing a lot of confusion in the minds of passengers as well as the minds of the ticket collectors?

Mr. P. R. Rau: The answer to that question is that the rules are clear on the subject and there cannot be any confusion: but, at the same time, I have forwarded my Honourable friend's suggestion to the Agent of the East Indian Railway for consideration.

Mr. Sri Prakasa: Will the Honourable Member kindly accept my statement that travelling by this route I had to pay four annas when I had a second class return ticket, six annas when I had an intermediate class ticket, and one rupee and eleven annas when I had a third class return ticket, and it is possible that, if I had a first class ticket, they would have made a refund to me? (Laughter.) Does not that show confusion? May I also inform the Honourable Member that I have written to the authorities and have had no reply?

Mr. President (The Honourable Sir Abdur Rahim): This is the time for questions, not to supply information.

USE OF THE WORD "PORTER" OR "MAZDUR" INSTEAD OF "COOLIE" BY RAILWAY OFFICIALS.

536. ***Mr. Sri Prakasa:** Are Government prepared to instruct all Railway authorities to desist from the use of the word 'Coolie' and to use the word 'porter' or 'mazdur' instead?

Mr. P. R. Rau: In the absence of any reasons in support of the suggestion made, the only reply I can give to the question is in the interrogative. The only difference between these words, so far as I can see, is that both the words the Honourable Member prefers have a foreign origin while the word in use at present is, according to the Oxford Dictionary, probably of Indian origin, and is derived either from Tamil or Guzerati.

Mr. Sri Prakasa: Is the Honourable Member aware that the word "cooly" implies a certain amount of contempt?

Mr. P. R. Rau: No.

Mr. Sri Prakasa: Is he aware that the Maharaja of Burdwan got into trouble when he referred to the late Mr. Keir Hardie as the leader of white coolies? Is he further aware that Mr. Balfour once referring to British workmen told clearly in the House of Commons that they were not Indian or Chinese coolies?

Mr. P. R. Rau: If my Honourable friend is referring to the associations which the word "cooly" has gathered round it, I am afraid it will not be long before the other words he suggests will have the same associations.

Mr. Sri Prakasa: Is not the Honourable Member prepared to abolish this word just as the railways have abolished the words "native" and "Eurasian"?

Mr. P. R. Rau: I cannot really understand why the word "cooly" is objected to.

Mr. Sri Prakasa: Because the word is offensive.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already answered that he does not see any objection to the word "cooly", and, therefore, he is not prepared to direct the disuse of this word.

Mr. Sri Prakasa: Will he dare to call the porters at Charing Cross, when he next visits England, as coolies?

PERSONS DETAINED WITHOUT TRIAL UNDER REGULATION III OF 1818.

537. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to lay on the table a list of persons detained in different jails, all over India and in detention camps set up for their detention without any sort of trial either in ordinary law courts or in special tribunals under Regulation III of 1818 as State Prisoners, with the dates of their arrest and period of their detention and their present place of detention?

(b) Will Government be pleased to state if any such person with family and dependants or with dependants only has been deprived of the allowance for dependants, and if so, will Government be pleased to state why?

The Honourable Sir Henry Craik: (a) and (b). I invite attention to the reply I gave on the 6th February, 1935, to question No. 86, and to the reply I have just given to part (b) of question No. 533.

RAILWAY COURTS AT DIFFERENT RAILWAY STATIONS.

538. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Is the Honourable Member for Railways aware of the creation of Railway Courts at different Railway stations, presided over by honorary magistrates, far away from the ordinary district courts and sub-divisional courts of law? If so, where are such courts held and at what time of the day?

(b) Are Government aware that it is not a very inconvenient arrangement for parties who have to attend such courts to answer charges, get justice and have redress, from a financial point of view as well as on account of waste of time?

(c) Are Government aware that the public as plaintiff or defendant have to requisition lawyers from a distance and that this entails expense and inconvenience?

(d) Are they prepared to abolish Railway Courts and to resort to ordinary courts of law for Railway cases?

Mr. P. R. Rau: In some provinces the Local Governments have, at the request of a railway administration, agreed to magistrates dealing at certain railway stations with the cases of persons travelling without tickets. I have no information in regard to the places in the stations or the times at which these magistrates hold their courts. As these arrangements have been made at the request of the railway administrations concerned I have no reason to suppose that they are inconvenient to these administrations. As the object of the arrangements is to dispose of petty cases on the spot and without delay I have also no reason to suppose that the arrangements are inconvenient to the public but any representations on this point should be made to the Local Governments concerned.

RAILWAY ACCIDENTS.

539. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member in charge of Railways be pleased to state:

(i) the number of Railway accidents during the year 1933-34 and 1934-35, showing increase or decrease;

(ii) the nature of accidents—simple hurt, grievous hurt, loss of life, loss of property, etc.; and

(iii) the number of persons claiming compensation for such accidents on account of such injury?

(b) How many such claims for compensation had been settled through courts of law, through mutual agreement or arbitration, and what was the total amount of compensation paid in each year?

(c) Was every case of accident duly reported to the Magistrate of the district in which such accident occurred, and to the officer in charge of the Police station within the local limits in which it occurred or to the proper authority as the Governor General in Council appointed in this behalf?

(d) Did the Railway administration send a return of all such accidents during the aforesaid period to the Governor General in Council and will the Honourable Member place that return on the table of this House?

Mr. P. R. Rau: (a) (i) and (ii). I regret figures for 1934-35 are not available: but a comparison of the figures for 1933-34, with previous years, will be found in paragraph 87 of Volume I and pages 237-269 of Volume II of the Report by the Railway Board on Indian Railways for 1933-34. The statistics compiled do not differentiate between 'simple hurt' and 'grievous hurt'.

(a) (iii) and (b). The total amount of compensation paid by Class I Railways during 1933-34 was Rs. 1,78,408. While this amount covers all payments for loss of life and injury to persons, it may include compensation paid for other reasons, but does not include compensation for goods lost or damaged. Figures for 1934-35 are not yet available. Particulars with regard to the other points referred to are not available, and their compilation will involve considerable labour.

(c) No. Only such accidents are reported to the persons referred to as are covered by section 83 of the Indian Railways Act.

(d) An annual return of accidents is received from every Railway, and the particulars given therein are embodied in Appendix D of Volume II of the Railway Board's Annual Report.

CERTAIN PARTICULARS REGARDING EAST INDIAN RAILWAY EMPLOYEES.

540. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Railways lay on the table.

(i) a list of men of the East Indian Railway, in all the departments, who had been thrown out of employment on account of economic necessity, and

(ii) a list of those who have been reinstated or reappointed, and state by which time do Government expect to reinstate the rest?

(b) What is the total number of men working on the East Indian Railway getting salary (i) above Rs. 100, (ii) above Rs. 500, (iii) above Rs. 1,000 and (iv) maximum, both as officials and clerks and assistants?

(c) How many of them under each head are Europeans, Anglo-Indians, Hindus, Muhammadans, Christians and what is the percentage of Bengalees, Biharis, U. P. men, Hindusthanis, Punjabis and Sikhs?

(d) What is the number of engine-drivers and guards?

(e) Have Government considered the necessity of now admitting Indian engine-drivers and guards in larger proportion than what had been the custom so long?

(f) How many engineers are working on the East Indian Railway, and what is the percentage of Europeans, Anglo-Indians, Bengalees, U. P. men, Punjabis and Sikhs?

(g) What is the total number of coolies (labourers) and menials throughout the East Indian Railway, and what is their average monthly income?

Mr. P. R. Rau: (a) (i) The information available with Government in this connection will be found on pages 73 and 74 of Volume I of the Council of State Debates, 1933.

(ii) I have called for information regarding the number of retrenched staff re-employed and will lay it on the table of the House in due course.

(b) and (c). The latest information available with Government is given on pages 58 and 59 of Volume I of the Report by the Railway Board on Indian Railways for 1933-34.

(d) and (g). The information is not readily available and its compilation will involve an amount of labour, which, in the opinion of Government, is not likely to be justified by results.

(e) Indians are eligible for appointment to all the posts for which they are qualified.

(f) I would refer the Honourable Member to pages 7, 8 and 13-16 of the Classified List of State Railway Establishment corrected upto 31st December, 1933, which gives the names of the engineers employed on the East Indian Railway. Accurate information regarding the points referred to in the second part of the question is not readily available, but to a certain extent can be guessed from the names.

Mr. V. V. Giri: With reference to part (a) (i), will the Honourable Member request the Agent to supply the information immediately—a list of men who have been thrown out of employment on account of economic necessity in all departments of the East Indian Railway?

Mr. P. R. Rau: I have already informed the House that the information available with the Government in this connection will be found on pages 73 and 74 of Volume I of the Council of State Debates, 1933.

Mr. V. V. Giri: I mean as regards (ii).

Mr. P. R. Rau: I have called for the information.

Srijut N. C. Bardaloi: With reference to parts (c) and (f), is it a fact that my Honourable friend has referred to all nationalities in India except the Assamese, because there are no Assamese in that portion of the railway which runs through Assam?

Mr. P. R. Rau: My Honourable friend must ask that question of the questioner.

Srijut N. C. Bardaloi: Is he aware that Assamese are not employed in that portion of the East Indian Railway which passes through Assam?

Mr. P. R. Rau: I am sure, there are some.

Srijut N. C. Bardaloi: Is the Government Member quite sure about it?

Mr. P. R. Rau: I am not sure of it from personal knowledge: I have not travelled over that line there.

Dr. Ziauddin Ahmad: May I ask whether the persons who will be reinstated will have to join at the bottom of the service, or on their old salary?

Mr. P. R. Rau: I think I replied to that question a few days ago and I laid a statement on the table with reference to that.

Mr. M. S. Aney: Will the Honourable Member repeat the reply that was given?

Mr. P. R. Rau: I am sorry I have not got it here, nor can I carry it in my mind.

Mr. M. S. Aney: He does not know what the reply was?

Mr. P. R. Rau: The reply was that certain staff who were retrenched and re-employed and who were originally employed before a certain date would be on the old scales of pay.

COMPLAINT OF CERTAIN STATE PRISONERS.

541. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to state when the State Prisoners are generally locked up (i) during summer, and (ii) during different seasons of the year?

(b) Did Government get any complaint regarding the lock-up time from the State Prisoners in the Rajahmundry Central jail?

(c) Did Government get any complaint from the aforesaid prisoners in Rajahmundry jail in regard to the withdrawal of the privileges of exercise and diet? If so, what were the complaints and what steps have been taken to redress them?

(d) Is it a fact that the monthly allowances of the aforesaid prisoners have been curtailed? If so, why?

(e) Will Government please state what allowances they used to get and what they are receiving at present, and when the previous allowances will be restored?

(f) Is it a fact that Pratul Chandra Bhattacharya, a State Prisoner in the Rajahmundry Central Jail, has been asked to bear the cost of his medical treatment—purchase of a nasal douche and medicine for himself—out of the scanty allowance he receives? If so, why?

(g) Is it a fact that a political prisoner, Suresh Chandra Das, got his eyes examined in November, 1934 and still he has not been supplied with glasses? If so, are Government prepared to see that he gets his glasses without delay and enquire the cause of this delay?

The Honourable Sir Henry Craik: (a) and (b). I would refer the Honourable Member to the answer given by me to Mr. Satyamurti's starred question No. 213 on the 13th February, 1935.

(c) The Government of India have received no such complaints and have no information that any privileges have been withdrawn. The second part of this question does not arise.

(d) and (e). The allowances have not been curtailed, but, owing to the two State Prisoners having at one time overdrawn their allowances, the amount is being recovered by deduction of Rs. 12 a month from the monthly allowances.

(f) No. The State Prisoner was asked under a misapprehension to pay for a nasal douche but the cost has since been met by Government.

(g) Sanction has been conveyed to the supply of spectacles to the State Prisoner Suresh Chandra Das. I will draw the Local Government's attention to this question in case the spectacles have not yet been supplied.

Prof. N. G. Ranga: In view of the fact that the Honourable Member has stated that he has no information in regard to part (c) of the question, will he be good enough to call for information from the Superintendent of the Rajahmundry Jail after making proper inquiries from the prisoners concerned?

The Honourable Sir Henry Craik: I have said, Sir, that we have received no complaints and have received no information that their privileges have been withdrawn. If any complaints had been submitted and if any privileges had been withdrawn, the fact would have been reported to us.

Mr. Amarendra Nath Chattopadhyaya: Will the Honourable the Home Member please state if the time for locking State Prisoners is different in different jails?

The Honourable Sir Henry Craik: I have already answered that question in reply to Mr. Satyamurti's question No. 213 on the 13th February.

Dr. Ziauddin Ahmad: May I put this question, Sir, for Seth Haji Abdoola Haroon? I have written authority from him.

Mr. President (The Honourable Sir Abdur Rahim): Yes.

INTEREST CHARGED ON THE SUKKUR BARRAGE DEBTS.

542. ***Dr. Ziauddin Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) With reference to my question No. 76, will Government be pleased to state the rate or rates of interest now being charged on the Sukkur Barrage Debt incurred prior to 1932-33?

(b) If the rate or rates are above three and a half per cent., have Government considered the question of reducing the rate on the whole debt to three and a half per cent., by redemption and re-issue of the loans, involved, or otherwise? If not, why not?

The Honourable Sir James Grigg: (a) A statement is laid on the table.

(b) The Honourable Member will observe from the statement that the full benefit of the conversion operations of the Government of India have already been passed on to the Provincial Government. Any further benefit which the Government of India may derive from future conversion operations will similarly be passed on to the Provincial Government.

Statement.

(a) The rate of interest on loans made from the Provincial Loans Fund to the Government of Bombay for the Sukkur Barrage Project are as follows:

1921-22	6½ per cent. reduced to 4½ per cent. from 1st April 1927.
1922-23	6½ per cent. reduced to 5½ per cent. from 1st April 1929.
1923-24	6 per cent. reduced to 5½ per cent. from 1st October 1933.
1924-25	5½ per cent. reduced to 5 per cent. from 1st October 1933.
1925-26	5½ per cent.
1926-27	5 per cent.
1927-28	5 per cent.
1928-29	5 per cent. reduced to 4½ per cent. from 1st October 1933.
1929-30	5½ per cent.
1930-31	6½ per cent. reduced to 5 per cent. from 1st October 1933.
1931-32	6½ per cent. reduced to 6 per cent. from 1st October 1933.

Prof. N. G. Ranga: Can this question be left over for tomorrow? The Honourable Member is not here.

Mr. President (The Honourable Sir Abdur Rahim): All right.

†543.*

†This question will be answered on the 26th February, 1935.

CASE OF STATE PRISONER VIDYA BHUSHAN AZAD CONFINED IN THE
MUZAFFARGARH JAIL.

544. *Mr. Ram Narayan Singh (on behalf of Mr. Anugrah Narayan Sinha): (a) Are Government aware that Mr. Vidyabhushan Azad, a State Prisoner under Regulation III of 1818, now confined in the Muzaffargarh sub-jail in the Punjab has developed serious trouble in the nose leading to other complications, such as, amongst others, colic, and frequency of urination with an abundance of mucous and phosphates?

(b) Are Government aware that the jail authorities are of opinion that an operation is necessary and that the local Civil Surgeon has more than once advised such an operation in the Mayo Hospital at Lahore where the necessary apparatus and equipments are available?

(c) Have Government received any recommendation from the Superintendent of Jail, as also from the local Civil Surgeon as to the urgency of the operation at Lahore?

(d) Do Government propose to order the immediate transfer of Mr. Vidyabhushan to Lahore to enable the operation to be performed there?

The Honourable Sir Henry Craik: (a) to (d). The State Prisoner has had some nasal trouble which gives him an occasional headache. No suggestion has been made by the Medical Officers that he should undergo an operation but arrangements are being made for his examination by the Civil Surgeon of Multan. The other symptoms mentioned in the question appear to be due to indigestion. The State Prisoner has gained ten lbs. in weight during the last five months.

INDIAN OFFICER CADETS TURNED OUT BY THE TRAINING SHIP "DUFFERIN"

545. *Mr. Ram Narayan Singh (on behalf of Mr. Anugrah Narayan Sinha): (a) Will Government be pleased to state the number of Indian officer cadets turned out by the Training ship "Dufferin" since it was started in 1927?

(b) How many of them have been able so far to secure admission in the commissioned ranks of the Royal Indian Marine or the Indian Navy?

(c) How many of them have been taken in as apprentices in the service of shipping companies operating in Indian waters, and of the latter how many are British and how many are Indian concerns?

The Honourable Sir Joseph Bhoré: (a) 149.

(b) Six ex-cadets of the "Dufferin" have so far been selected for employment in the Royal Indian Navy. Of these, two have got their Commissions and are serving as Sub-Lieutenants, while the remaining four are still under training in the United Kingdom.

(c) 116; 74 by British Companies and 42 by Indian Companies.

Mr. S. Satyamurti: Are there any candidates who have been trained and have not secured appointments?

The Honourable Sir Joseph Bhoré: I am afraid I could not tell you off-hand.

INDIANS HOLDING A MASTER'S CERTIFICATE ON AN OCEAN-GOING STEAMER.

546. *Mr. Ram Narayan Singh (on behalf of Mr. Anugrah Narayan Sinha): Will Government be pleased to state the number of Indians holding a Master's (i.e., Captain's) Certificate of an ocean-going steamer, and the nature of their employment?

The Honourable Sir Joseph Bhoré: Government have no precise information as to the number of Indians holding a Master's certificate, but the following are the numbers of candidates born in India who have qualified as Masters of Foreign-going and Home Trade Steamships, since 1929, when such certificates were first issued by the Government of India.

1930	..	..	..	..	..	9
1931	..	..	..	..	..	5
1932	..	..	..	..	..	7
1933	..	..	..	..	..	8
1934	..	..	..	..	..	6

In addition to these, Government are aware that some Indians hold the corresponding certificates issued by the Board of Trade in England. Government are not aware of the nature of the present employment of these gentlemen.

Mr. Ram Narayan Singh: Will the Honourable Member kindly try to get the necessary information and supply it?

The Honourable Sir Joseph Bhoré: I am afraid it would be almost impossible, otherwise I should have been only too glad to try and get the information.

ENGINEER CADETS TURNED OUT BY THE TRAINING SHIP "DUFFERIN" OR AS
A RESULT OF TRAINING AS MARINE ENGINEERS IN THE UNITED
KINGDOM.

547. *Mr. Ram Narayan Singh (on behalf of Mr. Anugrah Narayan Sinha): Will Government be pleased to state:

(a) the number of Engineer cadets turned out so far either by the training ship "Dufferin" or as a result of training as Marine Engineers in the United Kingdom; and

(b) the number of such Engineers who are employed (i) by British shipping agencies and (ii) by Indian shipping companies?

The Honourable Sir Joseph Bhoré: (a) None from the "Dufferin", but two of the nine scholars, who were sent to the United Kingdom for training, have returned to India after completing their workshop training while a third scholar is expected to reach India this month. They have to put in 18 months training at sea before they can sit for the examination for the second class Engineer's Certificate.

(b) One of the above three scholars has already been employed by a British Company (the British India Steam Navigation Company) and is now undergoing his sea training. The second one was, on examination,

found to be temporarily medically unfit for employment as a Marine Engineer. An assurance has been received from a British Company that he will be employed by them for his sea training when he becomes fit again. Arrangements have also been made for the employment by an Indian Company (the Scindia Steam Navigation Company) of the third scholar for his sea training as soon as he reaches India.

Dr. Ziauddin Ahmad: Was he declared unfit for work in the Docks also?

The Honourable Sir Joseph Bhoré: I am afraid, Sir, that I do not remember the details of the case, but if my Honourable friend will put down a question, I shall supply him with the information.

EMPLOYMENT OF INDIAN MARINE ENGINEERS BY THE PORT TRUSTS AND SHIPPING COMPANIES.

548. ***Mr. Ram Narayan Singh** (on behalf of Mr. Anugrah Narayan Sinha): (a) What steps, if any, have Government taken so far to impress on Port Trusts and shipping companies engaged in the coastal trade of India the desirability of their engaging Indian Marine Engineers to the extent they are available?

(b) Do Government propose to insist on an undertaking being given by such shipping companies regarding employment of Indian cadets and apprentices both in navigation and engineering lines and the Indianisation of their marine services?

The Honourable Sir Joseph Bhoré: (a) Government have received assurances from the principal shipping companies in India as to their willingness to employ properly trained and qualified engineer officers on their ships. Government have also brought to the notice of Port Trusts the desirability of Indianizing their superior services generally, and have particularly asked them to give preference to candidates who have passed through the "Dufferin" training ship.

(b) In view of the readiness of shipping companies to employ such suitable and qualified Indians as are available, Government do not consider it necessary to take any such action even if they had power to do so.

Mr. S. Satyamurti: After the assurance has been received by Government, how many Indians have been employed by the Shipping Companies?

The Honourable Sir Joseph Bhoré: Actually employed?

Mr. S. Satyamurti: Yes.

The Honourable Sir Joseph Bhoré: I am afraid I could not tell how many were actually employed.

Mr. S. Satyamurti: I am asking, Sir, whether the assurance given by the Shipping Companies has been translated into practice?

The Honourable Sir Joseph Bhoré: I think so, Sir.

Dr. Ziauddin Ahmad: Is it not a fact that every cadet who has come out of the "Dufferin" has got an appointment?

The Honourable Sir Joseph Bhoré: I think my friend is quite correct so far.

WIRELESS OPERATORS TRAINED AT ALIPORE AND ENGAGED BY THE INDIAN AND BRITISH SHIPPING COMPANIES.

549. ***Mr. Ram Narayan Singh** (on behalf of Mr. Anugrah Narayan Sinha): Will Government be pleased to state the number of wireless operators trained since the opening of training class at Alipore in 1928 and the number of such operators as have been able to secure employment in (i) Indian shipping companies and (ii) British shipping companies engaged in India's coastal trade?

The Honourable Sir Joseph Bhoré: The Wireless Training School maintained by the Posts and Telegraphs Department at Alipore was instituted a long time before 1928 for the purpose of training personnel of the Posts and Telegraphs Department in wireless and is not intended for the training of other persons. As a special case at the request of an Indian Steamship Company the training of 17 men as wireless operators for ships was undertaken in 1928. Sixteen completed the full course and were granted certificates of competency as wireless operators. So far as Government are aware, these operators were employed by the Company at whose request they were trained.

CONFIDENTIAL ENQUIRY MADE IN BIHAR AND ORISSA FROM PRIVATE MEDICAL PRACTITIONERS ABOUT THEIR WILLINGNESS TO VOLUNTEER FOR WAR SERVICE OR IN ANY NATIONAL EMERGENCY.

550. ***Mr. Ram Narayan Singh** (on behalf of Mr. Anugrah Narayan Sinha): (a) Will Government be pleased to state if they are aware that in the Province of Bihar and Orissa, a confidential enquiry is being made from private medical practitioners as to whether they would be willing to volunteer for service either in case of war or in any national emergency arising?

(b) Is the enquiry being made under Government instructions, and is such enquiry proceeding in other Provinces also?

(c) If the enquiry is proceeding at Government instance, will they be pleased to explain the meaning and significance of it?

(d) Is the enquiry in question a mere precautionary measure, or have Government any reason to anticipate in the near future either a war, or what is described as "national emergency"? If not, what is the idea behind the enquiry?

(e) Has the enquiry anything to do with the question of the retention of the civil branch of the Indian Medical Service on the grounds of a war reserve?

Mr. G. R. F. Tottenham: (a), (b), (c) and (e). No such enquiry is being made under the orders of the Government of India. I have asked the local authorities for information on the subject and will lay a further reply on the table in due course.

(d) Government have no reason to anticipate a war in the near future.

REALISATION OF FINES BY ATTACHING JOINT-FAMILY PROPERTY IMPOSED IN CONNECTION WITH THE CIVIL DISOBEDIENCE MOVEMENT.

551. ***Mr. Ram Narayan Singh** (on behalf of Mr. Anugrah Narayan Sinha): (a) Will Government be pleased to state if they have issued instructions to the Local Governments to realise fines, by attaching joint-family property, if need be, imposed in connection with the civil disobedience movement, even though the sentence of imprisonment awarded in default of fine has been fully undergone, in addition to the substantive sentence, of imprisonment?

(b) Are Government aware that according to judicial decisions, joint-family property cannot be attached in realisation of a fine imposed on an individual member of a family? If not, are they prepared to consult legal opinion on the subject?

The Honourable Sir Henry Craik: (a) No such instructions have been issued.

(b) Government are aware that there have been judicial decisions to the effect mentioned by the Honourable Member.

Prof. N. G. Ranga: Is it a fact, Sir, that attempts are still being made to realise these fines which were imposed at the time of the civil disobedience campaign, although this campaign has been stopped?

The Honourable Sir Henry Craik: My information is quite the contrary and no such attempts have been made since this decision.

Mr. Ram Narayan Singh: Are not Government aware that by following these oppressive methods they are creating more enemies of the British rule in this country?

Mr. President (The Honourable Sir Abdur Rahim): That is not a question.

Mr. Ram Narayan Singh: Is there no answer, Sir?

Mr. President (The Honourable Sir Abdur Rahim): That is not a proper question; it is not in order.

VENDING CONTRACTS OF FOODSTUFFS AT THE GAYA RAILWAY STATION.

552. ***Mr. Ram Narayan Singh** (on behalf of Mr. Anugrah Narayan Sinha): (a) Is it a fact that Messrs. Ballabhdas Ishwardas of Bombay have been given contract of selling foodstuffs at the Gaya Railway Station? If so, will Government be pleased to state since when this arrangement has come into force and for how long it is to operate and on what terms?

(b) Is it a fact that foodstuffs exposed for sale at the Gaya Railway Station by the vendors of Messrs. Ballabhdas Ishwardas on examination by the district medical officer on the 7th August, 1934 and 25th August, 1934 were found to be unfit for human consumption?

(c) Are Government aware of the growing complaints of the travelling public against the leasing out of the vending contracts of foodstuffs to one person on the ground of dearth of price and bad quality of foodstuffs at the Gaya Railway Station?

Mr. P. R. Rau: (a) Messrs. Ballabhdas Ishwardas were given the contract sometime about the end of March or the beginning of April, 1934. The contract is for a period of one year and is thereafter subject to cancellation on six months' notice.

(b) Government have no information, but I am bringing the allegation to the notice of the Agent, East Indian Railway, for investigation if the matter has not already been taken up.

(c) The Agent, East Indian Railway, states that complaints against vending arrangements have always received serious attention, but most of the recent complaints on investigation proved to be unfounded and to have been engineered by interested parties, principally the vendors who had been displaced by the new contractor.

Dr. Ziauddin Ahmad: Is it not a fact, Sir, that these contracts were terminable on one month's notice, and in this particular case the period has been extended from one to six months?

Mr. P. R. Rau: I am aware of the terms of this contract, but not of previous contracts.

Prof. N. G. Ranga: From where did the District Medical Officer examine the foodstuffs in this particular shop? Did he examine them from his bogey carriage or from his trolley?

Mr. P. R. Rau: Sir, I have no information whether it was a fact that the District Medical Officer did make such remarks on the foodstuffs exposed?

Maulvi Muhammad Shafi Daudi: What was the procedure adopted?

Mr. P. R. Rau: I believe the Agent called for the Report and sent an inspecting officer.

Maulvi Muhammad Shafi Daudi: Is it not desirable that some independent inquiry should be made into such matters instead of the railway authorities themselves making an inquiry?

Mr. P. R. Rau: Surely, Sir, the Agent who is responsible for the management of the Railway can be trusted to hold an inquiry into matters of this sort.

Maulvi Muhammad Shafi Daudi: But when Government receive so many complaints from Honourable Members, don't they think it desirable to adopt some other means of making an inquiry into such complaints?

Mr. P. R. Rau: This complaint is a specific complaint that certain foodstuffs were declared to be unsuitable for consumption by a District Medical Officer. That is a question of fact, and there cannot be any difficulty about getting at the facts.

Dr. Ziauddin Ahmad: Are Government aware that prices at this particular station (Gaya) are about 25 to 30 per cent. higher than the market rates?

Mr. P. R. Rau: No.

Dr. Ziauddin Ahmad: That is a fact: take it from me.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Demands for Grants for Railways. The Chair understands the Nationalist Party want to move a motion for reduction in respect of Indianisation.

Mr. M. S. Aney (Berar Representative): I will have to request the Honourable Sir Joseph Bhore to move his Demand No. 2.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Is the Honourable Member quite sure that his cut motion is under Demand No. 2 and not No. 3?

Mr. M. S. Aney: It is under No. 2. Audit is No. 2.

The Honourable Sir Joseph Bhore: Might I suggest that the question of Indianisation may perhaps be taken up under Demand No. 6-A? It does not make any difference.

Mr. M. S. Aney: I have no objection. I have given notice of a cut under that demand also.

DEMAND NO. 6A—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS.

The Honourable Sir Joseph Bhore: I beg to move:

"That a sum not exceeding Rs. 8.65.25,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1936, in respect of 'Working Expenses—Maintenance of Structural Works'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 8.65.25,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1936, in respect of 'Working Expenses—Maintenance of Structural Works'."

Indianisation of Railway Services.

Mr. M. S. Aney: Sir, I beg to move:

"That the demand under the head 'Working Expenses—Maintenance of Structural Works' be reduced by Rs. 100."

The cut is with a view to raising a discussion on the Indianisation of Railway Services. Sir, the subject which I am, by means of this cut, bringing prominently to the notice of the House and of the Government of India is almost a hardy annual. It has been discussed practically every year, and it is really painful that an Indian Member should be compelled to bring this grievance to the notice of the so-called Government of India in the Indian Legislature and that the process should go on from year to year without the non-official side being satisfied that there was no need for it left. The very question of Indianisation of the Indian Railway Services implies that some wrong principle is being adopted in the recruitment of the services, and Indian Members find it necessary to remind the Government of India, almost every year, that they are neglecting Indianisation. The Honourable the Leader of the Opposition said the other day, the question of Frenchisation, or Anglicisation or Germanisation of the services can never be raised in France, England or Germany. It is the misfortune of this country only that the question of Indianisation has to be raised, has to be discussed and has to be urged on the Government which reluctantly accede to it at times in principle only without perhaps meaning to scrupulously observe it in practice. That is our misfortune. The story of the Indian railways, which begins with the year 1853, to this date, so far as Indianisation is concerned, is a miserable one. I will not speak of the earlier years. It was in 1869, if I mistake not, that Government practically entered upon the policy of owning the railways. It went on doing this work through its own Public Works Department, and under a Directorate for a number of years. Then, that policy was changed in the year 1905 when the Railway Board came into existence. It was in March 1905. Now, it is 30 years that the Railway Board has come into existence and taken charge of the Indian railways. One object in establishing the Railway Board and taking away the control from the former authority and vesting it in this body was to run the Indian railways principally in the interests of the Indian people and the Government of India in a more profitable, commercial and economic manner. So, it would not be improper to examine the Railway Board's administration from the year 1905 to 1935, a period of 30 years, from the point of view of what progress the Railway Board has been able to achieve in the Indianisation of the services.

Mr. B. Das (Orissa Division: Non-Muhammadan): On the other hand, it is retrograde.

Mr. M. S. Aney: My Honourable friend, who is thoroughly conversant with the statistical knowledge of the railways, informs me that it is retrograde. If it is so, it is certainly discreditable to the Railway Board, and I have no doubt if judged properly, the verdict of the House also will be that the word progress is a misnomer in that case. If we give up the year 1905, the other important year in the history of the railway administration in India is 1924 when the railway finances were separated from the general finances and the Railway Board also was constituted

[Mr. M. S. Aney.]

on a more constitutional and a more efficient basis. At the time of this separation, a convention was accepted, and as a part of that convention a condition was laid down that the Board should be more careful and vigilant in Indianising the services rapidly. That condition was so skilfully introduced into the convention that it might be read as a part of the convention or it might be treated as not being a part of the convention also. But the understanding when that convention was entered into was that the Railway Board, in discharging its duty of administering the railways, was expected to give its prominent attention to the rapid Indianisation of the Indian Railway Services. From 1924 to 1935 is a period of 11 years. The Railway Board has been in existence for 30 years, and with a specific solemn condition attached to its duties and obligations in respect of Indianisation it has been in existence for the last 11 years. The Board was given, by this House, all the facilities it wanted by allowing the railway finances to be separated from the general finances. We know how far, during the last 11 years, the Railway Board has succeeded in observing the conditions on which the separation convention was made. Of course it would be out of place for me to deal with other points which do not directly have a bearing upon the question of Indianisation, but, by the way, I may mention that some of the most important conditions of that convention during the last five years the Railway Board has not at all been able to fulfil. The Railway Board has not been able to give to the Central Revenues even that little contribution which was fixed as the minimum that was due from the Indian Railways to the Indian taxpayers who have incurred the burden of something like 800 crores of rupees of debt for the capital expenditure of the railways. The annual contribution which only amounted to six crores a year could not be paid off by them. The depreciation fund has been practically exhausted. The reserve fund has been entirely swallowed. That is the way in which the Railway Board has been managing the railway affairs during the last eleven years. It will not be proper for me now to enter upon an examination of these points. I will only try to examine the particular point, viz., Indianisation of services, and I hope to show that, even on this point on which this House has been very keen and on which several recommendations have been made by Commissions which have come into existence for the purpose of examining the question of Indianisation and other railway matters, the Railway Board has not yet been able to come up not only to our expectations but they have not even made any appreciable progress in that direction. The position of Indianisation when the Acworth Committee reported was this.

An Honourable Member: Awkward Committee.

Mr. M. S. Aney: I see an Honourable Member calls it the "Awkward Committee". (Laughter.)

An Honourable Member: We heard you like that.

Mr. M. S. Aney: It was due either to a mispronunciation by me or it was misheard by my friends. This is what the Acworth Committee said on page 58, paragraph 182 of their report:

"At the date of the last report, there were employed on the railways of India about 710,000 persons; of these roughly 700,000 were Indians and only 7,000 Europeans, a proportion of just one per cent. But the 7,000 were like a thin film of oil on the

top of a glass of water, resting upon but hardly mixing with the 700,000 below. None of the highest posts are occupied by Indians, very few even of the higher. The position of a District Engineer, District Traffic Superintendent, or of an Assistant Auditor is, with one or two exceptions, the highest to which Indians have hitherto attained."

The detailed figures are given elsewhere. This was the position when the Committee made its report. Sir, after that, we had also this subject discussed to some extent by the Lee Commission. The Lee Commission report was made after the Montford Reforms came into existence. The policy of those reforms as regards services was that there should be a greater association of Indians in every branch of the administration. After that the Lee Commission had made its report and the Lee Commission distinctly laid down that the proportion of Indianisation must be more rapid than what it was and it also suggested that the recruitment should come up at least to 75 per cent. A report to that effect was made by the Lee Commission.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): That result was to be achieved after a certain number of years.

Mr. M. S. Aney: I am coming to that. I am not unaware of what has been done and I am fully conscious of what my Honourable friend is going to say in reply also. My object in referring to this is this—that this is a question on which it has been found necessary, both by this House as well as by the various committees and commissions that have been appointed, to bring this matter repeatedly to the notice of the Government of India—that the progress of Indianisation is not at all deemed satisfactory by them and it is really so. If you take the classified list and the distribution return of establishments of all railways for 1933-34, and if you go on reading the names under the various departments of the Railway Board and the different State Railways, so far as the superior services are concerned, it is difficult for you to find out in the thick jungle of foreign names any Indian name there. The Indians are so meagrely represented there that if you want to find an Indian name there you must make a serious study of the lists.

An Honourable Member: Microscopic minority!

Mr. M. S. Aney: My Honourable friend opposite will tell me that from the year 1925 to the year 1933 or 1934, from 28 point something, Indians have progressed and risen to 38 point something in the superior services. I will read to you the figures from the Railway report relating to the progress made in Indianisation. In 1931-32, Europeans 22 per cent.; Indians 25, of whom 16 were Anglo-Indians, 73 per cent. In 1932-33 Europeans 36.4 per cent.; Indians 63.6. These are the figures which my Honourable friend might quote. In the first place, with regard to these figures, I have got one particular point to bring to his notice. In the year 1931-32, I find that including the Anglo-Indians the rate of progress is 78 per cent, but in the year 1932-33, it has come down to 63.6 and the reasons given for this reduction are very astounding. That is also a point which I want to emphasise in connection with this subject.

It is stated that the reduced percentage was on account of the appointment of three Europeans on the Burma Railways. And why were the Europeans instead of Indians appointed there? We are told seriously and gravely—as if it was an axiomatic truth which did not require any demonstration at all, that in accordance with an understanding between the Government of Burma and the Government of India, Indians were

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not to be appointed but only Burmans and if Burmans were not available then Europeans were to be appointed. That is the sort of understanding between the Government of Burma and the Government of India. Whenever there is a vacancy, it is to be filled either by a Burman or by an European but not at all by an Indian. In what year did the Honourable Member or the Government of India come to an understanding like that with the Government of Burma? Is the Government of Burma an independent Government with which the Government of India have to make a treaty like the so-called Indo-Burman treaty which is to come and of which we are hearing so much here. When the Indo-Burman Railway treaty was made, was it brought to the notice of this House, or of the Central Advisory Council? Was this fact ever brought to the notice of the Standing Finance Committee when they considered proposals for new construction in Burma? Did that committee approve of that policy? If the Government of India are prepared to make agreements with the Government of Burma, which was undoubtedly a Provincial Government, subordinate to them, can the Government of India say why they did not make similar agreements with other Provincial Governments? On what principle do the Government of India justify the policy of treating Indians as aliens in Burma when Burma is still being recognised as part of British India? When Burma will be separated from British India, that will be a different proposition, but so long as Burma forms part of British India, what is the principle and what is the ground on which the Government of India are prepared to justify the isolation of Indians and treating them as aliens in Burma and giving preference to Europeans as being more akin and nearer to the Burmans? (Laughter.) Sir, they are establishing a new relationship of blood between the Burmans and the British (Laughter) and trying to teach them, as it were, secretly to treat Indians as aliens and foreigners! (Laughter.) It was the result of this teaching, this mischievous teaching, I say, secretly carried on by very responsible officers that they have now succeeded in manipulating the Burma-separation problem today and it is thus that we and the Burman brethren find ourselves now in this very difficult and unenviable position. (Hear, hear.)

My point, Sir, is that even in carrying out the niggardly policy of 75 per cent. they are not consistent. On one excuse or another they are getting over it, and I have pointedly brought this policy to the notice of the Assembly, this point to which reference was made by the Government of India in their Railway Report of 1932-33. I find it there and I have noted this fact. With regard to this principle of recruitment, viz., the recruitment of Indians to the extent of 75 per cent. what I find is that in the recruitment of the superior services and in the recruitment of the subordinate services they are not uniformly following the principle of 75 per cent. It is no use giving a smaller percentage of increase in the case of the superior services and with a higher in the case of the subordinate services and then trying to arrive at an average by dividing it by two and say that it comes to somewhere near 75 or 76 per cent, and so on. My main complaint about this matter is that the superior posts are kept up in the hands of Europeans and the lower services are mainly recruited in Indians and the Indians are appointed there. In that way the thing is going on, and today the result is that the top is white and the bottom is black. (Laughter.) That is the position of the Indian railway services.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): They are growing old!

Mr. M. S. Aney: But not wise.

Now, Sir, in connection with this question of Indianisation, I also want the Government of India to bear in mind one thing. After thirty years we find the percentage of Indians in the superior services to be 38 now. At this rate, I want to know, after how many centuries are we likely to have our Indian railway services completely Indianised? How many centuries will we have to wait for at least the substantial Indianisation of the railway services? And when we look into the distant long period for which we shall have to wait for that consummation, I am completely dismayed and disheartened by the dismal prospects of the wholesale or complete Indianisation of the Indian railway services. I then say to myself that I do not know how many centuries, and what geological ages it is going to take for us to have our Army completely Indianised. Sir, the process, the principle, on which the Government of India are at present proceeding is, in my opinion, not merely slow, but essentially wrong. This is not the way to nationalise the services. If you want to do that, you will have to change your method radically. My protest is not that the principles on which the Lee Commission wanted the Government to go and which the Government reluctantly accepted in 1925 are altogether and entirely neglected by the Government of India. They are trying to follow those principles in some niggardly way. I am aware that on account of the fact that they have had to practise considerable retrenchment during the last five years that there is no doubt that there is not much tangible advance in the Indianisation of the services. My real complaint is that if the Indian railways are to be Indianised, then they cannot say that they will only direct their attention to the problem by simply fixing percentages of recruitment for the Europeans and for the Indians both. Let them say, Sir, that till the services are completely Indianised, they will stop recruiting any European at all. (Hear, hear.) Unless they take some such step and adopt some such method,— and let me assure the House that I do not want to do any injustice to those who are already employed and who are serving under covenants—no appreciable progress can take place within any reasonable time. Sir, if they really want to stand purely for the interests of the people of India, the first thing, I say, for them to do is to stop the recruitment of Europeans in England

Lieut.-Colonel Sir Henry Gidney: And have it in India

Mr. M. S. Aney: and have it in India. Unless they take to a policy like that, they will never succeed in Indianizing the Indian railways within a reasonable time. Sir, it was stated that competent Indians were not found, and for the purpose of training Indians and giving them the necessary facilities for becoming competent, a college was started at Dehra Dun. I do not know what happened, but that college was closed in the year 1932. Now on the one hand, they assert that we are incompetent and hence our men cannot go to the top and cannot be appointed to the superior services. Then, when protests have been recorded on the floor of this House, they make a grand show of starting a college. But they immediately get some excuse for stopping that college, and the process of training Indians comes to a sorry end. I am told that that college has been turned into the Indian Military Academy.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): That was on the recommendation of the Retrenchment Committee.

Mr. M. S. Aney: So I do not know what other method they have got to train Indians in order to make them competent officers now. So long as there was no college, the ground taken was, "we do not get competent men". Then the college was started, but it was abolished on account of retrenchment shortly afterwards, and now I do not know how they are proceeding. But they are appointing a few men here and there. It all seems to me, Sir, that to regard a man as competent or incompetent is more or less the discretion of the Railway Board or those persons who are entrusted with the duty of making these appointments. Now, firstly, I have suggested that in the matter of recruitment, the Board must stop the recruitment in England altogether, and they must recruit Indians here in this country (Hear, hear.) Secondly, if they consider that higher technical training is necessary for qualifying men for the higher services, then for the purpose of such recruitment they must grant or create all the facilities on a sufficiently large scale so that large numbers of people can come and take advantage of them and offer themselves for the higher posts. It is undesirable to close such institutions as they did, and then to point out to the paucity of competent men and to close the doors. Then, secondly, one of the other things which was insisted upon before the separation was ratified that the Indian Railway Board also should have Indian members. So far as the Railway Board is concerned, that Board has shrunk into a smaller number of Members than when I left the Assembly in 1930; it is now a Board of three persons—the Chief Commissioner, the Financial Commissioner and there is one other Member only. Of course there is a large staff under the Railway Board. There are five Directors and some Secretaries and so on. That is the staff. Then we come to the Agents. We have got some six or seven Agents. For all these posts, excepting one or two here and there, we are told that they do not find competent Indians.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): There is no Indian Member on the Railway Board.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): What is Mr. P. R. Rau?

Mr. M. S. Aney: I must say there is no Indian non-official member on the Board. I know that immediately an Indian is appointed, he will become an official Indian. The danger is there. However, we want an Indian to be there who can look at the question from a non-official point of view and not from the point of view of a Civilian who has been brought up in the service traditions for all these years. There is a good deal of advantage which even my Honourable friends on the Treasury Benches will not be able to deny in having a non-official Indian to work as their colleague. He will be able to present to them certain points of view which will never occur to the Centralised bureaucrat or those who are brought up in that system. From that point of view the complaint of this House has been from the very beginning to have a competent and qualified Indian public man who is intimately conversant with the business affairs and commercial and other activities of this country to be on the Board as

a colleague of the other Members; and it frequently urged that they should carry on the administration of the Railways in this country with the help of such an Indian colleague. If they had the benefit of a man like that, many of the grievances with regard to freight and rates and other matters would have possibly disappeared or been solved in a more satisfactory manner. The absence of a member like that makes it difficult even for those who are there and think otherwise to place their points of view properly at the proper time. That is what I feel. If the Honourable the Commerce Member would have the advantage of having on the Railway Board a non-official Indian of independent views, I really think . . .

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): The Railway Board is going.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): And what is coming is still worse.

An Honourable Member: Make a passing reference to it.

Mr. M. S. Aney: This would be a funeral oration for the Railway Board. The point is this. So far as the Indian services are concerned from the very beginning to this day I find that there has been no genuine attempt to bring in Indians and to train them for managing the responsible work, so that one day they should be in a position to take charge of the whole machine. That ideal is not present before their mind. The ideal is to silence the protest or to hush up the cry that is raised in the country. If somebody makes a complaint, they tentatively look into the matter and try to do something by way of a sop a tentative palliative. But there is no consistent policy before the Railway Board or those who are in charge of the Railway administration that this is the machine which is to be handed over to the whole charge of Indians and that cannot be done in one night or in one day. For that purpose they will have to see that from top to bottom competent Indians are being duly recruited so that they should be in a position to assume, in the near future, the charge of the entire machine without creating any dislocation. That ideal is not kept by the Railway Board. My main grievance is that it is only by doing these tentative things that they want to say that the policy of Indianisation is being followed and not altogether neglected by them. Sir, Indianisation is not demanded by the people in order to secure a few jobs for their sons and brothers. Indianisation is demanded by the people for the sake of making the Railways a truly national asset. We have been clamouring here for the sake of asking the Government to nationalise the Indian railways, asking them to make them a State industry and a State business. We had been urging that point here on the Government and ultimately we prevailed upon them to assume the charge of the direct managements of the State Railways. Now, what was the object of doing that? If even after the assumption of the direct management of Railways, Government is going to run them in the same way in which they were being run when they were the Company-managed Railways and not as the concern of the State, the Indian Nation, then the object for which the people have been struggling and labouring during all these long years is altogether defeated in my opinion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already spoken for half an hour.

Mr. M. S. Aney: I will soon finish my speech, Sir. My point is this. In view of all these things, my main complaint against the Government of India is that the present system of Indianisation is in itself not being scrupulously and honestly carried out. That is one thing. And if they go by that system, it will be centuries before the Indian Railways can be Indianised. Therefore, a radical change in the system and a steady adherence to the policy of completely Indianising the services within a definite period must be steadily kept in view by those who are responsible for the management of the Indian Railways. That is a grievance which we on this side of the House have against the Government. My Honourable friend, Sir Joseph Bore, in the touching peroration of his speech on the Railway Budget said that the proper ideal which should be observed by the railway authorities is economy and efficiency combined. Now, from the point of view of economy, if you really want these railways to stand on their own legs even in lean years and if you want these railways to be a business proposition even in the midst of times of depression, that can be helped, considerably only if the railways are completely Indianised and not otherwise. It is certainly not possible when there are more than three-fourths Europeans in the higher services and only a fraction of it goes to the Indians. It is economic to employ Indians and, therefore, I say that even from the point of view of economy for which my Honourable friend, the Member for Railways, has entered such an eloquent plea, we urge that the process of Indianisation should have been more rapid particularly during the last few years when he found himself face to face with a situation of deficit budgets. The one thing that should have suggested itself to him was this that these foreign servants who have to be given such fat salaries should be dispensed with as far and as quickly as possible and persons who are Indians and equally competent and who can be had at a lower pay should have been employed by him. If the Government had taken that step, the period of the depression would have been tided over by them more comfortably than they actually found it to be. Let us hope that at least the lessons of this difficult situation would not be lost upon the Government of India in the future. In this hope, Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved :

"That the demand under the head 'Working Expenses—Maintenance of Structural Works' be reduced by Rs. 100."

Mr. A. K. Fuzlul Huq (Bakarganj cum Faridpur: Muhammadan Rural): Sir, on a motion urging Indianisation of services, no Indian can possibly withhold his whole-hearted support to the principle involved. But I wish to emphasise that this Indianisation should ensure to the benefit of all. It will not be enough if non-Indians are merely replaced by Indians. Care must be taken that in the process of this replacement, extraneous forces do not come into play to interfere with the free flow of recruitment to services or the operation of the rules according to which the recruitments are made. Sir, if, in the past, Indians have suffered from inadequacy of representation in the services, particularly the railway services, I think I may fairly claim that Muslims have suffered the most. Sir, before I proceed further, I wish to make one point clear. I do not wish to raise any discordant note or to emphasise anything like

communalism, but I am taking up this position simply because I am convinced that the gravest possible injustice has been done to my community, injustice which should be redressed as soon as an opportunity presents itself. Only the other day, the Leader of the Opposition said that Indians are between the devil and the deep sea. I entirely agree with him, and I go further and say that Indian Muslims have been between many devils and many deep seas. Sir, the reports published, from year to year, of the working of the various departments, show very clearly how Muhammadans have been dealt with unjustly in the matter of recruitment to the public services. In the railway services the report of the Railway Board shows that the Muslim representation is only something like four per cent. I do not believe for a moment that it can be honestly urged that suitable Muslims have not been forthcoming. I am convinced that injustice has been done under various pretexts and the result is that Muhammadans are not getting a fair and proper treatment. Because I am convinced of the injustice done to my community, I am here to urge the claims of my community and I would equally urge the claims of the Parsi, the Sikh or the Hindu community or the Christian community or of any other community if I were convinced that their case also is one of injustice. I plead for fair play and equality for all, no undue preference to anybody. I have got certain figures with me, but I do not wish to go in great detail over them. I find in one of the Departments of the Railways, namely, the Accounts Department, the Muslims are most poorly represented. I am singling out the case of this department, because I find from the enquiries that I have been able to make, within the limited time at my disposal, that many of the employees in this Accounts Department have passed only the matriculation examination, while there are several Muhammadan graduates out of employ and who are willing to take an appointment at the lowest rung of the ladder and work their way up by sheer merit and by a proper discharge of the duties that may be entrusted to them. There is another office, called the Central Standardisation Office. I do not know if I have got the name correctly, but it is something of that kind which is soon going to be made permanent, and I am informed that in this Department over 50 appointments have been made, but there is not a single Muslim . . .

Bhai Parma Nand (West Punjab: Non-Muhammadan): May I have your ruling whether the motion is for Indianisation or for Muslimisation? I want your ruling on this point of order.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. There is no point of order.

Mr. A. K. Fuzlul Huq: I want by Indianisation that all communities should have a fair share. If the result of Indianisation is to be that only Brahmans will get in, then I will say that it is Brahminisation and not Indianisation. I am pleading for equality of treatment, and I hope my Honourable friends will bear with me when I say that injustice in any share or form must be put down. I am pleading for my community, not because they are Muslims, but because they are Indians. I submit that Indians should be provided for in railway services consistently with the question that efficiency of service is not impaired, and if qualified Muslims are forthcoming, I do not see any reason why they should not be given

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a fair chance. Does not my Honourable friend know that although rules regarding recruitment to services are in force, various influences come into play in the way of a fair application of the rules? There is indirect pressure, there is favouritism and many other forces that come into play which keep out really qualified Muhammadans from entering into railway services. I am not at all surprised that if a man at the top has got some near relations he has a natural feeling that his dependants relations, his *jathbhais* and his kith and kin should be provided first, and that is the reason why the Muhammadans are kept out and that is why members of various other communities are kept out, except the community to which the top-man belongs. I want to see all jobbery, favouritism and nepotism of all kinds that work to the prejudice of the really qualified entirely wiped out from the services, so that we may get the best value for the money we spend.

Mr. Lalchand Navalrai (Sind. Non-Muhammadan Rural): Is there favouritism in the Public Services Commission also?

Mr. A. K. Fuzlul Huq: I have had no information on that subject. I have never been acquainted with the doings of the Public Services Commission, because I have no relation of mine depending for selection by the Public Services Commission. I will soon find out, in course of time, how the Public Services Commission is doing its work. I do not wish to take up any more time of the House. I submit that while care should be taken that the services are Indianised, equal care should be taken that no injustice is caused to the members of any particular community, because it is Indianisation we want and not favouritism for anybody, whether Hindus, Sikhs or Muslims or Buddhists, or anybody else.

Lieut.-Colonel Sir Henry Gidney: Sir, I enter this debate not with the desire of defending the Railway Board, because they can well do that themselves, but to support the Mover very largely in certain things that he stated. The Honourable the Mover of this motion has charged the Railway Board with insufficient Indianisation or a slow-motion Indianisation instead of the pace he wants. With my knowledge of the subject, I do not think that this charge can be honestly levelled against the Railway Board as far as State Railways are concerned. But, I do submit, it can be levelled with every justification against the operation of Indianisation as far as Company-managed railways are concerned. (Hear, hear.) One has only to scan the statistics that are supplied to us yearly to see that the Railway Board, as far as the State Railways are concerned, have not only satisfied the Lee Commission demand, but in certain cases have exceeded the percentages

Mr. B. Das: You are wrong there.

Lieut.-Colonel Sir Henry Gidney: I will not say that my friend is an ass, but sometimes he makes interruptions like one.

Mr. M. S. Aney: Is it parliamentary to use the word "ass" with respect to an Honourable Member of this House?

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member meant any sort of reflection. As the expression has been objected to, he must withdraw.

Lieut.-Colonel Sir Henry Gidney: He is a very wise man who, at times, maketh himself an ass. I did not mean that Mr. Das was an ass. I did not mean that, Sir. I am sorry if he has misunderstood me, but he sometimes makes interruptions

Mr. B. Das: Do not make yourself an ass by your explanation.

Lieut.-Colonel Sir Henry Gidney: If one really looks at the statistics of Company-managed railways, one will find that not only is Indianisation more or less at a stand still in the official grades, but also in the upper subordinate grades. For instance, take the railway workshops of the Bombay, Baroda and Central India Railway. That Company has made a habit, or a fetish, of bringing covenanted men into the upper subordinate ranks of the workshops at Ajmer as foremen and assistant foremen, men who are Europeans, covenanted or domiciled, and cunningly wangling their promotions to the prejudice of senior Anglo-Indians, and Indians. The Railway Board, I am aware, has frequently insisted on the policy of Indianisation being rigidly adhered to by Agents of Company-managed railways. I make a charge here on the floor of the House and I challenge contradiction from the Government that most of the Company-managed railway Agents have flouted their orders and have not carried them out. I go further and say that the Railway Board have warned Company-managed railways against their non-observance of the policy of Indianisation and that these Agents have taken very little notice of it. I sit down and await a contradiction of my statement. (After a pause.) There is no contradiction. If my Honourable friend, the Mover, had confined his charges to the Company-managed railways, I would have supported him whole-heartedly. I do think he was a little bit too hard on the Railway Board so far as the State Railways are concerned.

Sir, the superior services of the railways are today recruited very largely in India and partly in England. In England, the procedure of recruitment today is divided between the Secretary of State in Council and the High Commissioner for India in London. Certain appointments are made by these two high officials and the other appointments, which are today called Indian services,—specially the Indian Service of Engineers and Transportation and Power,—are made by the Public Services Commission. The Honourable the Mover of this Motion in commenting on this point in anticipating greater fear for the future made, what I consider, rather a *faux pas*. He said it is bad today, and what is about to be given in the new Railways Statutory Board will make bad. I am afraid I cannot agree with him, because, if he studies the Statutory Railway Board Report, he will find that the position, so far as recruitment of officials is concerned, will be infinitely better in the future, because it distinctly lays down in that Report that all superior appointments to the railways will, when that Board becomes operative, be the duty of the Federal Government, which means that India will then really have the sole power and authority in the selection of its superior railway services. I do think there is much in favour of what the Honourable Member

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said that all railway recruitment should be stopped in England. But there are certain railway appointments that demand certain highly skilled qualifications and experience and we must insist on these since India cannot give us such men; the fault is,—may be our own, may be the result of the Government policy which the severe critic would say has been a “studied policy”,—in that India has not been given facilities to train her sons in these higher skilled technical and manufacturing works, and so we are unable to provide our own men who can fill these highly technical appointments, and, therefore, they must continue to be recruited from England. Until this state is remedied, it is, I submit, necessary for us to indent on foreign countries for such experts. I do think, Sir, that the railways being so highly technical and scientific in certain of its branches, we must continue to recruit people in England for some time to come. But I do hope the day is not far distant when we shall be able to recruit all our railway servants in India. My Honourable friend showed a great desire to get at the bottom of things. Well, Sir, he would have more quickly got at the bottom of the thing had he confined himself to the pace in which Indianisation is going on, not as a whole, but in certain Departments and communities.

My Honourable friend, Mr. Fuzlul Huq, with whom I am not very often in agreement, referred to the paucity of Muslim recruitment and he was interrupted by my friend, Bhai Parma Nand, who asked whether he wanted Indianisation or Muslimisation. I do think that Mr. Fuzlul Huq brought before the House a very serious position. I remember about eight years ago, on the floor of this House, I pointed out this very fact to my Muhammadan brothers, and it was then that they, for the very first time, interested themselves in their representation on railways. My Honourable friend, Mr. Ghuznavi, will remember the occasion when they came to me and together we collected certain information which was used in a demand before this House. Sir, there is no doubt in my mind, that if any community has suffered from non-employment on the railways, it has been the Muslim community.

Mr. Lalchand Navalrai: So you are the culprit!

Lieut.-Colonel Sir Henry Gidney: Sir, if my friend from Sind would only place a barrage around his voice, I would be saved his barrage of interruptions.

Sir, I would draw the Honourable the Railway Member's attention to the flagrant violation of the policy of Indianisation indulged in by Company-managed railways, specially so far as their workshops are concerned, and, in this connection, I wish to make special reference to the Bombay, Baroda and Central India Railway where, as I have said, covenanted men and Europeanisation is the established order of the day and the appointments of foremen and assistant foremen are so manipulated as to be a preserve for them and them only, and what is worse is, the Railway Board cannot interfere and stop this malpractice.

My Honourable friend, the Mover of this motion, made a complaint about the closure of the college at Dehra Dun for the training of officers in the superior railway services. But, I ask, who closed that college? I think it was the Retrenchment Committee that was appointed by this House. I believe it was they who suggested it; but why, when you have the opportunity, do you, in your lustful quest for economy, try to operate

reprisals on the Government by closing an institution which was doing good work, that is, harming ourselves and India? But apart from that, I think myself that if we mean to push this demand, it is no use doing it by words in this House and by moving a cut of Rs. 100. The Railway Board can easily afford a cut of one hundred lakhs and yet function; a cut of one hundred rupees can do no harm to them. Why not let us be more practical? Let us insist that we must be trained in our own country for all branches on our railways. That is what we must have, and a beginning must be made now.

My Honourable friend, the Mover of this motion, labours under a very wrong idea when he points out that there are very few Indians in the official and upper subordinate classified lists. Sir, last year, I made an appeal to Government that an Indian should be appointed on the Railway Board for the vacancy that was about to exist and I mentioned the name of a very distinguished officer, Rai Bahadur B. R. Singh of the Eastern Bengal Railway. I very much regret that no notice was taken of that, because that was an opportunity for the Government of India to make a gesture to this House. But, apart from that, there is no Indian in the Railway Board today.

Mr. R. S. Sarma (Nominated Non-Official): There are.

Lieut.-Colonel Sir Henry Gidney: I am glad you interrupted me, but I shall be very glad if you can show me that there is an Indian on the Railway Board. My Honourable friend, Mr. Rau, brilliant as he is in the profession, is not a member of the railway service. He is the watchdog of the Finance Member to control the financial expenditure of the railways. But he is not a Member of the Railway Board, so far as the railway service is concerned. I repeat, there is no Indian on the Railway Board. Our worthy friend, Sir Joseph Bhore, has certainly a controlling effect on that Board, but he is not a member of the railway service. The actual working Railway Board consists entirely of Agents of the railway service. They represent their own interests. I know they are honest enough to look after the administration and welfare of railway administration as a whole; but behind their heads there is that one paramount point, viz., they must look after their own railway interests first, especially in so far as their European officials are concerned, for blood is thicker than water.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Lieut.-Colonel Sir Henry Gidney: Thank you, Sir; I have very little more to add. Sir, I provisionally support this motion. (Laughter, and cries of “You will vote with Government”.) Would you mind keeping quiet until I finish? If in interrupting me you want to make use of your 12-bore guns, I'll use my cannon. When I said I provisionally accept this motion, I meant that my acceptance depended on the reply Government give. If Government prove to my satisfaction that they have carried out their policy of Indianisation on the State Railways, and if Government admit that the Company-managed railways have not carried out their policy and they will insist on this being remedied, I shall not walk into the lobby with the Mover of the motion. If they do not, then I shall vote with the Mover of the motion.

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LEGISLATIVE ASSEMBLY.

[27TH FEB. 1935.]

Dr. N. B. Khare (Nagpur Division: Non-Muhammadan): Mr. President I rise to support the cut moved by my friend, Mr. Aney. Sir, I am a new arrival in this House and it is possible that I may commit some mistakes, but I hope you will bear with me for some time. Being a new arrival, I am not conversant with any Ackworth or awkward commissions or Lee loots. I will look upon this question from a different point of view, from the Congress point of view. Sir, this complaint about Indianisation is not only a hardy annual, it is a perennial one, a perpetual one, and so long as we are what we are, it is going to remain so. There is provision made in the Act itself, under which the government of this country is carried on, for this complaint. If I am right, I remember that there is some phrase in the Act somewhere to this effect: gradually increasing association of Indians with the task of the governance of the country. The phrase is clear enough: the increasing association of Indians must be gradual; and for it to be gradually increasing it must never be complete: otherwise it will cease to be gradually increasing. (Laughter.) So, in this phrase itself, you can find grounds for the complaint. There are several phrases on a par with this. There is one more phrase of which some people of a particular political persuasion are very much enamoured, which runs thus: gradual realisation of responsible government by successive stages. Here again the realisation of responsible government must be gradual . . .

An Honourable Member: Progressive.

Dr. N. B. Khare: Progressive: it does not matter—it makes no difference. If the realisation ever comes at all, it will never be progressive: it must be progressive, therefore, it must never be complete. We are in this situation, and, therefore, it is no wonder that such perennial complaints arise in this House, and we have to come to this House and cry ourselves hoarse for the redress of these complaints. If I may say so, this complaint is as old as Johnnie Walker 120 years old and still going strong. This complaint is very kindly nurtured and watered by our benign Government so that we might come here every year and please our palate by chewing this complaint with our sweet tongues. If really the Government is serious in giving heed to our complaint they must do something substantial towards the removal of that grievance; but are they doing it? They cannot, because, although the Government consist of foreigners, and we are under foreign domination, that is not the only worst thing about it. The domination is not only foreign, but is meant to be for exploitation; and so long as the exploitation is there, of course I do not expect that this Government will do anything in the matter of removing our complaints. The whole fabric of this administration is really based on two simple small Anglo-Saxon words: what are those words? Grab, and Brag. When we place our grievances that a certain pledge is not kept, that a promise is not kept, we get some sort of yarn from those Benches and we are asked to be quiet and behave like good children. That is brag; and when they plot and scheme to keep us away still further from our desired objects, that is grabbing; these two things go on merrily together hand in hand . . .

An Honourable Member: Permutation and combination!

Dr. N. B. Khare: Yes: really speaking, if this Government had honoured their pledges given in the past, we would have had no occasion to come to this House and make these complaints. But even a pledge of that august Queen Victoria, which was given in 1858 after the mutiny, was and is being honoured in its breach: and a Viceroy had the effrontery to say that it was an impossible character. What value can you attach to promises given on the floor of this House or any where else when such pledges given by august personages like the Sovereign himself are trampled upon in this manner? They say that something is being done: I am sure they will continue saying so, repeating this pledge to Indianise the railway services: let alone big jobs: even when they do something to Indianise the smaller jobs, they act in a niggardly and miserable manner. Really speaking this cry should not be raised: or rather we are helpless in this matter: Why? Because the Government are the worst communalist in this matter: they have reserved everything worth having, so far as they can help it, for the Europeans. If we cry for Indianisation, they must thank themselves for it: we cannot help it; but so far as I am concerned I do not care what community there is, so long as it is Indian: it should be Indians alone, whether they are Anglo-Indians or Muhammadans, or Hindus or Parsis—I care a tuppence for it; but it should not be Europeans. But I do not blame the communalists among us because naturally they take their cue from the paternal Government which is communalistic in this matter . . .

An Honourable Member: Paternal or maternal?

Dr. N. B. Khare: It is *Ma Bap*—combined both. As an example of how the Government carried out the policy of Indianisation even in small jobs in the most niggardly and fraudulent manner, I will quote one instance. Let alone the big and soft jobs: this is with regard to a small job of an Assistant Station Master at Itarsi on the Great Indian Peninsula which is a State-managed railway so far as I understand: my friend, Colonel Gidney, will note—he made a great excuse for the Railway Board: and it is in this railway that these things happen. This Assistant Station Master's appointment was "A" grade—it is not for Indians; and when the administration wanted to Indianise it, they sent a man there an Indian—on Rs. 75: the pay of the job up to that time was Rs. 345. This is Indianisation. Not only that: there are some bigger posts there carrying Rs. 345 and held by non-Indians if I may say so: they are not very big jobs, but still they are held by non-Indians, and if Indians are appointed, what pay was given to them? Rs. 80 per month.

An Honourable Member: Economy!

Dr. N. B. Khare: Why do not they have this economy all round? Why do they have this particular kind? There is a still more funny instance,—again at Itarsi; and this time it is the Station Master's job. When it was in the hands of a non-Indian person—whether he was 16 annas European or not, I do not know—he was getting Rs. 395 and the station was classed as first class. When it was Indianised the Indian was given Rs. 225 and it was classed as a second class station. Subsequently, when the Indian was removed and another non-Indian was again brought there, he was given again Rs. 395 and the station was again classed as "A". This is how they are carrying out Indianisation with a vengeance. Sir, this is

[Dr. N. B. Khare.]

the niggardly and fraudulent manner in which things are managed by the Railway Administration,—let my friend, Colonel Gidney, please note. Now, if this is the way, if this is the fashion in which Indianisation is carried on, I will say, Sir, God save us from Indianisation. Really speaking, I am not at all for any kind of "Isations". I want power to appoint people, to carry out my policy in the interest of my country, dictated by my Government, and if that policy is carried on by any kind of people, whether Europeans, Hindus, Muslims, Christians or Parsis, I do not care so far as I am concerned. (Cheers from Congress Party Benches.) I am perfectly certain about one thing; we may cry from year's end to year's end, but we will not gain our object, because, as I said before, the whole administration is unrighteous. They will benefit themselves, their own pockets, and so long as we do not create sanctions behind our demand, I do not think that we shall gain anything in making these demands; but still we have to carry on things like this as sometimes we carry on our religious functions

Mr. M. S. Aney: Without believing in God?

Dr. N. B. Khare: Yes, in the same way we have to carry on these things, until we are in better times from our point of view. Sir, it is our birthright to have our administration in our own hands, to run it by our own personnel, for our own benefit, and this birthright cannot be obtained by making grievances in this House, especially when the people in whose hands lies the remedy for setting right our grievances have interests diametrically opposed to ours. So in coming here this is what we find. And when we go back we will be in a mood like this. It is a common couplet which says:

*"Sangdil ko sang leke sangdil ke sang gaye,
Jinka dil tha sang marmar unke sang mar gaye".*

"Of course, they are white no doubt, and they have got a heart, but it is not only as hard but as cold as *Sanga Marmar* or marble rocks". So, we have, after all, to dash our heads against that marble and return from this House and see what we can do outside and come in again to see if that stone will melt at all. With these words, I support the cut.

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 (The Honourable Sir Abdur Rahim) in the Chair.

Mr. President (The Honourable Sir Abdur Rahim): The Chair desire to remind Honourable Members that the European Group would move their cut motion at 3 o'clock according to the arrangement arrived at between the Parties, and the Chair would ask them to bear that in mind

Sardar Sant Singh (West Punjab: Sikh): Sir, the very fact, that year after year a cut motion on this subject is tabled worded as "Indianisation of Railway Services", goes to show that there is something wrong in the whole system of administration in India. We, Indians, who should be the only claimants to the posts in our own country, really feel humiliated when we find that we have to fight for our rights even in our own country. As a matter of fact, we should have expected that the motion should be worded in some such language as this, "a few Europeans to be recruited for certain technical subjects". But, on the contrary, we are told that in this country of 350 millions of people they have not yet been able to find Indians who can know something of railway technique or are expert in various branches of the railway administration. May one ask a simple question from the power that be, that how is it that when a small country like England could furnish experts in all branches, in all services and in the various activities of the State, a country of 350 millions cannot produce those experts? If they have not been able to produce these experts in the last 150 years of British rule here, may I know when we are going to have those experts? Or are we not going to have them at all? Are Indians intellectually inferior to such a degree that even with the best of masters Indians have not been able to come up to the level which fits them to fill up the jobs in their own country? This is a monstrous proposition to which no Indian with any self-respect can subscribe. We have not been able to understand the position taken up by the bureaucracy in India that Indians are not able to fill any job which requires technical knowledge. Why introduce any service if Indians cannot be trained as experts to handle that service? Why not begin with a planned scheme by which the technical branches of the Indian railways may be classified and the qualifications necessary to fill up the appointments noted,—open training institutions where that technical knowledge may be imparted; fix up a time limit within which the whole of the technical branches should be replaced by Indians after due training. Why has it not been done so far? Every year we are told that technical men must be imported from abroad. May I know why? What is this logic, what is this reasoning? There is no sense in it. I can understand if technical men are imported for a year, for six months or some time, for even a couple of years, but not for all time to come. The want of a planned scheme of some sort is adding to the unemployment that we find today amongst our own educated classes. My Honourable friend, Sir Henry Gidney, has told us that, so far as the State-managed railways are concerned, Indianisation is going on with a rapid pace, but so far as the Company-managed railways are concerned, the need for hastening the pace is greater.

Mr. A. H. Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Not in the Bengal Nagpur Railway.

Sardar Sant Singh: I do not know much about that railway, and, therefore, I cannot say one way or the other.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Did the Honourable Member say that the Bengal Nagpur Railway has been Indianised?

Mr. A. H. Ghuznavi: I said it is going on with Indianisation rapidly.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. No conversation across the floor of the House is allowed.

Sardar Sant Singh: My point is that State-managed railways are as badly off in this respect as the Company-managed railways. I do not think any gentleman can safely challenge me when I say that if we are serious in bringing about Indianisation in services generally and in the railways particularly, it should not take more than five years to do so if a proper will is behind it.

Mr. A. H. Ghuznavi: How in five years?

Sardar Sant Singh: My Honourable friend, Mr. Ghuznavi, asks me how it can be done.

Mr. A. H. Ghuznavi: In five years I said.

Sardar Sant Singh: I say it can be done in a lesser period than five years if we put our shoulders to the wheel. How is it that, when a new service comes into existence in foreign countries, those experts come into existence simultaneously, while, in India, it requires the importation of foreigners each time new services are introduced? I refuse to believe in the supposition that we are inferior to any race in intellect, physique or mind. Those who want us to remain suppressed say that this cannot be done within this period or that cannot be done within that period. Coming to another question which was raised by my Honourable friend, Mr. Fuzlul Huq,—I do not find him in his seat . . .

Mr. A. H. Ghuznavi: I am here.

Sardar Sant Singh: I am glad that there is a substitute sitting in this House. Mr. Fuzlul Huq said that there was a paucity of Muslims in the railway services and he wanted that, if Indianisation was to come at all, it should come at all, it should come through the Muslimisation of the services, and not otherwise.

An Honourable Member: There is no doubt about it.

Sardar Sant Singh: Of course, there is no doubt about it. I quite agree with this, but in a different sense. Such a claim reminds me of a story. A beggar saw a very pretty lady riding a camel, adorned with very valuable jewellery on her person, and her very handsome husband going along with her. The beggar asked for some alms from the lady who gave some alms and she asked the beggar to pray to God that she may get something more. He was surprised at such a request and said: "My dear Lady, you have got a pretty face, a very handsome husband and lot of jewellery and you are riding a camel. What more do you need? If you want something more, I will advise you to put up a pole on the back of the camel and ride higher". The Muslims, after getting all they wanted, cry for still something more. That inequitable and most abominable circular that has recently been issued by the Railway Board for the employment of Muslims in the various departments of the railways has practically Muslimised the services. Yet, Muslims want something more. I am thankful to my friend, the new Honourable Member, who spoke last,—for the two very happy expressions

"grab and brag" which exactly apply to the case of Muslims. The Muslims act on the motto. "Take all you get and then go on bragging. We have got nothing" This is the way in which our Muslim friends are proceeding in this matter. However, I am not dealing with this subject. If I get a chance to move my cut, I will show from facts and figures how my community has been ignored in the railway services. I will only say this now, and then finish. I expect the gentlemen belonging to all the communities in this House to put their shoulders together and vote in order to make it clear to the Government that we are rather serious in making the pace of Indianisation speedier and more rapid than it is at present.

U Thein Maung (Burma: Non-European): We shall vote for the motion as we understand that Indianisation means Burmanisation so far as Burma is concerned. At the same time, we wish to protest very strongly against the suggestion that qualified Burmans might not be available. Our University has been turning out a large number of graduates every year, and we maintain that they can hold their own against graduates of other Universities. We also have others who have had their education in English Universities. As a matter of fact, some Burmans have been tried in the superior services of the Burma Railways, and they have been found to be quite capable.

Mr. Ahmed Ebrahim Haroon Jaffer (Bombay Central Division: Muhammadan Rural): Sir, in the convention of 1924, the Government gave a solemn undertaking that they would expedite the Indianisation of services in the Railway Department. Indianisation does not mean the recruitment of one particular community, but Indianisation really means fair and equitable treatment of all. It is not fair for the majority community to deprive the minorities by catchwords of nationalism, efficiency or acquisition and distribution. The majority community who are advantageously placed cannot press the minorities not to bring forward their claims . . .

Mr. D. K. Lahiri Chaudhury (Bengal: Landholder): Even the majority community has not got adequate representation in the Railway Service.

Mr. Ahmed Ebrahim Haroon Jaffer: That is not my lookout. You see the Railway Authorities. No nationalism can be formed until and unless the majority community comes forward and safeguards the interests of the minorities. The story of the Mussalmans in the railway services is woeful.

Mr. M. S. Aney: May I inquire if the Honourable Member is supporting my cut?

Mr. Ahmed Ebrahim Haroon Jaffer: If the Honourable Member will hear me with some patience, he will know. Year after year, the Muslim representatives press the claims of the Mussalmans. Year after year, undertakings are given by the Railway Board, and year after year we find them in the same position. Out of all the minorities, the Mussalmans suffer the most. They form about 25 per cent. of the population of this country, but their representation in the higher services is only 4.41, in the upper subordinate services 4.7, and, in the lower grade services, it is in the neighbourhood of 12. The percentage is made up by peons and chaprasis.

[Ahmed Ebrahim Haroon Jaffer.]

The Government of India, by a recent Resolution, has fixed 25 per cent. for the Mussalmans, but it is extremely unfortunate that the share of the Mussalmans has been whittled down from 33½ to a meagre figure of 25 per cent. The Railway Board, without consulting the Mussalmans and against the statistical calculations of their own Department, has issued a circular reserving a certain proportion in various lines. The proportions fixed are 60 per cent. for the North Western Railway, 45 per cent. for the Eastern Bengal Railway, 35 per cent. for the Assam Bengal Railway, and other railways have been asked to maintain the existing low proportions of Mussalmans on those lines. This order about this new proportion is exceedingly unfair. No mention is made for the deficiency in the present deplorable proportion. Before these orders were issued, the Government of India satisfied themselves that the present paucity of Mussalmans in railway services was not due to their own fault. It was proved to the satisfaction of the Government of India that even one division of the North Western Railway can produce a sufficiently large number of qualified Mussalman candidates for all the available posts on the whole of that railway. It is a matter of common knowledge that the railway accounts offices, in which the proportion of Muslims is the smallest, are manned mostly by non-matric Hindus. Muslims with better qualifications are available and have always been available.

There are certain defects in the orders recently issued by the Government of India for the recruitment of minorities to which the attention of the Government has already been drawn by some Members of this Legislature, but no action has been taken on them.

During these days of retrenchment and economy, the proportions of certain other minority communities who were already over represented in the Railway Department have actually been increased, e.g., the proportion of Sikhs, Indian Christians and other classes taken together was 4.58 per cent. in 1931. It went up to 4.74 per cent. in 1932, and, in 1934, it stands at 5.06 per cent. In particular, the total number of Indian Christians has increased from 14,398 to 16,167 from 1932 to 1934, although during this period the total number of the entire staff on railways fell from 7,31,979 to 7,01,362. In other words, whereas there was a total reduction of more than 30,000 during these two years, the number of Indian Christians was in fact increased by about 2,000. The only minority community which is not adequately represented in the railways is the Muslim community. Its share should not have been further reduced.

I appreciate the efforts of my Honourable friend, Mr. Aney, for Indianisation of services, and I hope that my Honourable friend will equally appreciate our desire which is equally sincere that the minorities should be treated in a fair manner and fair justice and an equitable share should be reserved for the Mussalmans in every grade of service for the same reason which my friend has advanced for the Indianisation of services.

Sir, I support the motion.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, there is just one important point that I would like to bring to the notice of this Honourable House and specially to the notice of the Honourable Member in charge. Mr. Aney complained, and rightly complained, about training for Indians to qualify them for railway service.

I think he stated that Government may be able to say that there are not sufficient qualified Indians to fill the higher grades. I think that is wrong. There are Indians, and what I desire to point out to the Honourable Member is that the number of qualified Indians that have been retrenched from the department lately is pathetic. There have been many Indians, educated in England, with degrees and qualifications equal to any held by Englishmen or Europeans, who after having served in the department for eight to ten years have been ruthlessly retrenched. Well, Sir, that does not appear to be a sound way of Indianising the services. I am not communally minded, but I am quite prepared to see the minorities properly represented in all our services, and I trust that my small community will not be forgotten (Laughter) (Hear, hear), because we happen to be merely concentrated in one part of India. I am not making any complaint about it but I do say that if we are to get on peacefully in this country, we must see that the minorities are satisfied, and I do not think, Mr. President, there is anybody in this House who really desires to deliberately neglect any minority. (Hear, hear.) Sir, it is rather pathetic to see qualified men, who come from these minority communities, so ruthlessly retrenched, and, having examined several of the cases of retrenchment that have been brought to my notice, I will repeat, of men educated in England, some of them recruited on a temporary basis by the Secretary of State. I must say I feel doubtful about the principle of Indianisation. And perhaps these men will not be employed again by the Railway Companies, but recruitment will take place afresh from England, and these men's lives will be ruined.

Mr. A. H. Ghuznavi: They will have the first preference.

Sir Cowasji Jehangir: My friend, Mr. Ghuznavi, says that these men will have the first preference. I can only hope and trust that that will be so, but I have my doubts. (Hear, hear.) Once a man has left the service for two or three years, he is likely to be forgotten

Lieut.-Colonel Sir Henry Gidney: Quite right, quite right.

Sir Cowasji Jehangir: regardless of his qualifications, regardless of the number of years he has put in, regardless of the sacrifices he has made. Some of these men, Mr. President, who were recruited in England on a temporary basis, were given hopes of permanent appointments. They got married, they had families, and after eight or ten years' service they were thrown on to the streets. Is that a fair way of treating your services, and is that the best way to Indianisation? I should have thought that when your principle was Indianisation, you would not have retrenched a single Indian qualified to serve you, who had spent his own money to go to Europe, to get educated, you would not have retrenched those men at all, and that you would have seen that you nursed them until better time came. I think, Mr. President, these criticisms of mine are founded on facts; and, notwithstanding the attention of Government being drawn to this state of affairs, I still regret to find that nothing has been done as a remedy. Another fact, Mr. President, I would like to bring the attention of this House to. I am not on such solid ground here as I was on the other point. There is a complaint amongst Indians, qualified Indians, in the railways, that very often their services are dispensed with without legitimate grounds.

Mr. A. H. Ghuznavi: Before their time?

Sir Gowasji Jehangir: I have got one or two cases before me now. I am not going into details, but, on the face of it, it does seem to me that it is curious that when this House has been urging for years that the services should be Indianized, we should find men, well-qualified, and most of them that I have in mind, educated in England, suddenly turned away from service on one pretext or another. The allegation is—I am not inclined to believe it—but the allegation is that their places are taken by some below them who do not happen to be Indians. Well, Mr. President, I was one of those who did not pay attention to these complaints when I first heard them. I thought there was a certain amount of exaggeration, that I had only heard one side of the question. But when such cases begin to multiply, I must say I begin to feel rather suspicious. I begin to feel that there is something wrong about this principle of Indianisation, that some at least of those who have instructions given them to carry out this policy of Indianisation do not mean to do so, but mean to take every advantage of their position and their authority, to see that that policy is not carried out (Hear, hear); and when such cases are brought to our attention, we find a fairly good case put on paper before us for justifying the dismissal. But when these cases begin to multiply, I will repeat, I begin to get a little doubtful. Mr. President, I trust that this policy of Indianisation will now become a serious problem with the Railway Board, and that they will see to it that no Indian is replaced unless they are dead certain themselves that he deserves to leave the service, and that they will not depend upon reports from howsoever high an officer who may have in his hands the destinies of many a young Indian. (Applause.)

Mr. Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): Sir, I thank you for the opportunity you have so kindly given to me to take part in the discussion on the subject of the "Indianisation of the railway services". But, Sir, I do not understand the subject itself. Sir, I hear the cry of Indianisation every now and then. Some say: "Indianise the railway services". My friend, Mr. Aney, for instance, says that. Others say, for instance, my friend, Sardar Mangal Singh, may come forward and say, "Indianise the Army of India". Then, a friend from the Independent Party may say, "Indianise all the public services of the country". Now, may I ask, Sir, what then will the British do? (Laughter.)

Mr. S. Satyamurti: Go home. (Laughter.)

Mr. Ram Narayan Singh: Sir, the Government is foreign, and all the Departments of that Government are meant for particular purposes of their own, and in every Department there is the question of the ruler and the ruled. The rulers will frame the policy, will hold all key positions, and do all the brain work, and the ruled are meant only to do according to the orders they receive. In riding men do the riding and enjoy it and horses are used for the purpose. If the horses come forward and claim the responsibility of doing the action of riding, is not the claim impossible? I take it for granted that all the services of the country have been Indianised. of what good will it be to the country? I see some Indians

occupying the Treasury Benches. I hear that they form the Government of the country. But what is the good of it? Are they doing any good to the country? I say they are more dangerous. Sir, the Honourable the Leader of the House is craning so that he may hear me clearly. I, therefore, say more loudly that Indians in the services are more dangerous than the Government themselves to the cause of the liberty of the country. Sir, the thing is this. The monopoly of the railway services by the British people will continue till the Government will continue. That is a foregone conclusion. If we are men of action and if we are men at all, we should get rid of the Government first and then the Government officials will go away automatically. Sir, I do not study and quote figures because I consider it perfectly useless. What is the use of making a learned speech in this House when I see defeat after defeat is being inflicted upon this Government and yet they are going on as merrily as before. Sir, does it not amount to this that the constitutional methods of this country are a total failure? If the Government are not going to listen to the opinions, votes and judgment of the representatives of the people of the country, let them know that they are encouraging those who advocate the use of physical force and violence in this country who, if this policy fails, will come forward. We know the Government and we know the several departments. The Honourable Sir Joseph Bhore, before he concluded his speech, said:

"I would ask the public sometimes to glance at the other side of the picture, at the organisation, the forethought, the unremitting care, the technical skill and the devotion to duty on the part of the lowest to the highest official which are essential if the railways of India are to meet effectively and efficiently the administrative and economic needs of the country."

Sir, I do not understand whether my Honourable friend is himself misled or was trying to mislead others. I think he was misled only to mislead others. Sir, do the railways of India provide for the administrative and economic needs of the country? To say yes is to talk nonsense. Sir, the railways of India are meant for the speedy transport of British troops from one place to another throughout the country, to force the people of this country into abject slavery and subjection and also for the discovery into the interior of the country of markets for British goods. These, in fact, are the aims and the objects of the Railway Department, and, these being the aims and objects of the Railway Department, the question of Indianisation does not arise. With these words, Sir, I do not like to support the motion, but I shall vote for it, because it is a pleasure to vote against this Satanic Government.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I rise to support the motion of my Honourable colleague, Mr. Aney, for Indianisation, but, before I do so, I would like to understand the significance of the word "Indianisation". This word has been very much misused by certain communities who are advantageously placed. The claims for Indianisation of services are certainly not based on grounds of efficiency, but on grounds of patriotism and with a desire to find living for the sons of the soil of this country. Had efficiency been the objective, the distinction between Indians and Englishmen and even between Englishmen and Continentals would not have been in question. We see that an Englishman is preferred to a German or American in spite of inadequate qualifications. Under the conditions prevailing in this country, I think I am perfectly consistent in pressing for an adequate share of

[Mr. Muhammad Nauman.]

minorities on the same ground of patriotism as any other and I must be sure of the position of the Muslims before Indianisation on the present basis is actually given effect to. The majority community, to whom Mr. Aney belongs, sometimes most unfortunately change their vision in making distinctions between one Indian and the other and do begin to talk of efficiency, experience, this and that, to keep away the minority communities from their adequate and legitimate shares. This has been the position in many departments if I am only allowed to say so without interruption of the Opposition Benches. Last year, while discussing the question of the paucity of Mussalmans in services, in the Assembly, Diwan Bahadur Mudaliar explained the attitude of the majority community by introducing a story by way of an example. He said:

"There is a saying in the South that two people went out and one of them suggested to the other; 'You bring the rice and I will bring the husk; let us mix the two together, and we will divide it equally after winnowing.'"

That is the sort of argument that is at times suggested and probably the majority community sometimes feel that the other communities do not share them in the trouble as much as they do. That is why the majority community thinks that certain privileges should be only theirs and none else, and all those who are in a comparatively advantageous position do not like arguments of adequate shares as they class such arguments as anti-national and communal when any demand of equality is pressed. When we are busy in asking for further powers from our so-called masters, the Englishmen, the majority community does not feel at this time inclined to discuss the question of adequate division. We, the Mussalmans, are so unfortunately placed, that even if Indians do get into powers to manage their railways, we will have to face our rival friends the majority community, in this country who at times are not willing to accept us as partners in the same position as they may be themselves placed. Of course it would be too much for me to say that sometimes they give themselves the air of "masters" or of *kartas* of a joint family of India, where the other members are in constant danger of being ignored. Our unfortunate experience has been that if we at all climb the bar of "our masters", our legs are pulled down by our own majority brothers. Sir, I admit that the position of Indians is most unsatisfactory on the whole, but the position of the unfortunate Muslims is much worse in subordinate services. It is deplorable in intermediate and upper subordinate services and absolutely hopeless in officer's grade. I draw the attention of the House to the figures on pages 58 and 59 of the recent Administration Report where I find the Muslims in higher services are only 4.41 per cent., and, in the intermediate grades, they are only 4.73 per cent. I am confident that non-Muslim Members of the House will agree with me that Muslims deserve more than 4.73 per cent. in subordinate services.

Sir, we claimed 33 1/3 per cent. as the adequate share of Muslims in all the services in India. Unfortunately the Government brought down the percentage to 25 per cent., but here I find that our share is not even five per cent., and no steps are taken by the Government to increase this percentage to any reasonable figure. The most unfortunate feature of the whole argument is, as I notice, that in all the arguments brought forward by certain classes of Honourable Members, including my Honourable friend, Mr. Aney, they have never laid any stress on the point that Muslims and other minority communities in India like the Indian Christians

and the Sikhs or any other minority community will have their respective share in the services in the same ratio as the majority community claims. Sir, it is common knowledge that Muslims are kept back from promotion sometimes on the ground of absence of seniority, sometimes on the ground of efficiency and sometimes on the ground that there is no one to speak in their behalf. It is not surprising, therefore, that in many cases the Englishmen, that is, our masters, are not responsible for the supersession of Mussalmans, but our own brethren belonging to the Hindu community are responsible for such actions. There is very poor representation of Muslims in the higher grades and they are treated everywhere like orphans.

The next point to which I would like to draw the attention of the Railway Board is the great injustice done to Muslims in the manner in which the twenty-five per cent. proportion of jobs have been distributed to the Muslims among the various railways. This distribution is not done in the interest of Muslims, not in the interest of the Hindus, but entirely in the interest of the most favoured Indian community—the Christians. Mr. Hassan, in his report after elaborate calculation, recommended a certain percentage according to which 25 per cent. of the places reserved for the Muslims may be distributed in the four State railways. The Muslim Members of the Central Legislature repeatedly drew the attention of the Railway Board to the fact that they agreed to the distribution, but the Railway Board, for reasons which they alone understood and which we cannot understand, changed the distribution. They never published the figures on account of which this change was made, and I challenge the Honourable Member for Railways and the Railway Board that their recommendation of the new distribution does not give us 25 per cent. in the State-managed railways. They had only one point of view. They did not care for Muslims or for Hindus. They only cared for Anglo-Indians and Indian Christians. I do not say that they should not have a proportionate share in the services, but all I say is that they should not have a favourite position. This is what I object to. (Hear, hear.) It was originally recommended that the percentage of Muslims in the East Indian Railway should be 35 per cent. but the Railway Board wanted to keep the present percentage of the Anglo-Indians who were employed in large numbers on this line unaffected. I have very great regard for my Honourable friend, Colonel Gidney, and his constituency, but I also have some regard for myself and for my community, and I want to impress the whole truth of the situation. Sir, I ask the Government whether they can satisfy the Muslims that the new distribution which they have made does really give them 25 per cent. Can they meet my objections by publishing the figures or satisfying the representatives of the Muslims in the Central Legislature.

Sir, before I sit down, I would like to point out one thing more, that
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in spite of our continued efforts, in spite of our demand in the Legislatures, in the House and outside, and in spite of solemn promises of the Government, both inside and outside, the percentage of Muslims has actually gone down. The law of diminishing return is applied so far as Muslim recruitment is concerned. The greater the efforts, the less our percentage. We have so far received only verbal and empty promises, and I should advise my community to take every possible step, so that Muslims might get their adequate share. I would also invite the attention of my Hindu friends that they should be more generous and they should give us a more adequate share than they have agreed to at present.

Mr. S. Satyamurti: Then drive out the Europeans.

Mr. Muhammad Nauman: So far as Europeans are concerned, they claim a certain percentage. By all means let them have it, but they should have some percentage only in the Company-managed railways on the ground of vested interest representations. Of course, at the present moment, they have not a fixed percentage, but they usurp the whole thing. This is simply most disgraceful and was only possible here in a country like India. This is rather a new theory. We, in India, are not treated properly so far as representation in services is concerned. I remember an incident that took place in 1922. In that year, a group of American visitors came to India to visit India, and I had an opportunity to meet them and narrate to them the way in which things were managed in India by the Government and by vested interest companies, and they were simply shocked. Probably the Englishmen do not tell the outside world how things go on here and how the vested interests in the Company-managed railways are taking advantage of poor Indians. However, it will be out of order to discuss these things here. I would impress on the Government that even in those railways, which are not State-owned, the Government should always try to give adequate share to the sons of the soil keeping a certain share for the Englishman on the ground of vested interest. With these words, Sir, I close my remarks.

Mr. Fakir Chand (Jullundur Division: Non-Muhammadan): Sir, I rise to support the motion of Mr. Aney whole-heartedly and not half-heartedly as my Honourable friend, Colonel Gidney, has done. Of course, it is quite true that most of the Honourable Members belonging to different communities have put in their respective claims for special percentage for their own community, but I may submit that I do think that I do not belong to any particular community, except the Indian community. I do not claim to belong to any particular community. We have had from the previous speakers that the question of Indianisation has gone through several stages. We had first the Islington commission in 1910. Then we had the Montagu Reforms declaration in 1917 that they wanted to have an increasing association of Indians in every department of the administration. Then, after that, we had the Lee Commission in 1924 which stated that the recruitment of Indians should be 75 per cent. to the superior services. In spite of all this, just look at the figures. You will find that, as a matter of fact, so far as Indianisation goes, we are still very backward so far as the figures are concerned. I will just read one short sentence from the latest report of Railways for 1933-34, because the report of 1934-35 is not available. At page 16, para. 76, we find:

"It will be observed that the Indian element in the superior services has risen from 28.02 per cent. on State-managed and 17.74 per cent. on Company-managed Railways in 1925 to 41.25 per cent. on State-managed and 33.21 per cent. on Company-managed Railways in 1934 by a corresponding reduction in the European element."

So that, up to 1933 or 1934, the maximum limit to which Indianisation had reached was 41.25 per cent. on the State-managed railways and 33.21 per cent. on the Company-managed railways. Now, after about 70 years of the advent of the railways, is it not a matter for great regret that the Government should not have thought it fit to increase the ratio of Indians in the services? They only come up to 41 per cent. so far although we have had several pledges and declarations by various Prime Ministers

and Royal Commissions that the representation of Indians in the higher services will be increased even up to 75 per cent. It is not only that. Another plea is advanced that, so far as certain departments are concerned, Government are not going to employ Indians inasmuch as they lack special technical knowledge. Well, there may be some such departments, but the question is, what about those departments which do not call for any special technical knowledge other than what is possessed by Indians? Take the Stores Department or the Engineering Department. Have you completely Indianised those departments? I submit you have not. So that, so far as these excuses are concerned, they have no meaning. The Lee Commission recommended the provision of increasing facilities for the training of Indians for special services, and what was done? A college was opened at Dehra Dun, but, soon after, it was closed, and we have no college since. So that it is only an empty excuse to deny to Indians their birthright to be associated in all departments of railway administration. They have only to pay for these railways but so far as appointments go they are not to get them, particularly so far as appointments in the higher grades are concerned. And there is something still more funny about it. In the North Western Railway, so far as I know, the policy in the last few years has been to increase the number of superior officers and to decrease the number of subordinates. For instance, take this divisional system about which two Honourable Members spoke, though they did not dwell upon it in detail. If you only look at it with a greater scrutiny, you will find that it means this. We had first of all the district system under which the district officers controlled their subordinates. They were in touch with them, but now they have introduced the divisional system. The whole of the North Western Railway area has been divided into seven divisions and divisional officers have been appointed, each drawing from Rs. 500 to Rs. 900. But there is absolutely no necessity whatever for the appointment of these divisional officers. On the other hand, so far as the personal touch goes, that is gone and the higher officers are not so much in touch with their subordinates now as they used to be before, and they have no chance of coming into contact with their subordinates. And the expenses of the railway have increased to a very great extent by the employment of this divisional system. I submit that it is entirely unnecessary. Many speakers have dwelt on this subject, and I appeal to the Railway Board to abolish this system.

In addition to that, I say that when you talk of Indianisation, you have not only to look at the matter from one point of view. Indianisation means, as a matter of fact, looking after the interests of the Indians. But what is going on now is this. So far as the higher officers are concerned, they are given all sorts of privileges. Take the case of Delhi, for instance. You will find that Government have got specially built bungalows for the highly paid officers. On the other hand, so far as the subordinate departments are concerned, these clerks who may number about three thousand or more have no arrangements made for their accommodation. They have to go to Subzi Mandi or some other dirty quarters of the City, with the result that they have got to take medical advice on every subject concerning the health of their families. Not only have they to pay high rents in the City, but they have to live in dirty quarters and to pay for the medical attendance of their families and children. Just look at the matter from this point of view that, for these highly paid officers, Government provides special accommodation on cheap rent. So far as the subordinates are concerned, they are nowhere. And it is not in Delhi

[Mr. Fakir Chand.]

only that you find this. In other places also like Karachi or Lahore, there is no provision for them, nor is any allowance given to these subordinate officers. So that, when we talk of Indianisation, I say you must treat these subordinates who are all Indians at least fairly and justly. So I submit that not only should there be Indianisation from top to bottom in the railway administration, but also that the Indians who are employed, whether they are in the subordinate staff or elsewhere, should be treated fairly and squarely. With these words, I support the motion.

Several Honourable Members: The question may now be put.

The Honourable Sir Joseph Bhore: Sir, the subject of Indianisation has been described by one or two speakers as a hardy annual. It certainly raises its head at every budget discussion, and it raises criticism along more or less familiar lines. Equally, it evokes a reply which, from the very nature of things, cannot differ very materially from its predecessors except in so far that the figures which are marshalled in support of the reply may have to be brought up to date. Now, Sir, so far as the principle of increasing Indianisation is concerned, there can be no difference whatsoever between Government and Honourable Members opposite, always excepting, Mr. Ram Narayan Singh. We are committed, Sir, to the principle of Indianisation, but we are committed to something more. We are committed to its definite and effective application in practice; and, I am quite sure, that if Honourable Members would study the figures carefully, they would realise that we have done everything in our power to secure an effective increasing Indianisation in the superior services of the railways.

Now, Sir, Mr. Aney was quite correct in saying that the year 1924 was an important year. It was then decided, following the recommendations of the Lee Commission, to regulate the racial proportions in the services, so as to secure definitely a considerable preponderance in the recruitment of Indians. My Honourable friend was quite right when he said that the proportions then laid down were 75 Indians to 25 Europeans. Now, Sir, let us see since that time what progress has been made. Let us also take account of the limitations imposed by the fact that, until that year, recruitment of Indians had not been made on a substantial basis. I expressed in connection with another motion that it was the general view, a view shared by one of my European predecessors, that Indianisation had begun late in the day. It is no use now going back to those old unhappy far-off days. I would ask the House to realise that we have, once a new policy was instituted, done everything in our power to give effect to that policy. Let me give the figures which Mr. Aney anticipated that I would give: but evidently he has been alone, I think, in studying these figures, because no one else seems to have made reference to them. This is what I said last year:

"Take the question of recruitment to the superior services in the last four years on State-managed railways, and those are the railways for recruitment to which we are ourselves responsible. The ratio of Indian recruitment is 74.62 per cent for superior services and over 79 per cent for all gazetted posts. It is perfectly true that during the last three years our recruitment has been diminished very considerably but Honourable Member know the reason for that. Owing to retrenchment, we have either definitely stopped recruitment or cut it down to a very large extent. Notwithstanding that, and notwithstanding the size of the cadre there has, since 1926, been a very considerable improvement in the enlargement of the Indian element and the reduction

of the European element. Since 1926 when the Indian element of gazetted officers on State-managed railways amounted to 28 per cent we have progressed to 38.79 per cent. In 1933, the number of Indian officers having increased from 320 in 1925 to 429 in 1933, and the European officers during the same period having decreased from 822 to 677—a decrease of 17 per cent. My Honourable friends will realise when they ask for more rapid Indianisation that we really are limited in this matter by the number of recruitments which we are in a position to make from year to year owing to retrenchment."

It is a little difficult to answer Honourable Members opposite who speak with different voices and voice different sentiments. For instance, my Honourable friend, Mr. Aney, advocated Indianisation on the ground that it would conduce to economy. One other speaker got up almost immediately and said: "Here are cases in which Indians appointed to posts which Europeans have held have been treated differentially in the matter of pay." We are then at once accused of discriminatory treatment. I am afraid that my Honourable friends do not specialise in consistency . . .

Mr. S. Satyamurti: What is your policy?

The Honourable Sir Joseph Bhore: Then my Honourable friend, Mr. Aney, pointed out that no progress had been made in the matter of appointing Indians on the Railway Board. When it was brought to his notice that owing to reasons of economy—I think he mentioned the fact himself that the personnel had been reduced in numbers owing to economy—and when it was suggested to him that out of the three existing members one was an Indian, he said: "Oh, yes, but he is an official Indian: what I want is a non-official Indian." Now, if that is the view held by my Honourable friend, Mr. Aney, then he should welcome the new Railway Statutory Authority with open arms (Laughter), because the majority or possibly the whole of them may be non-officials . . .

Mr. M. S. Aney: I am sorry I have not got the right of reply . . .

The Honourable Sir Joseph Bhore: Then, Sir Henry Gidney made the point that while State Railways were following the policy of pushing on Indianisation on a substantial scale, the Companies were not following in the foot-steps of the State Railways. My Honourable friend is perfectly right. As far as my recollection goes, it is only the South Indian Railway which has worked up to 75 per cent; the Assam Bengal Railway, I think, has worked up to about 70 per cent; but all the other railways are in deficit and that despite of pressure which has been exerted by the Railway Board. I can only assure the House that that pressure will not cease to be exerted in the future.

Then, certain Muslim Members of this House drew attention to the state of Muslim recruitment to the railway services. I do not think that I should go into details in regard to this question, for the simple reason that I think we are for the moment considering the much larger principle of Indianisation as a whole; but I would like to say this: that now that a definite percentage has been fixed and orders have been issued in respect of Muslim recruitment, I hope that the sense of grievance under which the Muslim community have been labouring in the past will be removed. We

[Sir Joseph Bhole.]

realise that in giving effect to those orders, difficulties may be encountered, and for that reason the Chief Commissioner will be consulting the Agents of Railways who are expected to meet here next month in order to ascertain whether any special machinery is required to give effect to those orders in practice. If that machinery is required, then we shall not hesitate to bring it into being

An Honourable Member: You will not get votes in spite of that!

The Honourable Sir Joseph Bhole: Then, certain Members have referred to the paucity of Indians in the higher posts of the railway services. In regard to that, I think, I can only say, with all the emphasis I can, that it is not due to any lack of desire to give effective application to the principle of Indianisation. We are limited by certain inexorable limitations, and I will just repeat what I said in regard to this last year:

"Therefore, we are bound by a basic consideration, namely, the consideration of justice towards serving officers. Honourable Members will realise that Indian recruitment on any material scale did not take place till comparatively recently. The result is that the senior officers are largely European. When, therefore, it comes to appointments to the higher selection posts, it naturally follows that the officers who are senior must have their claims considered first. Now, I can understand the attitude which says that if an Indian and a European officer have approximately the same claim, the balance should be weighted in favour of the Indian. That attitude I can understand, but I am sure that the House like myself cannot and will not agree to pass over a European officer who is efficient and who has superior claims for a post simply because he is a European."

Nevertheless it seems to me that the Railway Board itself affords the best illustration of the spirit in which the principle of Indianisation is being applied in practice. My Honourable friend, Mr. Aney, said that so far as the Railway Board is concerned, there had been practically no improvement since the year 1924. Now, let me give to the House just a few figures. In 1924, the superior officers in the Railway Board's office were 17 in number. Of these, fifteen were Europeans and two were Indians. Today, the number of superior officers in the Railway Board's office is fourteen, and of these no less than eight are Indians, and six are Europeans. I hope that the figures which I have given will satisfy the House that we are doing everything we can to push forward the principle of Indianisation, subject to the limitations imposed upon us by the racial proportions in the higher ranks of the service and subject also to the limitations imposed upon us by the necessity of treating fairly and equitably serving personnel. I hope, Sir, that Honourable Members will not persist in pressing this motion, and that I have satisfied them that, although in the aggregate the results may not be what they hoped for, still the fault for that does not rest at our doors, and that we have, so far as lies in our power, pushed forward the principle and applied the rules in order to secure the application of that principle as effectively as we could.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Working Expenses—Maintenance of Structural Works,' be reduced by Rs. 100."

The Assembly divided:

AYES—81.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Abdullah, Mr. H. M.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U
Badi-uz-Zaman, Maulvi.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Baqui, Mr. M. A.
Barda'oi, Sriji N. C.
Bhagavan Das, Dr.
Bhagchand Soni, Rai Bahadur Seth.
Chattopadhyaya, Mr. Amarendra Nath.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Ebrahim Haroon Jaffer, Mr. Ahmed.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Fuzul Huq, Mr. A. K.
Gadgil, Mr. N. V.
Gauba, Mr. K. L.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Giri, Mr. V. V.
Govind Das, Seth.
Gupta, Mr. Ghansham Singh.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.
Jhangir, Sir Cowasji
Jinnah, Mr. M. A.
Jogendra Singh, Sirdar.

NOES—44.

Abdul Aziz, Khan Bahadur Mian.
Ahmad Nawaz Khan, Major Nawab.
Allah Bakhsh Khan Tiwana, Khan Bahadur Nawab Malik.
Ayyar, Rao Bahadur A. A. Venkatarama.
Bajpai, Mr. G. S.
Bhole, The Honourable Sir Joseph.
Buss, Mr. L. C.
Chatarji, Mr. J. M.
Clow, Mr. A. G.
Craig, The Honourable Sir Henry.
Dalal, Dr. R. D.
D'Souza, Mr. F.
DeSouza, Dr. F. X.
Drake, Mr. D. H. C.
Gidney, Lieut.-Colonel Sir Henry.
Graham, Sir Lancelot.
Hockenhull, Mr. F. W.
Hossack, Mr. W. B.
Hudson, Sir Leslie.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Kirpalani, Mr. Hiranand Khushiram.
The motion was adopted.

Joshi, Mr. N. M.
Khan Sahib, Dr.
Khare, Dr. N. B.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mody, Mr. H. P.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Muhammad Nauman, Mr.
Murtuza Sahib Bahadur, Maulvi Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Rajan Bakhsh Shah, Khan Bahadur Makhdam Syed.
Rajan Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Shafi Daudi, Maulvi Muhammad.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sheodass Daga, Seth.
Siddique Ali Khan, Khan Sahib Nawab.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.
Ziauddin Ahmad, Dr.

Lal Chaud, Captain Rao Bahadur Chaudhri.
Lindsay, Sir Darcy.
Metcalf, Mr. H. A. F.
Milligan, Mr. J. A.
Monteath, Mr. J.
Mukerjee, Mr. N. R.
Mukherjee, Rai Bahadur Sir Satya Charan.
Nayar, Mr. C. Govindan.
Noyce, The Honourable Sir Frank.
Owen, Mr. L.
Raisman, Mr. A. J.
Rajah, Rao Bahadur M. C.
Rau, Mr. P. E.
Sarma, Mr. R. S.
Scott, Mr. J. Ramsay.
Scott, Mr. W. L.
Sher Muhammad Khan, Captain Sardar.
Singh, Mr. Pradyumna Prashad.
Sircar, The Honourable Sir Nripendra.
Sloan, Mr. T.
Swathinbank, Mr. B. W.
Tottenham, Mr. G. R. F.

Manipulation of Railway Freight Rates without due regard to all the Interests involved.

Mr. W. B. Hossack (Bombay: European): Sir, I move:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be further reduced by Rs. 100."

This cut is moved in order to ventilate the opinion of this Group in regard to the manipulation of railway freight rates without due regard to all the interests affected. In our opinion we are supported by a large number of commercial organisations, both Indian and European, and many important public bodies.

The motion is made in the hope that a principle will be established to protect those interests whose contributions to the economic well-being of India is as important as that of the Railways themselves.

The interests to which I make particular reference are the ports of the country, their communications and the livelihood of those connected with the ports.

At the outset, I would say that it is universally recognised today that any claim of one mode of transport to enter into competition with another must be considered on public and economic grounds and only permitted if, after an exhaustive enquiry, it is found that it will serve the public more efficiently and at cheaper rates than the existing service. Any attempt to increase earnings by capturing traffic, which has been built up step by step, by private or other enterprise, from the very foundation, often at huge initial loss, is to be deplored and should be vigorously opposed unless the good of the country is at stake.

At the Road-Rail Conference held in 1933, it was said by the Chief Commissioner for Railways that what the Railways claimed was fair play. This being so, the Railways should respect a claim for fair play from other modes of transport—e.g., Inland Navigation and Shipping, which were established long before the railways came into existence.

I wish it to be understood that in anything I hereafter say I do not include any concession railway rates which may be quoted for the benefit of a particular trade or industry which has no bearing on the general economic position of India.

I have no definite knowledge of any manipulation of rail freights in order to detract from the traffic of the Inland Navigation Companies in Bengal and Assam, but, if proof is needed to show that the railways are out to capture as much of this river traffic as possible, I need only refer to a reply which the Inland Navigation Companies received when they advocated the construction of a few miles of road leading to their waterways in Assam. They were told these might be found detrimental to the interests of the railways in existence or projected.

I turn, however, to concrete cases. The railway freight on tea from Calcutta to Bombay is Rs. 1-2-0 per maund, the rate to Nagpur (half the distance and on the same line) is Rs. 1-8-0 per maund. This special rate of Rs. 1-2-0 was, I submit, introduced in order that the traffic should go by rail across India instead of by the cheaper sea route round India. On piece-goods the railway freight from Bombay to Calcutta is Rs. 1-1-0. The freight to Lahore which is approximately the same distance is Rs. 3-9-2

per maund. Here the Punjab is penalised, not for the benefit of Bengal, but in order that the traffic shall not go by sea, the naturally cheaper route. Now, these low rail rates introduced cannot be said to be economical ones. If they were, then the same rates should apply generally throughout. But they are not, of course, in view of the enormous losses the railways have incurred in the past five years which my Honourable friend, Mr. Govind Ballabh Pant, clearly showed in his speech on Saturday.

Then, there is the recent policy of the Railway Board under which supplies of coal for the Madras and Southern Mahratta Railway are now carried by rail instead of by sea as formerly, and it is now rumoured that the Board are also bringing pressure to bear on the South Indian Railway similarly to get their supplies by rail. As I have already said, it is incontestible that sea carriage is cheaper than rail unless the latter reduces its rates for such carriage to an uneconomic level. On a previous occasion, the European Group pressed for a radical change intended to secure the co-ordination of the Departments of the Government of India, including those of the Railway Board.

There is one commodity, wheat, in regard to which Karachi, the port in my constituency, may claim to be the most important in India. Here again the policy of the Railway Board is to divert this traffic to all rail routes. In case any one doubts the Board's policy, permit me to refer to Mr. Rau's reply to a supplementary question asked in March, 1934, when he said: "Freight per maund of wheat from Lyallpur was reduced in 1932 in order to encourage the transport by rail and discourage shipments from Karachi by sea". Varying regulations in the rail rate of freight on wheat have been made from the Punjab to Bombay, Madras and Calcutta, all of which have been designed to divert the trade in Karachi's particular commodity from Karachi by sea route to the consuming centres. It is on record that these special rates for wheat from the Punjab to Calcutta and Bombay were given in adjustment with the rates by the rail *cum* sea route via Karachi. Naturally no corresponding reduction was made in the freight rates from the Punjab to Karachi over the North Western Railway, which was principally, if not entirely, converted to broad gauge for the carriage of this particular commodity. In the North Western Railway's reply to the Municipal Corporation of Karachi on this subject, it was stated that as the railways will benefit by keeping the traffic to the all-rail routes, it would not be consistent with this policy to reduce the rates to Karachi so as to render ineffective the special rates by the all-rail routes. I am very doubtful if the railways as a whole really do benefit but if they do now, will they be able to supply the new rolling stock which will be necessary to meet the additional traffic and at the same time still maintain the present cut rates? I am sure not. Where does this railway policy lead us? Already it is depriving firms and individuals of their natural livelihood and if pursued to the utmost will threaten to isolate the ports completely as India becomes more and more self-contained and imports diminish.

In time it can only mean that the ports will be hard put to it to find the interest on the loans raised on their behalf. These ports are national assets and I submit it is of the utmost importance that their trade be maintained in so far as it is humanly possible to do so. I am well aware that the railways are also a national asset, but they should not be used in an uneconomic manner in competition with private enterprise. What would not some countries give for our ports and our sea board which requires little

[Mr. W. B. Hossack.]

or no maintenance. Any uneconomic adjustment of freight rates by rail to capture the legitimate trade of others is no policy at all, and I hope it is realised that so long as we have a deficit budget, these rates must be uneconomic. What is wanted is that in any co-ordinated transport system ports and railways should be regarded as complementary to each other and any rate cutting should be discouraged as contrary to national interests. I consider that the country's general well-being should not in this matter be subordinated to railway interests.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be further reduced by Rs. 100."

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, if I say anything on this subject, I do so not with the motive of only criticising the actions of the Government, but with the sole motive of bringing to their notice certain defects in the freight policy of the Government, which, if removed, will tend to the betterment of Indian agriculture and Indian industries. My standpoint is quite different from that taken by my Honourable friend, Mr. Hossack, but both of us want a change in the policy. I know that Government have a soft corner in their heart for Indian agriculture and industries (*An Honourable Member*: "Question") and are trying to help them in various ways. They have also helped Indian industries by giving some concessions in railway freight for raw materials required by them, and I must thank them for all they have done till now. (*An Honourable Member*: "For what little they have done.") But, Sir, what I wish to prove by citing a few cases is that the action taken by Government is not sufficient to meet the situation. I think I must not dilate on the question to prove that the freight policy of any National Government is based with the sole object of developing the national industries in a country. I think I will not be wrong if I say that India, being an agricultural country, has abundance of raw produce, and, if opportunities are given, Indian industries can be developed very rapidly.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

Sir, the main difficulty that the Indian industries are experiencing is that, in a vast country like India, the cost of transportation of raw materials from the distant parts of the country to the factory site and again the transportation of finished products to the various parts of the country is a very costly affair, and this is one of the main handicaps which restricts the development of industries in India and this is a matter in which the railways can go a long way to assist the industries. The present railway freight policy is simply guided on the principle to levy the railway freight on goods to the extent to which the traffic can bear and is based with the sole object of having an increased goods traffic earning without having any other objective in view. I object to this principle and to this policy, and, in the past, this very House has also denounced this theory and proved it to be injurious to the interests of the country. What I demand is that the freight policy of the Government should be so manipulated by which

the movement of agricultural produce from place to place or from the sites of such produce to the ports may be increased and also by which Indian industries may secure the required raw materials at cheap rates. Sir, the present rates of freight were levied at a time when the prices of all agricultural produces were on a much higher level, and, indeed, in many cases the prices were double than those obtaining at present. Hence, in my opinion, it is high time that there should be a revision and reduction of railway freights on agricultural and industrial commodities. If the railway freight rates are manipulated in the way suggested by me, the traffic on the railways will greatly increase and the price level of agricultural produce will also increase which will go a great way towards giving a substantial relief to the agriculturists.

Now, Sir, in coming to the side of industries, I may quote an example by which the railway freight policy of Government is ruining an industry in Bengal which was once in a very prosperous condition. I quote the example of the mustard oil mills in Bengal which are being ruined, due only to the railway freight policies of Government. These oil mills in Bengal have to depend for their mustard seeds from Northern India, as very small quantities of mustard seeds can be grown in Bengal. During the last few years, the Railway Administration has increased the railway freight on mustard seeds from Northern India to Bengal. This is having a very disastrous effect on the once prosperous oil mills in Bengal and several of them have had to close down. I think by this small example I have been able to prove to the House how the freight policies on raw produce can have a ruinous effect on industries.

Then, Sir, I quote the example of another national industry in Bengal, namely, the coal industry. During the last few years, the industry has been passing through very bad times, and, instead of giving relief to the industry by the reduction of railway freights for its movement from Bengal to other industrial centres like Bombay, Ahmedabad, Surat and other places, the Railway Board imposed a heavy surcharge of fifteen per cent on it. I must thank my Honourable friend, Sir Joseph Bhow, for reducing the surcharge by two and a half per cent, with a maximum charge of one rupee per ton for long distances. I think it will give some relief to the industry, but this small mercy at such a late hour is not sufficient to improve very much the condition of the industry, as foreign coal from South Africa is still competing with our Indian coal at these industrial centres very unfairly. As such, I would still request the Government, not only to abolish the surcharge altogether, but to manipulate the railway freight in such a way as to give impetus to Indian coal to compete favourably with imported coal at the industrial centres.

Then, Sir, I would like to bring to the notice of the Railway Administration one question regarding the differential rates charged on the same class of goods by different railways. I do not understand the reason for such differential rates, and I must insist on having an uniform rate for a particular commodity on all railways. I quote here the example of the railway freight charged by the East Indian Railway and the East Bengal Railway on jute and hemp. The freight on such articles over the East Indian Railway is lower than that charged by the East Bengal Railway on these very articles. Again, the rates of freight for jute to Calcutta from those stations on the East Bengal Railway, e.g., Goalundo and others, where an alternative facility of transporting goods by river steamer service is obtainable, are much less than from those adjoining

[Babu Baijnath Bajoria.]

stations where such alternative service is not available. This proves that the rates for jute on the Eastern Bengal Railway have been purposely and unjustly kept on a much higher scale than it should reasonably be. Sir, jute is one of the most important agricultural produces of Bengal, on the price-level of which depends the prosperity of the Bengal agriculturists. I am confident that if the railway freight is reduced on jute to the ports and to the mills, it will go towards raising the price of the commodity at the growing centres which will be of great benefit to the agriculturists of my province. I think I will not be wrong if I say that every Government in the world in these days of trade depression is trying to find out ways and means by which the price level of the produce of the respective countries can be raised, and I think it deserves serious consideration by Government as to how far railway freight manipulations can raise the price level of this particular commodity and for all classes of agricultural produce in the country generally. Sir, there is another way in which the railway can assist Indian industries, and I venture to suggest that this is by fixing differential rates of freight for goods manufactured in this country and for those imported from foreign countries.

Before I conclude, Sir, I must say that it is up to the Railway Administration to take the Indian industries and Chambers of Commerce into confidence so as to investigate as to how best the freight policies may be revised by which the freights not only on raw materials required by our Indian industries should be reduced, but also to give favourable freight rates to the manufactured goods to compete favourably with imported goods in the Indian markets. Sir, the standpoint taken by my Honourable friend, Mr. Hossack, may be different from mine, but still both of us want a change in the freight policy of the railways, and, as such, I shall go into the same lobby with him. (Applause.)

Mr. B. Das: Sir, while I congratulate my Honourable friend, Mr. Hossack, on his excellent maiden speech, I do not congratulate him on the theme he has chosen. Sir, as usual, my mind is always suspicious, and whenever any new stunt comes from my Honourable friends of the European Group, I rather naturally grow very suspicious. Sir, if my Honourable friend had wanted, for the sake of the economic well-being of the Indian people, that the railway freights should be revised, if he would have insisted that the Rates Advisory Committee should be changed into a Rates Tribunal and that the rates and freights for Indian manufactured commodities as now charged from place to place should be revised, I would have supported him; in fact, that point received only ten per cent. of his support, but what my Honourable friend wanted was a different thing. It was the thin end of the wedge by which, under the new Constitution and under the new Statute, my Honourable friend, Mr. Hossack, and his friends want to compel the Railway Authority and the Government of India to grant economic rates, so that British shipping interests may thrive along the coasts of India.

Sir Leslie Hudson (Bombay: European): No, no.

Mr. B. Das: Sir, we know what happened to the Coastal Traffic Bill, and we know what the desire of an Indian shipping company to demand a certain proportion of the traffic on the Indian coasts costed us. It forced

on Burma separation from India: If Burma wants to be separated, let Burma be separated, and I wish Burma all good luck, but I cannot be a party to any scheme whereby a British shipping company, that is gloating on the patronage of the Government, on the subsidies that it receives, the royalties that it receives for the carriage of mail and other things, today can be allowed to come in competition with our own railways,—railways which are running at a loss for the last five years. Sir, I do not think five years hence the railways will be as prosperous as to be able to pay back to our general revenues the contribution of five to six crores that we asked them to pay us annually and which they have not paid for the last five years. That being so, Sir, I cannot allow any claim that the shipping companies should be granted special facilities. Sir, I know the claim of the Scindia Shipping Company to be called "national"—and yet my Honourable friend, Mr. Hossack, called all the shipping companies "national". Weil, I am glad to welcome my friend, Mr. Mody, back from his toils at Bombay; he is a Director of the Scindia Steam Navigation Company, too, and will he agree to style the B. I. S. N. Co. or other British shipping companies as "national". But, Sir, where is the spirit of co-operation between the Scindia Steam Navigation Company and the Shipping Company under the control of my Honourable friend, Sir Leslie Hudson?

Sir Leslie Hudson: It has nothing whatever to do with me.

Mr. B. Das: I am glad to know that. It was the old love of my Honourable friend, Sir Leslie Hudson—the B. I. S. N. Company and the P. and O. Company—that conspired together in London. I know that the management of the Scindia Company came back with a little bit of a smiling face from London because of the intercession of my Honourable friend, the Commerce Member. Yet this combine between the B. I. S. N. and the Scindia has wrought great harm to the travelling public. Sir, from Rangoon to Orissa, the coolies used to be conveyed in old times for Rs. 8 and the National Scindia Steam Navigation Company, combined with other "national" shipping companies,—the B.I.S.N. Co.—raised the third class fares to Rs. 14 per passenger.

The Honourable Sir Joseph Bhore: They are not coolies, but porters.

Mr. B. Das: Any labourer that goes from Orissa to Burma has to pay today Rs 14, and that is the result of this national combination of the Scindia Steam Navigation Company and the British India Steam Navigation Company. I would like to know from some friend of the European Group, when he rises to speak, whether the Scindia Steam Navigation Company is a party to this demand, this unnatural demand, which my Honourable friend, Mr. Hossack, has made that Government should reduce the railway freights, so that it may enable the coastal shipping companies to carry goods in competition with railways.

Mr. N. M. Joshi (Nominated Non-Official): Supposing it is a party.

Mr. B. Das: If it is a party, then we know who is what. Sir, my Honourable friend also talked of the Inland Steam Navigation Company. This is not the first time—probably this is the hundredth time—when this House has been told how Inland Steam Navigation Companies,

[Mr. B. Das.]

started by Indians, were driven to the wall by the rate war which the Inland Steam Companies, controlled by Europeans in Bengal, launched on them. My Honourable friend, Mr. Ghuznavi, if he rises after me, will be able to give those distressing tales and even today we know what is happening on the Bombay side. The small Indian shipping companies are not getting the same advantage from the B. I. S. N. Company or the Scindia Steam Navigation Company although a bird has whispered into my ears that the Directors of the Scindia Company are interesting themselves on behalf of these small Indian shipping companies. Of course, I am speaking subject to correction by my Honourable friend, Mr. Mody.

My Honourable friend also talked of co-ordination of road and railway traffic. Last year, my Honourable friend, Mr. James, demanded that the portfolio of railways should be under a Minister of Communications. If that is the demand, I support it whole-heartedly. I would like to remind the Treasury Benches of the promise made by Sir George Schuster that when portfolios are to be changed next, they will have an Executive Councillor in charge of the portfolio of Communications. I will be sorry to part with my old friend, Sir Joseph Bhore, but when a new Member is appointed in his place, I hope that Member will be in charge of all communications—Railways, Aviation, Posts and Telegraphs, etc. But there it will end. If today motor transport has developed, it has fulfilled a necessity of the public and let it be developed freely. The railways have squandered 800 crores of rupees and have mismanaged themselves. After taking 300 crores of rupees from the public revenues and writing it off as contribution to the guaranteed system of railways, today, to save themselves from bankruptcy, they would like to control and restrict the motor transport. I have never been a party to it, and I am not going to be a party to permit any Provincial Government or the Central Government to control motor transport, so that in its disguise the Railway Board or the new Statutory Railway Authority will conceal their bad system of management and maladministration of the Indian railways. Let there be co-ordination. I would support that part of his speech where he suggested that there should be co-ordination of all communications under a Minister. But I would not like that, today anybody in this House, in the name of nationalism—whether it is Indian nationalism or the nationalism of Westminster,—should claim reduction or enhancement of railway freights in the interests of shipping. Not only that, but my Honourable friend laid the charge of manipulation against the Government. Sir, I am not in love with this Government. This Government did manipulate the railway freight. I think my Honourable friend, Sir Darcy Lindsay, will be able to tell the story as to how British goods were transported at cheap rates upcountry, while Indian goods could not get the same concession by the railways. If there had been manipulations, they have been in the interests of the British nationals. And today for British nationals to pose as Indian nationals and to charge this Government of manipulation of railway freights, in order to damage the British shipping interests, is, as my Honourable friend, the Commerce Member, would say when he gets up to reply, “et tu Brute”—“you British merchants, for whom the Government of India have sacrificed all honour and all prestige, you also charge us”. Therefore, Sir, I do hope, my friend, the spokesman of the European Group, will be wise enough to withdraw the motion.

Sir Cowasji Jehangir: What are you going to do?

Mr. B. Das: I have condemned it and I condemn the insidious attempt by which they are bringing forward a proposition, and a year or two hence, they will compel this Government to yield advantages, so that British shipping will thrive in India.

Dr. Ziauddin Ahmad: Sir, I would like to concentrate my attention only to one point. I would not like to mention the rates and freights of various articles from one place to another. The point which I would like to make out is that rates and freights should always be fixed by the Government which is responsible to the Legislature. This is really the point which I would like to emphasise. It should be the duty of the Government to avoid the rate war between the river communications and rail communications and also to avoid a rate war between one company and another company, as we have already drawn attention to it in connection with the traffic between Chittagong and Rangoon. Now, in support of my argument, I should like to mention that in every country the rates and fares are never left to railway administrations. It is the business of the Government to supervise them. I have got before me the constitution of various European countries. Let us, first of all, take Belgium. She has a sort of a Statutory Railway Board, but the power of increasing or diminishing rates rests with the Government. I will read to the House the actual words:

(The Honourable Member read out in French.)

Munshi Iswar Saran (Benares and Gorakhpur Divisions: Non-Muhammadan Bural): On a point of order, Sir. Is an Honourable Member entitled to use a language which most of us do not understand?

Dr. Ziauddin Ahmad: I translate it.

Mr. M. S. Aney: What is the guarantee that the translation is correct?

Dr. Ziauddin Ahmad: I have also got a printed translation of this document, and I shall read from it.

Pandit Govind Ballabh Pant: Where was it printed?

Dr. Ziauddin Ahmad: It was printed in London.

Pandit Govind Ballabh Pant: Are you satisfied about its genuineness?

Dr. Ziauddin Ahmad: When translated, it means:

“Nevertheless the Government will always have the right to insist on rates being lowered or being raised.”

In Germany also, we have the same provisions:

(The Honourable Member read in German language from Sarter and Kittel.)

Mr. A. H. Ghuznavi: Does it relate to railways or shipping?

Dr. Ziauddin Ahmad: I am dealing at present with railways. I will come to shipping later on. As I said, you have in Germany also similar provisions. But, here, in this country, we find that the fixation of rates and fares is always left to Government. Now, in the London Committee, we discussed this question of rates and fares, and it was clearly suggested in the report that the maximum and minimum rates and fares should be fixed by the Railway Authority subject to the control of the Federal Government, and, by Federal Government, the Committee meant it must be a Government responsible to the Federal Legislature. Unfortunately in the Bill that has now been placed before the Parliament, they changed entirely the substance of the report and the purport of what the London Committee recommended and what is the practice in every country. I would just like to quote one clause about it from the Bill:

"That the amendment making provision for regulating the fares and rates to be charged on any railway shall not be introduced or moved in either Chamber of the Federal Legislature except on the recommendation of the Governor General."

So, the power which in every country is exercised by the Government of the day, responsible to the Legislature in fixing the rates and fares, is denied according to the present practice and will be denied in future. What is the practice now? The practice now is that the maximum and minimum rates are fixed by the Government, but the maximum and minimum rates are so wide that according to my friend, Diwan Bahadur Ramaswami Mudaliar, who was here in the last Assembly, that even an elephant could pass through it. The Government prescribed the maxima and the minima, but there is such a great difference between the two that the Companies can do anything they like. The present practice is that although the Railway Board have prescribed the maximum and the minimum, the range is so wide that the Agents could arrange the whole thing in any way they liked. In this way, the Companies manipulate the rates. If the public have got any grievance, they have only provided an Advisory Committee, called the Railway Rates Advisory Committee, but that has only an advisory capacity according to the Administration Report, that Committee decided only four cases during the year. I refer to page 7 of the Administration Report where all these four cases are mentioned. What is the cost of deciding these four cases? We have got a votable item of Rs. 57,000 and a non-votable item of Rs. 28,000 total Rs. 85,000. The Committee has got only an advisory capacity, but the cost of the Committee is enormous, compared with the amount of work entrusted to it. We expected that Government would appoint a Rates Tribunal on the lines provided in the British Railway Act. But no such provision is made in the Bill which is now before Parliament.

Mr. M. S. Aney: On a point of order, Sir. In view of the ruling of the Chair yesterday, that the provisions of the Bill before Parliament should not be discussed here, on a cut motion, is the Honourable Member in order in referring to that Bill.

Dr. Ziauddin Ahmad: The point I should like to make out is, the existing provisions of determining the rates and fares are anything but satisfactory and they will be much worse in future, and the present practice is quite out of keeping with the practice in every other country in the world. This is the issue I should like to make clear, and I believe

this is the issue in the cut motion before us, as I understand it. We want some kind of Government control to fix the rates; that is, we want a Government responsible to the Legislature to fix these rates. This, I believe, is the issue before the House. In the interests of the people, in the interests of the agriculturists, I hope the Government will so regulate the rates that neither the Companies nor individuals nor any particular class of people will be made to suffer.

Mr. A. H. Ghuznavi: Sir, I oppose the motion. If I understood the Honourable the Mover correctly, what he wants to do is this, that he wants the railways to increase the freight to all ports, the port of Calcutta, the port of Bombay, the port of Madras and the port of Vizagapatam and the port of Karachi.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

He wants this to be done, not in the interest of the railways, the national assets, as the Mover called them, but in the interests of British shipping. Sir, in this Honourable House, last year, when we were discussing the Railway Budget, it was pointed out to the Honourable the Railway Member that for many years coal for railways was sent to Madras, not by rail, but by ships, and the railways had been losing to the tune of more than a crore of rupees.

An Honourable Member: Prove it.

Mr. A. H. Ghuznavi: Not now; but I shall do so tomorrow. I do not want to go into it just at the present moment and thereby waste the time of this Honourable House. My Honourable friend, Sir Henry Gidney, who also supported me when I raised the question last year, pointed out that blood was thicker than water. Why were the railways throwing away this freight and giving it to shipping companies? Sir, the Honourable the Railway Member gave us to understand that, in spite of endeavours, the Company-managed railways still persisted in having their coal sent to Madras by boat, but after great persuasion they agreed to have their coal carried by rail. In these times of distress, when the rolling stock of railways was rusting, we were sending coal from Calcutta to Madras through British shipping concerns. Even then, it was pointed out that if it cost a little more to send out coal by rail, the whole money remained in the country, because the railways earned it, and not any one outside India, as indeed would be the case if the coal were to be sent by ships and the freight earned by shipping companies as at present constituted. To tell the truth, there is no Indian shipping company existing now except Scindia which does very little business, so far as these ports are concerned, and has no independent existence for all practical purposes. The business is practically a monopoly of the B. I. S. N. Company now. My Honourable friend quoted the rate of Rs. 1-2-0 for tea from Calcutta to Bombay and Rs. 1-8-0 to Nagpur, and said how absurd it was. May I ask him, what are the shipping freights from Calcutta to Bombay? They compete with the railways. There is no such thing as a controlling board. They reduce day in and day out to compete with the railways. The railways, however, cannot reduce their rates

[Mr. A. H. Ghuznavi.]

without the sanction of the Railway Board, and there is also the minimum rates fixed. The shipping companies have been keeping out the railways from carrying these commodities to these ports by frequently reducing their rates. But they increase their rates many times more to destinations not fed by railways and thereby make up for the losses due to railway competition. The railways do exactly the same thing. They certainly lose when they have to carry by rail at Rs. 1-2-0. They charge similarly Rs. 3-2-0 to Lahore to make up the losses. Sir, I should have thought that the time has come for legislation, so that the shipping companies may not at their sweet will reduce the rates whenever they like and compete with the railways. So far as the coastal ports are concerned, the time has come for regulating the rates by legislation. Sir, why has this motion been brought today? At the beginning I thought it was a very good motion. I saw it was about freight, and I thought the Mover was trying to reduce the freights, so that Bengal coal might go from Calcutta to Lahore and other places at cheaper rates. But when he developed his point, I found that that was not the case. The point was to put money into the pockets of the shipping companies.

Mr. M. A. Jinnah: And the coal is to remain in Calcutta!

Mr. A. H. Ghuznavi: Yes, and the coal is to remain in Calcutta. He finds that the South Indian Railway which used to have its coal carried by ships is not going to do it now by ships, but by rail; and he raises his voice against it in the interest of the shipping companies. We, on the other hand, want the Railway Board, not to give it to shipping companies, but to carry it by rail, which in the long run is also cheaper. And that I will prove here and now. Sir, carrying coal from Calcutta to Madras, you load it at the collieries, you unload it at the Kidderpore docks. Again you load it on board the steamer and unload it at Madras. You load it once more in the railway wagons and you unload it in the railway yard. So these six loading and unloading processes reduce the coal by ten per cent. at least, if not more, and the coal is reduced to dust. Therefore, even a little higher freight which the consumers have to pay is cheaper for them in the long run. On these grounds, I oppose this motion.

Mr. Frank D'Souza (Government of India, Nominated Official): Sir, in the course of the debate on this subject, reference has been made to the question of uniform rates. I think it was my Honourable friend, Mr. Baijnath Bajoria, who suggested that for all commodities on all railways we should have uniform rates.

Babu Baijnath Bajoria: No, that was not my point. My point was that for one particular commodity there should be a uniform rate.

Mr. Frank D'Souza: I accept that correction. It comes to this then that if we start off with one particular commodity, say wheat, and apply uniform rates, by which I understand is meant rates per maund per mile, irrespective of the distance over which wheat is carried, or even if we had a telescopic scale of rates, these rates are to apply to wheat booked to any station in India, we would get into a position where we would not be able, with the rates that would be quoted on that basis, to get any traffic

to move for the longer distances. The point I am making is this, that we have to consider India as a whole and must base our rates on uniform scales so far as their general applicability is concerned. But conditions arise necessitating reductions being made. One illustration will, I think, explain the whole position to the House, and it is this. If we start off, for instance, with grain, we find that on the distance basis the rate for it from Delhi to Karachi would be something like Rs. 1-10-0 a maund. That would be on the distance by the North Western Railway route from Delhi to Karachi. But there is a shorter metre-gauge route *via* Kuchaman Road and Hyderabad (Sind), the distance by which is only 779 miles. The rate by that route comes to something like Rs. 1-6-0 a maund. Now, if we allow the rates from Delhi to Karachi by the broad-gauge North Western Railway route to remain at Rs. 1-10-0 a maund, not one maund of traffic in grain would be carried by that route to Karachi. The result would then be that the metre-gauge route would get the whole of that traffic. You might say that that would not be unreasonable. But this forces the other railway concerned, which is the North Western Railway in this case, to quote a rate equal to that by the shortest route to Karachi. Then, apart from the two routes to the port of Karachi, there is another port, Bombay, equally interested in this traffic. The traffic, if we have to consider wheat, is really or was formerly export traffic, and with two railway administrations equally interested in securing the wheat traffic for their respective ports, it is not unreasonable that the railways serving the port of Bombay should seek for equalisation with the rates to Karachi.

Now, my Honourable friend, Mr. Hossack, suggested that because the rate from Calcutta to Bombay for tea was about Rs. 1-2-0 a maund, the rate of Rs. 1-8-0 from Calcutta to Nagpur for tea would appear to be unreasonable. It is not unreasonable, for the simple reason that at the rate of Rs. 1-8-0 tea would move in the ordinary course from Calcutta to Nagpur, and if we had a rate on the same basis from Calcutta to Bombay it would be something like Rs. 2-14-0. But tea to Bombay would not move by rail at this rate, and the entire traffic would go by the sea route. Now, by reducing the rate for tea from Calcutta to Bombay to about Rs. 1-2-0, the railways hope to secure some additional traffic which helps to pay their overhead charges, and this revenue, which they earn, enables them to maintain lower rates for other commodities moving in other directions.

Now, taking the question of coal to which reference was also made by more than one Honourable Member, I am glad that we have the support of my Honourable friend, Mr. Ghuznavi. But the point of view that he took is not entirely the same that we in the Railway Board take. We look at this question merely from the point of view of railway economics. We had wagons lying idle; the coal was railway coal, and surely it cannot be suggested that when we have our own traffic to carry, we should allow a shipping company to come in and carry it for us by sea. Take the reverse position. The shipping companies carry enormous amounts of coal from Calcutta to Bombay for bunkering purposes. Even when tonnage was scarce, they did not dream of sending that coal by railway to Bombay for bunkering purposes. They took it in their own steamers. We did not quarrel with them for doing that; may the Railway Board not, therefore, ask, why should they dispute the railways' right to carry their own coal when they have their wagons lying idle? It has been

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suggested that our doing this is uneconomic. Well; the mere statement does not prove it to be uneconomic. We examined the position very carefully, and found that by carrying our coal to southern India we were scoring to the extent of roughly Rs. 9 lakhs.

Reference has also been made to the question of the wheat rates from the Punjab to Calcutta. Now, I think if my Honourable friend, Mr. Hossack, had examined his statistics, for, say, four or five years back, he would have found that little or no traffic in wheat was being carried from Karachi to Calcutta: whatever traffic there was offering for Calcutta went from the Punjab direct by rail to Calcutta. Now, it was at the request of the exporting firms in Karachi in 1930, and again early in 1931, that it was decided to reduce the rates for wheat to Karachi to facilitate exports overseas. Those reductions did not result in exports overseas, but gave an impetus to the coastal trade from Karachi to Calcutta. The shipping companies having secured that traffic by the reduction in the railway rates from the Punjab to Karachi have been making every endeavour to keep this traffic to the sea route. I ask the House to agree that the Railway administrations have a right to make every endeavour in the interests of the State to try and get that traffic back to the all-rail route. The Railways have done nothing more than attempted by just a little reduction in the railway freight to get that traffic to move by the route by which it had been moving up till 1930 or 1931

Sir Cowasji Jehangir: May I ask the Honourable Member why it was legitimate for the railway company to capture the tea traffic from Calcutta to Bombay which, I presume, was carried by the sea before?

Mr. Frank D'Souza: The particular point raised by my Honourable friend, Sir Cowasji Jehangir, has been also examined by us, and the position, as far as I have been able to make out, is that even in the pre-war period the railways were carrying a large amount of traffic between Bombay and Calcutta by rail; and it was only the action of the steamer companies in cutting down their rates by sea, between Bombay and Calcutta, that forced the railways to reduce their rates. As my Honourable friend, Mr. Ghuznavi, pointed out, the shipping companies are not bound by any minimum as the railways are. The railways can go down in their rates to the minimum of 1/10th pie per maund per mile for commodities like grain, wheat and other low-priced commodities. For the more valuable commodities, such as piece-goods, the railways cannot get down to a rate below 1/6th of a pie per maund per mile. If the shipping companies are prepared to have similar limitations placed upon them, I suggest then it would be time enough for representatives of the shipping companies and those interested in them to say that the railways should be controlled as regards any action they may take to compete with the shipping companies.

There was another suggestion made, if I may just refer to it, and it was by my Honourable friend, Dr. Ziauddin Ahmad. He referred to the possibility of putting an elephant through the wide margin that exists between the maximum and minimum rates; but I do not know whether he realises that in many other countries in the world railways are not bound by minimum rates. They have maximum rates imposed by Government for the protection of public interests as in India, merely because

railways have a monopoly. The fixing of minimum rates here in India is only intended to prevent railways from exercising their discretion so very freely as to result in a definite loss of railway revenues. Railways in other countries in the world are not controlled by such minima; so that if you can drive one elephant between our maximum and minimum rates in India, you can drive things much bigger than an elephant through the power railways have in certain other countries in the world.

Referring again to what my friend, Mr. Baijnath Bajoria, said about reductions in rates for agricultural commodities, may I just say that people have come frequently and asked me whether they could not get a concession for the movement of their produce? I have always asked them if they realised what the rate was between the stations to which they referred. Except in the case of men who knew their business thoroughly well, the reply always indicated that they had no knowledge of what the position was. I do not suggest for a moment that my friend, Mr. Baijnath Bajoria, had no knowledge of what he was saying: My point is that generally, when people ask for concessions, they do not really realise what concessions already exist. In the case of the main agricultural commodities, particularly the lower priced commodities, the actual rates charged on railways are considerably below the rates which the railways are authorised to charge. That, I think, will be recognised as the granting of concession rates. My friend, Mr. Baijnath Bajoria, also referred to the mustard oil mills of Bengal which, he said, might go out of existence, merely because the freight rates on mustard seeds

Mr. M. S. Aney: May I ask the Honourable Member whether he will illustrate the point that railway authorities are charging less rates than they are authorised to do?

Mr. Frank D'Souza: If I may go back to the point made by Mr. Aney, the maximum rate for wheat is .38 pie per maund per mile. With a few exceptions, railways charge rates which, for distances over one hundred miles or so, represent reductions varying from about 15 per cent. to nearly 50 per cent. as the distance increases. Apart from the reductions that they make, which are of general applicability, railways also quote other rates on a lower basis between those points where their enquiries show that lower rates than those normally applicable are required to facilitate the free movement of commodities. Again in the case of agricultural commodities, we have to consider the possibility of existing markets elsewhere being affected, a point that was specially brought to our notice during the discussion at the Crop Planning Conference, in June last year, when a suggestion was made for reductions in the railway freight rates for agricultural commodities. More than one representative of the various provinces pointed out that they would not like railways to make these reductions without first consulting the agricultural officers of those other provinces into which these commodities were likely to move, to enable them to examine the extent to which, if at all, the commodities in which they were concerned were likely to be affected by commodities from other provinces coming into their areas.

Reverting now to the mustard oil question, when I was interrupted by my Honourable friend, Mr. Aney, Mr. Baijnath Bajoria stated that mustard oil mills in Bengal were likely to be ruined. The mustard oil

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question has been under examination now for nearly two years, and the knowledge which the trade had that the East Indian Railway were contemplating making some adjustments in the rates for mustard seed from the United Provinces to Calcutta brought forth a howl of protests from practically every oil mill in the United Provinces and also from certain Chambers and other trade organizations interested in the oil mills of the United Provinces. It is believed that the position of the oil mills in the United Provinces would be very seriously affected if a reduction in the rates for mustard seed were made for the oil mills in Bengal. But we have a machinery in the Railway Rates Advisory Committee to undertake the examination of conflicting interests in cases of this kind, and so long as this machinery exists, I think the trade interests concerned will realise that they have a means of obtaining redress or rather of having their particular point of view examined in detail for the consideration of Government. There is nothing more, Sir, that I think I need refer to. (Cheers from Official Benches.)

Mr. Sami Vencatachelam Chetty (Madras: Indian Commerce): Sir, may I ask a question to the Honourable Member who just sat down? Is it a fact that the railway freight on piece-goods from Bombay to Madras is considerably higher than the shipping rate from Bombay to Madras, and, if so, is it particularly designed to facilitate the shipping trade as against the railway traffic?

Mr. Frank D'Souza: I have not quite caught the Honourable Member's point.

Mr. Sami Vencatachelam Chetty: Then, I shall repeat it. Is it correct that the railway freights from Bombay to Madras for piece-goods are considerably higher . . . ?

Mr. Frank D'Souza: I have no idea what the shipping rates from Bombay to Madras are, but they could not be greater than the railway freight from Bombay . . .

Mr. Sami Vencatachelam Chetty: No, it is less, and why is it?

Mr. Frank D'Souza: Substantially less.

Mr. Sami Vencatachelam Chetty: Yes, why is it less?

Pandit Govind Ballabh Pant: Sir, it occurred to me in the course of this discussion that lest our position should be misunderstood or misconstrued, it is necessary that I should make a few observations. If I may be permitted, I should like to offer my congratulations to the Honourable the Mover on his eloquent speech. If it had been a motion for a general revision of the tariff rates and freights with a view to bringing about a reduction, I would have supported it, because I have very strong feelings on the question. . . .

Babu Baljnath Bajoria: That is my demand.

Pandit Govind Ballabh Pant: But that is not your motion. As I understand it, the grievance of the Mover has arisen out of the reduction of the freight rates on goods on inland traffic from ports to ports in India which are also connected by maritime routes. That seems to be the gravamen of his charge. I believe I have interpreted him correctly. He nods assent, and so I take it that that is the gist of his charge. I may say at once that I am blinded neither by prejudice nor by greed in determining my attitude towards this question. I would like to know how the Honourable the Mover attacks the railway position, what is his real complaint? Has the producer of raw materials suffered because of this reduction in the rate? Has the traders suffered because of this reduction in rate? Has the exporter suffered because of the reduction in rate?

Mr. Lalchand Navalrai: Karachi says it has suffered.

Pandit Govind Ballabh Pant: He says that the Karachi Port Trust will not be able to raise a larger revenue than it would if it had received a larger quantity of goods. But the people of India do not exist for the maintenance of the ports. The ports exist for the promotion of the interests of the people. Which of the two is to be given preference?

Sir, the question seems to me to be a very simple one. In fact, the grievance of the Mover seems to be that the rates are not being so manipulated as to yield a protection to the shipping industry. If that be the charge, then, unfortunately, I do not agree with him. He wants manipulation against a national organization in the interest of a particular trade, for the benefit of the individual's interest in that trade. If I have correctly interpreted his motion, then he has to justify his position. . . .

Mr. F. E. James (Madras: European): No.

Pandit Govind Ballabh Pant: I hope he will throw further light and correct me, and I shall be glad to keep my mind open. But he has to satisfy me that I am wrong. Sir, is this the first occasion when the railways have hit others by their competition? What is the history of the last 80 years since the first mile of rail road was laid in this country. Has it not displaced millions of people engaged in transporting goods in this country? What was the state of affairs in former days? People with bullock carts, people with pack ponies, people with other contrivances and devices of an indigenous character, used to carry goods from one place to another. How many of them have not been thrown into the wilderness? How many of them have not been practically killed? On account of the extensive net-work of the railways, millions of transport workers in this country have been economically annihilated. I do not stress this point further as it was perhaps inevitable. Unfortunately, mechanical means of transport and production have come to stay, and they are bound to have their reactions. But did it ever strike the Honourable Members sitting over there, that, on account of this competition in the matter of fares and rates, the poorest in the country had been made poorer, and for a series of years large sums of money had been sent abroad on account of interest on capital and purchase of railway material? The difficulties arising out of competitive rates should have been realised earlier. In fact, the competition, of which the complaint is now made, is just of the right type: healthy rivalry of this sort against a private corporation for the benefit of the State.

[Pandit Govind Ballabh Pant.]

is perfectly wholesome and desirable in the larger interests of the country. Sir, this doctrine that the State should not come in conflict with private enterprise is one of those old shibboleths which stands discredited today. There was a time when such propositions were put forward by economists, but there has been a considerable change during the last 30 years since Joseph Chamberlain parted from the Cabinet of Balfour, and now when his son, Neville Chamberlain, is directing the policy of protection and Imperial Preference. Today the State stands as the representative of the economic interests of the people, and it is the foremost duty of the State to promote the economic welfare of the people as a whole. In these circumstances, I submit, Sir, Honourable Members should not be scared by the old bogey of *laissez faire* or immunity of private enterprise. In fact, unless the motive of profiteering is shackled, there is no hope for any progress in the world today.

Mr. F. E. James: I wonder whether my Honourable friend would permit me to interrupt him for a moment. I think, quite unwittingly, he is a little misinterpreting what my Honourable friend, Mr. Hossack, meant, and I am quite sure. . . .

Pandit Govind Ballabh Pant: I should have thought that Mr. Hossack would be able to correct me better. You may be misinterpreting him.

Mr. F. E. James: I know his mind better than the Honourable Member.

Mr. M. A. Jinnah: Is this really in order, Sir,—some other Member explaining. . . .

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member (Mr. Hossack) can explain it for himself.

Pandit Govind Ballabh Pant: Today the State, in fact, stands for nationalisation of means of transport. That is one of the first and foremost functions which civilised States discharge; in fact, the principal method by which trade and commerce can be encouraged is by means of nationalisation of means of transport. If the Honourable Members opposite are prepared for the nationalisation of the shipping industry for the promotion of maritime trade, I for one would advise the Government to acquire their interests, so that this competition, this conflict between the railways and the shipping industry in this country might be put an end to not only for a day or two, but for ever. I hope they will consider this suggestion and put an end to the present unstable order of things before it is too late. The world today does not accept any interest apart from that of the masses,—the producers and the consumers. When you take all this into consideration, the only rational policy which the railways in this country need adopt is one which would promote production, export and import trade, and if the railways have introduced such rates as will facilitate the movement of goods from the country side to the ports or from the ports to the country side or from one port to other, they are for once in the right, and I see no reason why any reasonably minded person should complain against this sound and correct policy.

Sir, I will not take more time of the House. I can assure Honourable Members opposite that we do not allow ourselves to be deflected from the

right by any racial considerations. In fact, we want to eliminate all invidious racial discriminations in this country. If we have to bring in the racial point, it is not to exploit racial bias but because the dies are weighted against us on the racial ground and we are the victims of it. We are not in any way actuated by any petty considerations and I would advise the Mover and his Group, in case they want to secure the position of true citizens of this ancient land, to merge their sectional interests in the larger interests of the people and masses of this country.

Some Honourable Members: Let the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is that **5 P.M.** the question be now put.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be further reduced by Rs. 100."

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 26th February, 1935.

LEGISLATIVE ASSEMBLY.

Tuesday, 26th February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

WITHDRAWAL OF CONCESSIONS ENABLING THE VILLAGERS IN RAYALASEEMA TO MANUFACTURE SALT.

543. *Mr. M. Ananthasayanam Ayyangar: (a) Have Government withdrawn the concessions enabling the villagers in Rayalaseema to manufacture salt? If so, why?

(b) Have Government received any representations from any *ryots* of Uravakonda in the Ananthapur district, asking for the revival of the salt concessions?

(c) Are Government prepared to restore, in general, the salt concessions in Rayalaseema, and if not, at least during the famine period?

The Honourable Sir James Grigg: (a) On account of breaches of the conditions attached to the concession, it was withdrawn in some cases in the middle of 1932 and in others in September, 1933, from the following areas in the region which I understand to be that described by the Honourable Member as Rayalaseema:

(1) Cuddapah District.

(2) Anantapur District.

(3) Bellary, Seriguppa, Allur, Adoni and Royadurg Taluks of the Bellary District.

(4) Kurnool, Koilkuntla, Cumbum, Markapur, Sirvel, Nandyal, Dhone, Pattikonda and Nandikonda Taluks of the Kurnool District.

(b) No such representations have been received by the Government of India or reported to them.

(c) Applications for the restoration of the concession should be made to the local officers, who will dispose of them in consultation with the Government of the Province concerned.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that some ordinary peasants and also workers in some villages in Anantapur applied for permission to manufacture salt and they have been refused permission?

The Honourable Sir James Grigg: I am not aware of that.

Prof. N. G. Ranga: In view of the fact that Mr. F. W. Stewart, who is the officer who has refused this permission, is now in Delhi as a Member of the Council of State, would the Honourable Member be prepared to make inquiries from him whether this is a fact?

The Honourable Sir James Grigg: If I make inquiries I shall make them from the Local Government, for, as I said, this matter of the restoration of the concession is to be dealt with by the local officers in consultation with the Local Government.

Prof. N. G. Ranga: Does an appeal against their decision lie to the Government of India?

The Honourable Sir James Grigg: I must have notice of that.

Seth Haji Abdoola Haroon: May I know if the Government revenue is suffering on account of this concession to manufacture salt?

The Honourable Sir James Grigg: As in most of the cases the concession was withdrawn in order to protect the revenue, I do not think there is any loss of revenue.

Prof. N. G. Ranga: In view of the famine conditions there and those people are suffering and Government have seen fit to establish relief measures and also famine relief centres, and so on, does he not think that there is a real necessity for waiving the usual objections and permit those people to manufacture salt?

The Honourable Sir James Grigg: Local officers have full discretion to restore the salt concessions, provided they are satisfied that the restoration can take place under conditions where they will not be abused.

Prof. N. G. Ranga: Is there no appeal against their decision to the Government of India?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already answered that.

Seth Haji Abdoola Haroon: Some fishermen are getting fish from the sea and they find some salt lying on the shore of the sea. If they dry the fish in that salt, is that an offence?

The Honourable Sir James Grigg: The Honourable Member had better put down that question. I am not an expert in these revenue matters.

Mr. T. S. Avinashilingam Chettiar: Is there any appeal from the decision of the Local Government to the Government of India, in case they refuse the concession?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already answered it.

Mr. T. S. Avinashilingam Chettiar: We did not hear his reply.

The Honourable Sir James Grigg: I said that if the Honourable Member will put down a question, I will give an answer, but I wish to make it clear in advance that it is my firm intention to leave the widest possible discretion to the Local Government and the local officers.

STATE PRISONERS DETAINED IN THE RAJAHMUNDRY CENTRAL JAIL AND IN THE MADRAS JAIL.

553. *Mr. T. S. Avinashilingam Chettiar: (a) Will Government please state the names of the State Prisoners now detained in the Rajahmundry Central Jail and in the Madras Jail?

(b) Have Government received any representations from the State Prisoners in Rajahmundry Central Jail, regarding the following matters:

(i) that for some time past they have not been allowed facilities for exercise, diet, etc.; and

(ii) that their allowances have been recently curtailed and are insufficient?

(c) Have Government given them any reply? If so, what?

(d) Is it a fact that all facilities for exercise and recreation have been withheld from them?

(e) Is it a fact that State Prisoners are asked to pay for the medical treatment undergone by them in Jail, and recently Pratul Chandra Bhattacharjee was asked to purchase a nasal douche and a bottle of Cod Liver Oil at his own cost?

(f) Is it a fact that State Prisoners are given family allowances, and Pratul Chandra Bhattacharjee has not been given family allowance in spite of repeated representations?

(g) Is it a fact that Suresh Chandra Das' eyes were examined as far back as November, 1934, and glasses have not yet been supplied to him, though they were presented as urgent?

(h) Is it a fact that for the last few months Pratul Chandra Banerjee was complaining to the Madras Government against the vindictive treatment meted out to him by the Superintendent, Central Jail, Rajahmundry? If so, what are the facts, and what have Government done in that matter?

The Honourable Sir Henry Craik: (a) There are only two State Prisoners in the Rajahmundry Jail, namely, Pratul Chandra Bhattacharjee and Suresh Chandra Das. There are no State Prisoners in the Madras Jail.

(b) to (e), (g) and (h). I would refer the Honourable Member to the answer given by me yesterday to Mr. Chattopadhyaya's starred question No. 541.

(f) No family allowance has been granted in this case since the State Prisoner's detention did not affect the income of the family.

PERSONS THROWN OUT OF EMPLOYMENT IN AUDIT AND ACCOUNTS OFFICES.

554. *Mr. D. K. Lahiri Chaudhury: (a) Will Government be pleased to state the number of men that were thrown out of employment in each Audit and Accounts Office as a result of general retrenchment on re-amalgamation of Audit and Accounts in the year 1931?

(b) Will Government please state what amount of gratuity and leave as compensation were awarded to these men at the time of their discharge?

(c) Will Government be pleased to state how many of these men have been specifically delegated by the Agent, is competent to pass an order of *in their service*, taking into consideration the period spent on leave?

(d) Are Government prepared to accord full benefits of the past service to such men who have been re-employed in service without any break either before or immediately after the expiry of their leave, if they refund gratuity? If not, why not?

(e) Do Government propose to allow such re-employed men who have no break in service and who are prepared to refund the amounts of gratuity paid to them, the benefits of the *old scales of pay and old leave rules*? If not, why not?

The Honourable Sir James Grigg: The information is being obtained and will be laid on the table in due course.

Mr. D. K. Lahiri Chaudhury: How long will it take to get the information?

The Honourable Sir James Grigg: I cannot answer that offhand.

POWER TO PASS AN ORDER OF DISCHARGE BY A SENIOR SCALE OFFICER ON STATE RAILWAYS.

555. ***Bhai Parma Nand:** (1) Will Government please state the extent of the power to pass an order of discharge by a senior scale officer on State Railways?

(2) Will Government please state whether a senior scale officer on State Railways, can pass an order of discharge irrespective of pay and appointment held by the subordinate?

(3) Will Government please state whether a senior scale officer on State Railways, serving in a division under the Divisional Superintendent, can pass independently an order of discharge of a subordinate on a scale of pay exceeding Rs. 30 per mensem?

(4) Will Government please state the number and the circumstances under which the employees in the Moradabad Division on East Indian Railway were discharged during the period 1st November, 1934 and the 31st January, 1935 as per term of their agreements?

Mr. P. R. Rau: (1) to (3). A senior scale officer, to whom power has been specifically delegated by the Agent, is competent to pass an order of discharge on a non-gazetted railway servant.

(4) The number of employees discharged in terms of their agreements is two. Government are not prepared to state the precise reasons for the discharge.

Mr. Lalchand Navalrai: May I know what powers have been delegated to the senior officers?

Mr. P. R. Rau: To what railway does the Honourable Member refer?

Mr. Lalchand Navalrai: The N. W. Railway.

Mr. P. R. Rau: I shall get him the information if he wants it.

Mr. Lalchand Navalrai: May I know if the senior officers can pass orders directly and independently without consulting the Divisional Officer?

Mr. P. R. Rau: The rules provide that the Agent can delegate powers to the senior officers. Beyond that, I have no information.

CONTROL OF THE GOVERNOR GENERAL IN COUNCIL OVER THE EXPENSES INCURRED BY THE EAST INDIAN RAILWAY.

556. ***Bhai Parma Nand:** Is it a fact that the Governor General in Council has no control over the expenses incurred by the East Indian Railway Administration?

Mr. P. R. Rau: No.

POWER OF THE GOVERNOR GENERAL IN COUNCIL TO REVERSE, MODIFY OR ANNUL THE ORDERS PASSED BY THE GAZETTED OFFICERS OF THE EAST INDIAN RAILWAY.

557. ***Bhai Parma Nand:** Is it a fact that the Governor General in Council cannot and never does reverse, modify or annul the order passed by the gazetted officers of the East Indian Railway Administration under powers delegated to them?

Mr. P. R. Rau: No.

DISMISSAL OR DISCHARGE OF AN EMPLOYEE BY A SENIOR SCALE OR ADMINISTRATIVE OFFICER ON STATE RAILWAYS.

558. ***Bhai Parma Nand:** Will Government please state whether a senior scale or administrative officer on State Railways can at his discretion dismiss or discharge an employee as per term of agreement?

Mr. P. R. Rau: The rules authorise an Agent to delegate powers of dismissal of all non-gazetted Government servants to an authority not lower than the Head of a Department or a Divisional Superintendent and powers of discharge to an officer not lower than an officer of the senior scale. But in the case of an employé on a scale of pay not exceeding Rs. 30 per mensem who has rendered less than ten years continuous service he is authorised to delegate powers to an officer of Assistant grade to discharge or an officer of the senior scale to dismiss such an employé.

Mr. Lalchand Navalrai: Is the delegation in all these State Railways equal or is there any difference in the delegation of these powers to the senior officers?

Mr. P. R. Rau: I must ask for notice of that question.

Dr. Ziauddin Ahmad: In the case of the delegated power, may I ask whether the Divisional Superintendents, to whom the power has been delegated, are authorised to delegate to their subordinates? Is this delegation transferable?

Mr. P. R. Rau: No, Sir.

Dr. Ziauddin Ahmad: We know that in practice they have transferred it.

SPENDING OF RAILWAY REVENUES ON HIS PRIVATE SHOOTING OR EXCURSIONS BY A SENIOR SCALE OR ADMINISTRATIVE OFFICER ON STATE RAILWAYS.

559. ***Bhai Parma Nand:** Will Government please state whether a senior scale or administrative officer on State Railways at his discretion can spend the Railway revenues on his private shootings and excursions?

Mr. P. R. Rau: No, Sir.

Mr. Ahmed Ebrahim Haroon Jaffar: Is the Honourable Member aware that the Divisional Superintendent at Lucknow spends his time fishing at Phapund?

Mr. P. R. Rau: No, Sir.

HAULING OF AN INSPECTION CARRIAGE ON HIS PRIVATE SHOOTING EXCURSIONS AND TRAVELLING ON PRIVILEGE PASS BY A SENIOR SCALE OR ADMINISTRATIVE OFFICER ON STATE RAILWAYS.

560. ***Bhai Parma Nand:** Will Government please state whether a senior scale or administrative officer on State Railways can at his discretion haul an inspection carriage on his private shootings, excursions and travelling on privilege pass, proceeding to or returning from leave, etc., either within or outside his jurisdiction?

Mr. P. R. Rau: No. An officer can use an inspection carriage only with the approval, general or special, of his administrative superior. I may remind the Honourable Member that it is a very important part of an officer's duty to tour within the limits of his jurisdiction, as often as possible, and Government have no reason to believe that there is any abuse of the privilege.

TREATING OF PERIOD SPENT BY RAILWAY EMPLOYEES ON CASUAL LEAVE AS ON DUTY.

561. ***Bhai Parma Nand:** Is it a fact that Government have informed this House on the 16th February, 1934, in reply to starred question No. 139, that the period spent on casual leave is treated as on duty? If so, are Government prepared to make inquiries and state why average mileage allowance is not being paid to the running staff in Moradabad Division, East Indian Railway while on casual leave?

Mr. P. R. Rau: Yes. It is because casual leave is treated as on duty that they are not entitled to average mileage. While on duty they are entitled only to allowances based on the mileage actually performed.

Mr. V. V. Giri: Did the Railway Board reconsider their decision on this point?

Mr. P. R. Rau: No, Sir, there seems to be no reason to reconsider it.

MANUAL OR OTHER BOOK OF REFERENCE ON MATTERS PERSONNEL TO THE SUBORDINATE RAILWAY STAFF.

562. ***Mr. Muhammad Azhar Ali:** (a) Will Government please state whether the administrations of the various State-managed Railways or the Railway Board have published in a concise form for the edification of the subordinate staff any manual or other book of reference on matters personal to them? If not, do Government propose to compile, or have compiled, any such book of reference so that the staff might readily know what rights, privileges, concessions, penalties, punishments and restrictions they are liable to? If not, will Government please state what objection they have to the publication of such a book?

(b) Is it a fact that the Government of India in the Railway Department (Railway Board) notified the classification, control and Appeal Rules for class I and II Services of Superior Establishment? If so, are these rules applicable to subordinate services also?

Mr. P. R. Rau: (a) A Manual consolidating general rules relating to Railway Establishments is under preparation.

(b) The reply to the first part of the question is in the affirmative. Similar rules for subordinate staff framed under the direction appended to the Railway Services (Classification, Control and Appeal) Rules will issue shortly.

CONCESSION TICKETS ISSUED TO EMPLOYEES ON THE AUTHORITY OF PRIVILEGE TICKET ORDERS ON THE EAST INDIAN RAILWAYS.

563. ***Mr. Muhammad Azhar Ali:** (a) Do the East Indian Railway Administration observe the practice of issuing to their employees concession tickets on the authority of privilege ticket orders? If so, what is the extent of the concession conveyed thereby?

(b) Are these privilege tickets issued for all classes of travel?

(c) Do these privilege tickets, irrespective of class, carry the same rights to the holder as fully paid tickets? If not, in what respect do the rights differ?

(d) Is the privilege of travelling by mail trains and 7-Up and 8-Down Express Trains applicable to the holders of privilege tickets of all classes ordinarily carried by these trains? If not, do Government propose to grant the same rights to privilege ticket holders as ordinarily applicable to holders of fully paid tickets? If not, will Government please state where the privilege lies?

Mr. P. R. Rau: (a) Yes. One-third the ordinary fares.

(b) Yes, the class of privilege ticket admissible to an employee is the same as the class of pass to which he is entitled under the pass rules.

(c) There are several points of difference, the most important being that a privilege ticket:

(i) cannot be exchanged for a ticket of a higher class by payment of the difference in the fares of the two classes.

(ii) is not transferable.

The use of a privilege ticket is also subject to the condition that the Railway is not liable for loss of life, injury, delay or loss of or damage to the property of the holder.

(d) Government have no information as regards the trains by which holders of privilege tickets are not permitted to travel. The grant of these privilege tickets is a concession which may be properly subjected to such restrictions as the Administration may consider necessary in the public interest.

RAILWAYS OWNED, WORKED AND CONTROLLED BY THE GOVERNMENT OF INDIA.

564. ***Mr. Muhammad Azhar Ali:** (a) Is it a fact that Burma, Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways are owned, worked, and controlled by the Government of India?

(b) Is it a fact that these five Railways in India are termed State Railways?

(c) Is it a fact that the employees on these five Railways are the servants of Government?

Mr. P. R. Rau: The reply to all the parts of the question is in the affirmative, except that it is perhaps more accurate to term these "State-managed Railways" in order to distinguish them from State-owned, but Company-managed Railways.

POSITION OF THE INDIAN RAILWAY CONFERENCE ASSOCIATION.

565. ***Mr. Muhammad Azhar Ali:** (a) Is it a fact that the Indian Railway Conference Association is owned, worked and controlled by the Government of India?

(b) Is it a fact that the employees of the Indian Railway Conference Association are the servants of the Government of India?

(c) Is it a fact that the Honourable the Commerce Member of the Government of India holds the charge of and responsibility for the Indian Railway Conference Association in the same manner as he holds that of the Railway Department (Railway Board) of the Government of India?

(d) If the replies to parts (a) to (c) be in the negative, will Government please state:

(i) whether the Indian Railway Conference Association is a private concern, not controlled and owned by the Government of India;

(ii) whether the employees of the Indian Railway Conference Association are subject to the Government Servants Conduct Rules, the State Railways Provident Fund and Gratuity Rules, the Fundamental Rules and the State Railway Leave Rules; and

(iii) the law under which it is incorporated?

Mr. P. R. Rau: (a), (b) and (c). No.

(d) (i) The budget of the Association and certain proposals for expenditure are subject to the sanction of the Government of India.

(ii) The Government Servants' Conduct Rules do not apply to employees of the Indian Railway Conference Association. The State Railway Provident Fund and Gratuity Rules, the Fundamental Rules and the State Railway Leave Rules have been applied to these employees by the Association with the approval of Government.

(iii) The Association is not a registered corporation.

Dr. Ziauddin Ahmad: May I know whether Government give a subsidy to this Conference?

Mr. P. R. Rau: Sir, the Conference is supported by subscriptions from all the railways that are parties to the Conference.

Dr. Ziauddin Ahmad: The funds of these railways are Government funds, are they not?

Mr. P. R. Rau: The funds of the State-owned Railways are Government funds,—not the funds of all railways.

Dr. Ziauddin Ahmad: You put the subsidy given to the Conference in the list of the Demands. Is it a votable item?

Mr. P. R. Rau: It is a votable item.

Dr. Ziauddin Ahmad: May I know whether the Association have any other funds besides the Government subsidy and the subscriptions of the Railways?

Mr. P. R. Rau: Yes, subscriptions from such railways as are parties to the Conference, but are not owned by the Government of India.

RECRUITMENT OF SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

566. ***Mr. Muhammad Azhar Ali:** Is it a fact that the recruitment of subordinate staff on the East Indian Railway in general, and Moradabad Division in particular, is not governed by the Rules for the recruitment and training of staff, issued by the Railway Board as circularized by the Agent under his No. 548/A.E.-2460, dated Calcutta, the 1st October, 1932?

Mr. P. R. Rau: No, Sir.

CLASSIFIED LIST OF SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

567. ***Mr. Muhammad Azhar Ali:** Is it a fact that in 1934 the East Indian Railway Press, Calcutta, had printed for official use only a classified list of subordinate staff of all Departments of the East Indian Railway administration on scales of pay rising to Rs. 250 and above? If so, will Government please place a copy of it in the library of this House and state:

- (a) the authority under which it is published;
- (b) the number of copies printed;
- (c) the total expense of its printing;
- (d) whether subordinate staff, who formed, the bulk of the list, are supplied with a copy; if not, why not;
- (e) whether they are aware of the inaccuracies in the print; and if so, who is responsible therefor;
- (f) what the *nota bene*: 'Nothing in this list is to be taken as conveying any sanction or authority' signifies; and
- (g) what purpose the list is supposed to serve?

Mr. P. R. Rau: The reply to the first part of the question is in the affirmative. A copy of the publication is in the Library.

- (a) The list is published under the authority of the Agent of the Railway.
- (b), (c) and (d). Government have no information, but they do not consider it essential that subordinate staff should be supplied with copies.
- (e) If my Honourable friend has discovered any inaccuracies I shall be glad if he will bring them to the notice of the Agent.
- (f) It signifies exactly what it says. The information given in the list cannot, for example, be an authority for an Accounts Officer to pay a man the rate of pay shown in the list.
- (g) It is considered the list gives useful information about the particulars of service of the staff in question.

SENIORITY OF INDIVIDUALS ON THE EAST INDIAN RAILWAY.

568. ***Mr. Muhammad Azhar Ali:** Is it a fact that Government informed this House on the 19th July, 1934, in reply to starred question No. 629 asked on the 4th April, 1934, that the relative seniority of individuals would be decided in their substantive grades? If so, will Government please state:

- (a) the date from which this procedure is observed on the East Indian Railway;
- (b) the persons, and appointments, who are governed by this rule on the East Indian Railway;
- (c) the grades from which the officiating Transportation Inspectors are recruited;
- (d) the names, grade, rate of pay and date of entering in the grade of officiating Transportation Inspectors from the 1st July, 1925 (date of amalgamation) to the 31st January, 1935;

- (e) the names, grade, rate of pay and the date of entering in the grade of the staff, who are superseded by and the reasons of supersessions, preferential treatment and accelerated promotions;
- (f) the names, grade, and rate of pay of officiating Transportation Inspectors, who were reverted to their substantive appointments and reasons for such reversions; and
- (g) whether the reverted Transportation Inspectors lost their place of seniority in their officiating and substantive appointments?

Mr. P. R. Rau: The reply to the first part of the question is in the affirmative. As regards the second part:

- (a) If my Honourable friend will read the answer again he would realise that the Agent, East Indian Railway, has given a hypothetical decision.
- (b) The reply refers definitely to Transportation Inspectors.
- (c) The information is contained in the rules for the recruitment and training of subordinate staff, a copy of which is in the Library of the House.
- (d), (e), (f) and (g). Government have no information and do not consider that any useful purpose will be served by collecting it.

Dr. Ziauddin Ahmad: Sir, a copy is not in the Library of the House. I tried to find it this morning.

Mr. P. R. Rau: Possibly it is such a popular publication that copies have been taken away by Honourable Members to study.

Dr. Ziauddin Ahmad: Sir, the Librarian told me this morning only that the Railway Board never sent him a copy for the Library.

Mr. P. R. Rau: If that is so, I must apologise. I shall send a copy.

RULES REGARDING APPEALS FROM THE SUBORDINATE STAFF ON STATE RAILWAYS.

569. ***Mr. Muhammad Azhar Ali:** Will Government please state:

- (a) whether any rules (other than rules regulating discharge and dismissal) have been framed regarding appeals from the subordinate staff on State Railways against the orders on: (i) censure; (ii) withholding increments; (iii) withholding promotion; (iv) reduction to a lower post or to a lower stage in time scale or to a lower grade; (v) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders or otherwise; (vi) suspension and (vii) other causes; if so, whether they are prepared to lay a copy of such rules on the table of this House;
- (b) whether the appellate authority is required to record the decision in writing on each ground of appeal *et seriatim*;
- (c) if the answers to parts (a) and (b) be in the negative whether they are prepared to frame rules consistent with those already in force for superior services on State Railways, if not, why not?

Mr. P. R. Rau: (a) and (b). No other rules have been framed by the Railway Board.

(c) The question is under consideration.

OPTION GIVEN TO THE STAFF UNDER THE EAST INDIAN RAILWAY COMPANY TO ELECT STATE RAILWAY RULES FOR THE GRANT OF TRAVELLING ALLOWANCE.

570. *Mr. Muhammad Azhar Ali: Is it a fact that Government informed this House on the 3rd August, 1934, in reply to starred question No. 133 asked on the 16th February, 1934, that the staff under the East Indian Railway Company's Rules were given the option to elect State Railway Rules for the grant of travelling allowance? If so, will Government please state:

(a) under what rules the staff is paid travelling allowance when no option to elect State Railway Rules is given by the staff;

(b) whether Travelling Ticket Inspectors under the Accounts Department, now Travelling Ticket Examiners under the Operating Department, are included as a part of the staff under the East Indian Railway Company's Rule; if so, whether they also asked to give their option; if not, why not;

(c) whether it is a precedent or a rule that whenever a change is made in the emoluments of the staff, they are asked to give their option; if so, why the Travelling Ticket Examiners, who are transferred to new emoluments were not asked in a similar manner; and

(d) whether Government now propose to rectify the error; if not, why not?

Mr. P. R. Rau: The reply to the first part of the question is in the affirmative. As regards the second part:

(a) When the option is not exercised, the staff in question continue under the old Company's rules, but I must point out that, so far as compensatory allowances and other allowances which are not mentioned in the agreements of the staff are concerned, Government are entitled to alter the old rates as they consider reasonable.

(b) Government are not aware that Travelling Ticket Inspectors in the Accounts Department, who were employed before the East Indian Railway was taken over by the State, were not given this option.

(c) If the Honourable Member refers to the introduction of the revised scales of pay, the usual rule is that staff are generally given the option to continue on existing scales subject to limits if necessary. Government have allowed the old Travelling Ticket Examiners to retain their old rates of pay.

(d) I am not aware what error my Honourable friend is referring to which remains unrectified.

CONNECTION OF A BRAKESMAN AND A ROAD VAN CLERK.

571. *Mr. Muhammad Azhar Ali: Is it a fact that Government informed this House on the 3rd August, 1934, in reply to my starred question No. 212, asked on the 19th March, 1934, that a road van clerk, in some cases, is "connected with the charge of a moving train"? If so, will Government please state the nature of the connection of a brakeman and a road van clerk?

Mr. P. R. Rau: The reply to the first part is in the affirmative. A brakeman is required to assist the guard generally and to apply brakes as and when required. A road van clerk assists the guard in dealing with packages required to be loaded into and unloaded from road vans.

WITHDRAWAL OF MILEAGE ALLOWANCE FROM THE TRAVELLING TICKET EXAMINERS ON THE BURMA RAILWAYS.

572. *Mr. Muhammad Azhar Ali: Is it a fact that Government informed this House on the 3rd August, 1934, in reply to my starred question No. 212, asked on the 19th March, 1934, that the question as to the withdrawal of mileage allowance from the Travelling Ticket Examiners is now being referred to the Agent of the Burma Railways? If so, will Government please place on the table the correspondence passed between them with the final orders; if not, why not?

Mr. P. R. Rau: The reply to the first part of the question is in the affirmative. As regards the second part, the Agent, Burma Railways, has been told that Travelling Ticket Examiners should not be paid mileage allowance in future and that this should be replaced by a daily allowance or a consolidated monthly allowance. Government regret that they cannot place the correspondence on the table of the House as it is of a purely departmental nature not intended for publication.

Mr. Lalchand Navalrai: As similar questions are being considered by the Agents of the other railways—for instance, the N. W. Railway—with regard to the allowances being withdrawn, will the Honourable Member ask the Agent of the North Western Railway to expedite the matter and to come to a certain conclusion on that point? The Travelling Ticket Examiners are very anxious to know the result.

Mr. P. R. Rau: Sir, if my Honourable friend is referring to the memorials received from the Travelling Ticket Examiners of the North Western Railway I can only say that I shall do what I can to expedite the decision.

Mr. Lalchand Navalrai: Thank you.

Mr. Muhammad Azhar Ali: Is this not connected with the allowances of the Travelling Ticket Examiner's and is not that matter of sufficient importance so that they may rightly wish to know the final orders of the Railway Board?

Mr. P. R. Rau: As regards the Burma Railways?

Mr. Muhammad Azhar Ali: Yes.

Mr. P. R. Rau: I have given a reply to the question.

MILEAGE ALLOWANCE OF TRAIN DESPATCH CLERKS, ETC., OF THE OLD OUDH AND ROHILKUND RAILWAY.

573. ***Mr. Muhammad Azhar Ali:** (a) Is it a fact that Government informed this House on the 3rd August, 1934, in reply to an unstarred question No. 213, asked on the 19th March, 1934, that Train Despatch Clerk, or Free Service clerks or clerks who travel in trains, taking and delivering Railway Dak of the old Oudh and Rohilkhand Railway, are *not* paid mileage allowance? If so, will Government please (i) lay on the table of this House the pay bills of the following Despatch clerks of Moradabad Division for the months of January, February, March, April, May, June, July, August, September and October 1934:—Messrs. A. R. Haya, Ibn-i-Hussain, Babu Lal Sharma, Raghubar Dayal and Fiazud-Din; (ii) state how far the report of the Agent is correct; and (iii) what disciplinary action has been taken against the Agent for suppressing the true and correct information, if none, why not?

(b) Is the Agent's report being scrutinized before being communicated to this House? If so, how and who scrutinized it; if not, why not?

(c) Do Government propose to prosecute the Agent under section 124 of the Government of India Act; if not, why not?

Mr. P. R. Rau: Government are making enquiries.

GRANT OF EUROPEAN LEAVE RULES TO CERTAIN STAFF ON THE EAST INDIAN RAILWAY.

574. ***Mr. Muhammad Azhar Ali:** Will Government please state the circumstances under which certain staff on the East Indian Railway Administration, appointed to service after the 31st December, 1924, are granted European Leave Rules admissible to the staff engaged by the late East Indian Railway Company?

Mr. P. R. Rau: With your permission, Sir, I shall reply to questions Nos. 574 and 575 together. Government are not aware that the facts are as stated, but are making enquiries.

GRANT OF EUROPEAN LEAVE RULES TO CERTAIN STAFF ON THE EAST INDIAN RAILWAY.

575. ***Mr. Muhammad Azhar Ali:** Will Government please state the circumstances under which the staff on the East Indian Railway Administration, re-appointed to service after the 31st December, 1924, are granted Company's European Leave Rules?

ACCELERATED PROMOTIONS OF THE STAFF ON THE EAST INDIAN RAILWAY.

576. ***Mr. Muhammad Azhar Ali:** Will Government please state the circumstances under which certain staff on the East Indian Railway Administration are given accelerated promotions?

†For answer to this question, see answer to question No. 574.

Mr. P. R. Rau: I am not aware of any general rules framed to govern such cases. Each obviously must be considered on its merits.

APPOINTMENTS OR PROMOTIONS OF CERTAIN RAILWAY STAFF MADE BY SELECTION.

577. ***Mr. Muhammad Azhar Ali:** Will Government please state the circumstances, rules or regulation, under which the appointments or promotions other than to Transportation Inspectors, Station Superintendents, Assistant Running Shed Foremen and Controllers, are made by selection?

Mr. P. R. Rau: I would invite the Honourable Member's attention to rules 57 to 61 of the "Rules for the recruitment and training of subordinate staff on State-managed Railways", a copy of which is in the Library of the House.

CREATION OF SPECIAL GRADES IN TIME SCALE OF PAY ON THE EAST INDIAN RAILWAY.

578. ***Mr. Muhammad Azhar Ali:** Will Government please state the circumstances under which special grades in time scales of pay are created on the East Indian Railway Administration?

Mr. P. R. Rau: If my Honourable friend will inform me what special grade he refers to, I shall endeavour to see if I can give him an answer.

Mr. Muhammad Azhar Ali: Should I inform the Honourable Member here in the House, or should I send him a private note?

Mr. P. R. Rau: Just as he pleases, Sir.

POWERS OF AN AGENT AND HIS SUBORDINATES IN RESPECT OF DISCHARGE, DISMISSAL, ETC.

579. ***Mr. Muhammad Azhar Ali:** Will Government please state the powers of an Agent, a Deputy Agent, Heads of Departments, Divisional Superintendents, Superintendents (Senior Scales), Assistant Superintendents (Junior Scales) in respect of discharge, dismissal, punishments, fine (extent), reduction (extent), demotion (extent), promotion (extent), and other matters, concerning the personnel or establishment?

Mr. P. R. Rau: The extent of the powers delegated by the Governor General in Council to Railway Administrations, in financial matters, will be found in the Book of Financial Powers, a copy of which is in the Library. These allow re-delegation to subordinate officers. Such delegations are made by Agents, as circumstances necessitate, and do not require to be communicated to the Railway Board.

Mr. Lalchand Navalrai: Are these rules made by the Agents also in the Library?

Mr. P. R. Rau: No, Sir, they do not require to be communicated to the Railway Board.

PAY OF STATION MASTERS AND ASSISTANT STATION MASTERS.

580. ***Mr. Muhammad Azhar Ali:** Will Government please state the rate and scales of pay (old, co-ordinated and revised) of Assistant Station Masters (Lower Grades), Station Masters (Lower Grades), Assistant Station Masters (Higher Grades) and Station Masters (Higher Grades)?

Mr. P. R. Rau: I have placed in the Library of the House a statement showing the revised scales of pay for Station Masters and Assistant Station Masters which were introduced on the East Indian Railway in 1934. I shall see whether similar information about the old scales of pay has been compiled in a handy form, or is otherwise readily available.

PROMOTIONS OF ASSISTANT STATION MASTERS AND STATION MASTERS.

581. ***Mr. Muhammad Azhar Ali:** Will Government please state the normal channel of promotions of an Assistant Station Master (Lower Grade) and Station Masters (Lower Grades) to an Assistant Station Master (Higher Grades) and Station Masters?

Mr. P. R. Rau: I would invite the Honourable Member's attention to rules 10 and 15 of the "Rules for the recruitment and training of subordinate staff on State-managed Railways", a copy of which is in the Library of the House.

SYLLABUS, BOOKS AND INSTRUCTIONS OF REFRESHER COURSE.

582. ***Mr. Muhammad Azhar Ali:** Will Government please state the syllabus, books and instructions of Refresher Courses referred to in Rules 14, 19, and 34 of Rules for the recruitment and training of staff?

Mr. P. R. Rau: With your permission, Sir, I propose to reply to questions Nos. 582, 583 and 584 together. Government have no information regarding these details, which have been left to be settled by each railway administration according to its needs. If, however, there are any published documents relating to them I shall endeavour to obtain copies and place them in the Library of the House.

SYLLABUS, BOOKS AND INSTRUCTIONS OF PROMOTION COURSES.

†583. ***Mr. Muhammad Azhar Ali:** Will Government please state the syllabus, books and instructions of promotion courses referred to in Rules 14, 19, 24, 29, and 34 of Rules for the recruitment and training of subordinate staff?

PLACES AND THE PERIOD OF PROMOTION COURSES.

†584. ***Mr. Muhammad Azhar Ali:** Will Government please state the places and the period of promotion courses given to staff referred to in Rules 14, 19, 24, 29, and 34 of Rules for the recruitment and training of subordinate staff?

†For answer to this question, see answer to question No. 582.

PERSONS APPOINTED DIRECT TO THE HIGHEST GRADE OF GUARDS.

585. ***Mr. Muhammad Azhar Ali:** Will Government please state the number of persons appointed direct to the highest grade of guards and the reasons for such appointments during the period from the 1st January, 1934 to the 31st January, 1935?

Mr. P. R. Rau: The information is not readily available and its compilation will involve an amount of labour and expenditure which in the opinion of Government is not likely to be justified by results.

RENT-FREE QUARTERS OR HOUSE ALLOWANCE IN LIEU OF FREE QUARTERS FOR THE NON-GAZETTED STAFF ON STATE RAILWAYS.

586. ***Mr. Muhammad Azhar Ali:** With reference to Note 2 to paragraph 2 of section I of Chapter II of State Railway Code (Revised) will Government please state:

- (a) the classes of non-gazetted staff on State Railways who held a post, which carried the privilege of rent-free quarters, or house allowance in lieu of free-quarters, prior to the 1st August, 1928;
- (b) the posts and the classes of non-gazetted staff on State Railways which carried the same concession after the 1st August, 1928;
- (c) the posts which carried the same concession prior to the 1st August, 1928;
- (d) whether non-gazetted staff are exempted from the payment of District Board, municipal or local taxes on houses or buildings occupied by them while serving at a station where they had no personal property except pay and allowances; and
- (e) the posts which carried the privilege of rent-free quarters or house allowance in lieu of free-quarters after the 1st August, 1928?

Mr. P. R. Rau: (a), (b), (c) and (e). I am afraid my Honourable friend has been referring to an uncorrected copy of the code in question. The rule has since been revised and a corrected copy of the code has been placed in the Library of the House. If my Honourable friend has any further difficulties after perusing the revised rule I shall endeavour to get the information he wants if it is readily available.

(d) I would refer the Honourable Member to paragraph 22 of chapter II of the code in question.

Dr. Ziauddin Ahmad: I think there is some kind of dissatisfaction among the staff due to the absence of rules about the free house rent which is given to the subordinate staff. Will Government consider that these rules should be framed and made available to all the members of the staff so that they may know which class of people are entitled to house rent free?

Mr. P. R. Rau: The rules are available and they have been published.

Dr. Ziauddin Ahmad: Are these rules available to the Members of the Legislature also?

Mr. P. R. Rau: A copy of the rules is in the Library of the House.

Dr. Ziauddin Ahmad: Is the Honourable Member sure about it?

Mr. P. R. Rau: Yes.

Dr. Ziauddin Ahmad: Sir, I would like to take this opportunity of pointing out that before a Government Member says that such and such thing is in the Library of the House, he must assure himself that the thing in question has been supplied to the Library. Only the other day, the Honourable the Commerce Member said that certain figures about January, 1935, were available in the Library, but I am sure they have not yet come to the Library.

NON-GAZETTED STAFF ON STATE RAILWAYS ENTITLED TO CERTAIN ALLOWANCES.

587. ***Mr. Muhammad Azhar Ali:** Will Government please state:

- (a) the classes of non-gazetted staff on State Railways who are entitled to travelling and daily allowances;
- (b) the classes of non-gazetted staff on State Railways who draw the mileage allowance;
- (c) the classes of non-gazetted staff on State Railways who are paid consolidated allowance?

Mr. P. R. Rau: (a) All railway servants, except those in receipt of mileage allowance or consolidated travelling allowance, are entitled to draw daily allowance, when travelling on duty, subject to the conditions stated in Supplementary Rule 82 (b).

(b) Generally speaking, mileage allowance is drawn by classes of non-gazetted staff who are directly connected with the charge of moving trains such as drivers, firemen, guards, brakesman, etc.

(c) Consolidated travelling allowances on State-managed Railways are drawn by staff to whom they are specially granted, such as:

- (i) Staff employed on a construction or survey work; and
- (ii) certain travelling ticket examining staff.

HOURS OF EMPLOYMENT OF THE RUNNING STAFF ON STATE RAILWAYS.

588. ***Mr. Muhammad Azhar Ali:** Will Government please state the hours of employment of the running staff on State Railways?

Mr. P. R. Rau: The information is contained in page 109 of the Memorandum placed by the Railway Board before the Royal Commission on Labour, a copy of which is in the Library.

NON-GAZETTED STAFF ON STATE RAILWAYS TERMED AS RUNNING STAFF.

589. ***Mr. Muhammad Azhar Ali:** Will Government please state the classes of non-gazetted staff on State Railways termed as Running Staff?

Mr. P. R. Rau: I am afraid it is not possible for me, without making detailed enquiries, to give an exhaustive list of the classes termed as running staff. I may explain that generally those who are directly connected with the charge of moving trains, such as drivers, firemen, guards, brakesmen, etc., are so termed.

THE RAILWAY BUDGET—LIST OF DEMANDS—*concl'd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Demands for Grants for Railways. Honourable Members who do not belong to any Group will, the Chair believes, move certain motions for the reduction of the Grant. The Chair understands that an arrangement has been arrived at among them, and it finds that Mr. Joshi has a number of motions in his name to discuss labour grievances. One of them is No. 2 and the others are under different heads. The Chair does not know under which head the Honourable Member wishes to move his motion.

Mr. N. M. Joshi (Nominated Non-Official): Whichever you please, Sir.

Mr. President (The Honourable Sir Abdur Rahim): No. 2.

Mr. N. M. Joshi: All right, Sir.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): There are two motions given—one relates to the grievances of labour and the other to grievances of the railway employees. Which one does the Honourable Member wish to move?

Mr. N. M. Joshi: Both come to the same thing.

Dr. Ziauddin Ahmad: They are not the same, because all the employees do not come under the category of "labour".

Mr. N. M. Joshi: That is not my meaning.

Mr. President (The Honourable Sir Abdur Rahim): There is also a similar motion under Demand 6-E, No. 291. Perhaps it will be more convenient if the Honourable Member moves that.

Labour Grievances.

Mr. N. M. Joshi: All right, Sir. I move:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be further reduced by Rs. 100."

Mr. President, my object in giving notice of this motion was to protest against the policy of the Government of India in respect of the treatment of the railway employees, as I feel that the Government of India are following a very wrong policy. They generally give better conditions of work as well as of life to their superior officers or employees and they go on reducing the facilities offered to their employees in proportion to their salaries or wages. They make this distinction, not only as regards their salaries and

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wages, but even as regards other conditions of work. I can understand the Government of India paying larger salaries to their superior officers, although I feel that the difference between the salaries paid to the superior officers and the wages paid to their lowest paid workers is extremely great and unjustifiable. Still, I do not propose to discuss that question today at all. I feel that, although the Government of India may make a difference between the salaries and wages paid to their superior services and to their subordinate services and to the services which are known as inferior services, yet there is absolutely no justification for making any differentiation as regards other conditions of service, such as, the leave rules applicable to the different services, the rules as regards the passes, the rules as regards the provision of provident fund, etc. My feeling is that the men belonging to the superior services do not need as much leave as the poorest classes of the employees. If a man belonging to the superior service has some domestic work to be done, he has got either the servants to look after that work, or his wife, who generally does not do much work, can look after his business. Moreover, the men belonging to the superior services do not work as hard as the lowest class of railway employees do. (*Honourable Members from Official Benches* : "Question".) You may question, but you will have to get your lowest paid employees to agree to your view, and they do not agree with your view.

Then, Sir, take the question of passes. Men belonging to the superior services are given passes; some of them are given saloons; and the number of passes is reduced according to the service. The superior services get the largest number of passes and the people, who are at the lowest rung of the ladder, get no passes at all.

The same is the case with the provident fund. The poorest classes of railway employees are not entitled to be members of the provident fund while people getting even Rs. 1,000 and more are entitled to get the benefit of the provident fund. I do not know why this distinction should be made, and if any distinction is to be made, it should be made in this particular case in favour of the lowest paid employees. A man who gets Rs. 2,000 a month can easily save some money for his old age, but the man who gets Rs. 10 a month cannot certainly save any money for his old age. Unfortunately our railway authorities provide provident fund and gratuity for people who get higher salaries and people getting lowest salaries are excluded. I feel that this is a very wrong policy and the House should enter an emphatic protest against this policy.

The conditions of work of the railway services were investigated by the Royal Commission on Indian Labour and they made their recommendations. The recommendations are before the Government of India for the last four years. The Government of India, in the Department of Industries and Labour, have published three reports on the action taken by the Government of India on the various recommendations of the Royal Commission. This morning, Sir, I propose to deal with some of the recommendations of the Royal Commission made to improve the conditions of work of the railway employees. I shall, first of all, deal with the recommendation of the Royal Commission, namely, that when workers are required to undergo a medical examination, after they are confirmed, they should have the benefit, if they like, of an independent specialist. Let the railway medical officer examine him, if he likes, but if the employee is not satisfied with the decision of the medical officer of the railways, he should have the assistance of

an independent specialist. The Government of India have not yet accepted and given effect to this recommendation. They say that this recommendation is under consideration. I would like to know why four years are necessary to come to a decision on a simple matter like this.

Then, Sir, I shall come to another important recommendation made by the Royal Commission. The Royal Commission has stated as regards racial discrimination that steps should be taken in order that this racial discrimination should be completely wiped out within a fixed limit of time. I would like the Government of India to tell me what is the fixed limit of time which they have fixed in order to wipe out completely racial discrimination. The reply of the Government of India is that, in principle or in theory, there is no racial discrimination. That does not, however, satisfy the railway employees. You may in principle not make any racial discrimination, but in practice you may continue to do so. What the Royal Commission, after knowing the fact that the Government of India do not make any racial discrimination in principle, but make it in practice, recommended that this practice should be stopped within a certain fixed limit of time. The Government of India do not do so. What the Government have done is this. In order to be able to practise racial discrimination, without accepting the theory or principle of racial discrimination, they have divided certain categories of railway workers into classes. Take the guards. They have divided the guards into "A" class, "B" class and "C" class. Certain classes of people like the Anglo-Indians are recruited directly to higher grades. Other Indians generally are not. According to the rules, they are not prevented from being appointed, but they are not generally appointed, with the result that there is in practice racial discrimination, while in theory the Government of India abjure racial discrimination. Then, the Government of India say that they do not make any racial discrimination as regards promotions. If you appoint a certain class of people to higher grades and tell us that afterwards you do not make any discrimination as regards promotion, you are not quite honest. Those people who are already appointed to higher grades have become senior to those who are appointed to the lower grades, with the result that people who are appointed on the lower grades, although they may be senior in service to those who are appointed in the higher grades, can never rise to some of the higher posts open to that class of people. I would like the Government of India to tell me. . . .

Dr. Ziauddin Ahmad: Does the Honourable Member advocate that every person in the railway service should begin from the lowest rung of the ladder and there should be no direct recruitment to higher posts?

Mr. N. M. Joshi: I am suggesting that there should be no racial discrimination. If certain classes of people alone are appointed on the higher grade, I object to that.

Then, Sir, I will take another recommendation of the Royal Commission. The Royal Commission has recommended that the Government of India should revise the leave rules. I have already stated that the leave rules of the Government of India are such that people who are highly paid get more leave. The Government of India have unfortunately revised the leave rules in such a way that the result is that people who were getting longer leave are now given shorter leave. People who get the lowest salaries and wages get the shortest leave. The daily rated workmen and the workmen belonging to the inferior service are not allowed to accumulate the leave

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which they have not used during a particular year. Then, the inferior service people as well as the daily rated service people do not get the benefit of leave on full pay and sick leave for the first three years of their service. I should like to know why this distinction should be made. Why people should not be treated equally in this matter?

Then, the Royal Commission has recommended that people who are considered to be daily rated should all be made monthly rated after a year's continuous service. The Government of India have not accepted this recommendation, and they say it is still under consideration.

Then, there is the question of the provident fund. The railway employees getting a salary of Rs. 15 and less are not eligible to the provident fund at all. I have already stated that it is this class of people, people getting the lowest salaries and wages, who have the need for provident fund more than people who get higher salaries. Therefore, the Royal Commission recommended that this lowest class of railway employees should be given the benefit of the provident fund. But the Government of India have not accepted this recommendation. They say that the recommendation is rejected.

Then, the Royal Commission made a recommendation as regards the payment of gratuities. There is at present a restriction, namely, that people who have not put in 15 years' service or less service do not get gratuities. The Royal Commission recommended that this restriction should be removed. The Government of India have rejected this recommendation. I should like to know why the Government of India should have rejected this recommendation and why the recommendation of the Royal Commission could not be accepted?

Then, Sir, there is the question of the regulation of the hours of work. The Government of India ratified a Convention passed at the Labour Conference at Washington. They also ratified another Convention passed at Geneva. The first of these Conventions provided for the limitation of the hours of work and the second provided for the weekly rest day. The Government of India took no action, or very little action, on this Convention, till the year 1930. In 1930, they passed legislation providing for regulating the hours of work. The Government of India have applied these regulations only to State Railways. I do not know why Company-managed Railways should be excluded from these regulations. In the matter of labour legislation, there cannot be a difference made between private concerns and Government concerns, and, so far, all labour legislation was applied to Government factories and private factories equally. Here, as regards the hours of work, the Government of India have applied them to the State-managed Railways and not to the Company-managed Railways. Perhaps the argument of the Government of India is that the application of these regulations costs some money and they plead the general argument of present depression. Now, Sir, there are some Company-managed Railways, like the Bengal and North-Western Railway, the Madras and Southern Mahratta Railway, the South Indian Railway, etc., who have not made very much losses during the last few years, and, in any case, they have not made losses as large as the State-managed Railways; and I do not know why the Company-managed Railways should be excluded from the benefit of these regulations. I hope, Sir, the Government of India will apply these regulations to the Company-managed Railways without any loss of time. Under this legislation of 1930.

the Government of India have appointed labour supervisors and labour inspectors. These labour supervisors and labour inspectors are, in the present circumstances, placed under the control of the Railway Board. I feel that this policy is a very wrong policy. The labour supervisor and the labour inspectors are appointed to see that the legislation is given effect to. The breaches of labour legislation are to be punished with fine. May I ask whether a labour supervisor or a labour inspector, who is placed under the control of the Railway Board, will ever prosecute either a Member of the Railway Board, who is responsible for the management of the railways, or even an Agent of a railway who is directly responsible for the management of the railway? It is wrong to place an officer in such a wrong position. I feel, Sir, that the labour supervisors and the labour inspectors, who have to perform some statutory duties, should not be placed under the Railway Department of the Government of India.

Then, Sir, the Royal Commission has made certain recommendations as regards those railway employees who are discharged or dismissed. The Royal Commission recommended that whenever a man is about to be discharged or dismissed, he should be provided with a charge-sheet. The Commission recommends that his case should be investigated by a superior officer, and if, after going through his case, the superior officer decides that the man should be discharged or dismissed, that superior officer should personally meet that railway employee, and, during the interview, the railway employee should have the benefit of being accompanied by an officer of a trade union or by any other railway employee. I want to know why the Government of India should have taken four years to consider this recommendation. This recommendation is not likely to cost anything to the Government of India.

Then, the Royal Commission made recommendations as regards appeals in cases of dismissals and discharges. They provided a similar procedure, namely, that the worker should be personally heard by a superior officer and that the worker should be accompanied by a representative of the union or by any other employee whom he chooses to take with him. The Royal Commission has made certain recommendations also as regards railway employees who are punished not so seriously as by discharge or dismissal but by a lighter punishment. Those recommendations too have not been given effect to by the Railway Board.

Then, Sir, the Royal Commission recommended that the Railway Authorities should follow a more generous policy as regards the recognition of trade unions. They also said that a stage has been reached in the development of some unions where facilities might with advantage be conceded to these unions. I feel, Sir, that the Government of India is following a very wrong policy as regards the treatment of the trade unions. At present, there are numbers of railway unions which are not recognised. There is no recognised union on the East Indian Railway, on the Great Indian Peninsula Railway, on the Bombay, Baroda and Central India Railway, on the Burma Railway or on the Bengal and North Western Railway. On most of these lines, there are already existing registered unions. Unfortunately the Government of India are not following the recommendation of the Royal Commission inasmuch as they are not recognising these unions. Neither is the Railway Board giving any facilities as recommended by the Royal Commission. Then, there is another matter as regards the policy of the Government of India in the matter of these unions. There was a

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time when the Government of India insisted that the officers of railway unions should not be outsiders. I find that now the Government of India are following a sort of dual policy. On some railways they insisted that it is only the railwaymen who could approach the railway Agent; but there are other railways who insist that the railway employees shall not be the general secretaries of the unions. On the Madras and Southern Mahratta Railway the Agent has made a rule that no railway employee shall become the general secretary. Now, Sir, let the Government of India give serious consideration to this question and come to a right decision. When you permit your employees to have trade unions or an organisation of their own, it is their business whom they should appoint as their president or secretary. It is not the business of the Agent or of the Railway Board. If the railwaymen have confidence in one of themselves, let them appoint one of themselves: let them appoint their president or secretary from the ranks of the railway employees. If the railway employees have confidence in an outsider, let them be free to elect whomsoever they please. I would like the Government of India to follow the right policy in this matter.

Then, the Royal Commission recommended that the Government of India should establish a joint standing machinery for the settlement of disputes between the railway authorities and the railwaymen. They recommended the establishment of a central board: they recommended that there should be also a board on each railway and they recommended the appointment of various committees. The Government of India is still considering this question—"under consideration" they say.

The Government of India are trying to establish some welfare committees on some railways. The Royal Commission recommended that generally they should not start these welfare committees in rivalry to the trade unions, but there should be co-operation between the welfare committees and the trade unions, and, for that purpose, they recommended that even where these welfare committees consist of railway employees, those members of the welfare committees who belong to a railway union should have a right to be accompanied at the meetings by an officer of the trade union. The Government of India have not given effect to this recommendation and they are still considering that recommendation.

Then, there are one or two other matters to which I should like to refer. The Royal Commission recommended, that, as far as possible, the practice of employing contract labour for departmental work should be stopped. The Government of India have not given effect to this recommendation. They say they leave this matter to the Agents—if the Agents find that it is better to get certain work done by certain private firms instead of in railway workshops, they should be at liberty to do so. The Royal Commission considered this question and came to the conclusion definitely that it is much better that the Government of India should do these kinds of works departmentally instead of by contractors. As a matter of fact, not only in their workshops they give work to private firms, but on railway stations the Government of India have started the practice of employing contractors to control their porters. The Government of India control 700,000 railway employees, and they find themselves incapable of controlling porters at some stations. In most of the stations they control their own porters but it is only at some stations that they find it difficult to control

them and they employ contractors there. I think this practice of employing contractors for controlling porters is a very wrong one. Once I had occasion to ask many questions about this practice of porters, especially at Howrah, and I came to the conclusion that the whole practice was not due to the incapacity of the Railway Board to manage the porters, but the practice was due to the fact that the Railway Board was anxious to benefit certain individuals who were the contractors. I consider that this is a very wrong thing, and the sooner the Government of India put a stop to this practice, the better. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. N. M. Joshi: There are many grievances: they are really numerous, and I cannot deal with them all. But, before I conclude, I would like the Government of India and this House to give very sympathetic consideration to the conditions of life and work of the railway employees. The grievances, which I have narrated, are real grievances, and unless the Government of India show real sympathy, there will be great discontent among the railway employees. I suggest to the Government of India that they should have on the staff some officers who will deal specially with labour questions—and, if I may venture to suggest, I would like this officer not to be drawn from the railway service at all. I would like this officer to be drawn either from the Indian Civil Service or the Indian Educational Service or some service of that kind: but I would really like the Government of India to have one officer in the Railway Board—not as a Member of the Railway Board—I am not suggesting he should be paid Rs. 4,000 although I should think the job was worth it—but I would suggest that this officer should not belong to the railway service, but to some other service, and his services should be asked on loan from some other service. I hope the Government of India and this Legislature will show some sympathy with the railway employees, and will earn the gratitude of these 700,000 employees. I hope the House will accept my motion.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be further reduced by Rs. 100."

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I rise to support the motion before the House and more or less for similar reasons as have been advanced by the Honourable the Mover. The Honourable the Mover very rightly attacked the Railway Board in that it has not complied with the recommendations of the Royal Commission on Labour. He has referred to many such omissions. I propose to confine my remarks to just one or two.

The Honourable the Mover has stressed the question of railway unions and the—I will not say neglect, I would prefer to use a more correct term—apathy displayed by the Railway Board towards this matter. To my mind, if I were to sum up the attitude of Railway Agents *qua* the Railway Board in their attitude towards railway unions, I would say that it is one of distinct and purposeful opposition; and I have very cogent reasons for making this statement. Railway Agents have not appreciated the fact that they cannot, from their holy of holies, impede

The Honourable Sir Frank Noyce (Member for Industries and Labour): My Honourable friend is doubtless referring to the Labour Commission, not to the Lee Commission.

Lieut.-Colonel Sir Henry Gidney: Quite right, I am thankful for the correction. I mean the Labour Commission; I am afraid I have been rather belabouring the Lee Commission. I really meant the Labour Commission. Now, the Labour Commission stated very clearly that this was a very serious evil on all railways in fact in all departments of the Government. Sir, I had the pleasure of being an Associate-Member of that Commission. I had also the pleasure of discussing this problem with the late Mr. Whitley who was the Chairman of that Commission, and he told me he had left with the Government two draft clauses of a Bill which he suggested should be passed by this Legislature, and that Bill was to this effect that Government should enact legislation preventing the attachment of salary of any of their employees. When that solution was first suggested to me, I looked upon it almost as an attempt at commercialising dishonesty, but, on a closer analysis, I had good reasons to agree with it, because, as Mr. Whitley said, if you stop the attachment of pay, you will stop the money-lender from lending money, and so you will eradicate the root cause of the trouble. The Government of India have a Bill before this House in which they ask the House to pass legislation preventing the attachment of the salary of any of their servants who is in receipt of Rs. 100 or less. I think it would be much better if the Railway Board concentrated more attention on this very serious problem of indebtedness, which is like a canker in the lives of its administration, both officials and subordinates.

Sir, the other question that I should like to advert to is the question of provident fund, but my time is short and I agree with what my friend, Mr. Joshi, has said.

There are other points that I could enumerate, indeed the grievances and complaints that come to me in my daily public life are so numerous that I could occupy this House a whole day and longer if I were to mention them, but these are matters which are better dealt with by personal representation to the Railway Board. The motion before us refers mainly to larger and more general matters concerning the interests of employees. Let me refer to just one or two. The Railway Board, in consultation with the various Local Governments, has decided to reduce all salaries. This Legislature also demanded economy in salaries. A Retrenchment Committee was appointed which drew up certain reduced rates of salaries, which are now in operation. I wonder if the Railway Board has realised what effect this has had especially on the poorest paid men in the railways. I do not refer to any employé who is in receipt of more than Rs. 200 a month, I speak of those low, poorly paid men, who are employed today as engine cleaners on Rs. 10, Rs. 12 and Rs. 15 a month, and I particularly refer to members of my community, not with a view to introducing any communal distinction, but merely to illustrate my point. Sir, there are members of my community who are today employed as engine cleaners on Rs. 10, Rs. 12 and Rs. 15 a month, young lads who have no relatives to live with or help them, and who really find life absolutely impossible. Now, Sir, this refers to subordinates, but when you come to look at those who receive higher salaries, what is the position? Their position is in every way better

for they are not hit so hard, they can economise. The Railway Board, in reducing the salaries of their staff, have in addition, reduced or withheld many privileges, *e.g.*, the number of passes, in addition it has reduced many allowances and over-time, it has reduced many other privileges in vogue before, *e.g.*, it has reduced the educational grant to children of their employees, free quarters and increased house rent, income-tax, etc. In addition, it has introduced new house rent rules which have deprived those people who, when they entered Company-managed Railways, were guaranteed such privileges. The recent N. W. Railway house rent charges are a cruel imposition on its employees who for decades have had free quarters. And what makes the cruelty worse is that the arrears in house rent are being paid back in large instalments which the men are unable to pay. I consider this is not only an injurious and bad policy, but it is certainly a great hardship. My Honourable friend over there, Mr. Rau, is shaking his head. I suppose I shall have to explain myself more clearly to him, but I can assure my friend in all sincerity that while I agree that economy should be effected, I ask, why, in your lust for economy, have you deprived your servants of many of the privileges that they enjoyed before, privileges which they are entitled to as members of the old Company-managed and even State Railways?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Lieut.-Colonel Sir Henry Gidney: Thank you, Sir. There is one other matter. The Railway Board have had many cases before them, many cases whose actual age certificates are in conflict with the age of superannuation, *i.e.*, 55 years. Evidence beyond doubt, evidence that no one can deny, has been produced before the Agents by aggrieved employees to show that their ages are not what have been put down in their service sheets and railway records, and yet Railway Agents, with their autocratic power, refuse to allow any correction of dates of birth and refuse to allow an extension of service, even when the age entered in the railway records has been proved to be increased. They do not care tuppence for baptismal certificates or the registration of birth certificates. Sir, it all boils down to this. When one realises the big catalogue of grievances we have heard today, when the Railway Board is daily faced with 30 to 40 questions regarding railway grievances, surely it must be obvious to them that some at least of these are genuine, and that Members of this House are sincere when they present what are, in their opinion, genuine and serious grievances of their constituents—the humble railway employees. The Railway Board must appreciate the fact that the time has come when it must establish a complaints or grievances committee in every railway, or establish a department in the Railway Board exclusively for such work. Grant that, encourage the establishment of railway unions on your railways, and believe me, as one who has closely studied the work of railways, you will have a return to your benefit—a hundred-fold. Moreover, the time of this House will be spared the wastage of about half an hour every day in asking the Railway Board questions regarding railway grievances. I speak with great feeling, I speak with greater conviction, and I speak with indisputable evidence, when I ask the Railway Board immediately to rise to the occasion and to grant its railway employees, over 700,000 on whom in a large measure the whole

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of India's trade and commercial development and tranquility depend—a greater sense of security of service, greater facilities for presenting their grievances,—and receiving justice—freer access to their officials, that Railway Agents should show greater sympathy to the humblest employee with a human touch in it, rather than encourage with aloofness the autocracy under which they are administered today. It is all very well to say that discipline must be observed on railways, but, Sir, discipline can be carried to a dangerous limit and that dangerous limit comes when autocracy is the forerunner to a strike. And, I ask, what have the previous railway strikes been due to.—almost entirely to the absence of sympathy from Railway Agents and their unbendable autocracy and unapproachability. I cannot talk in too strong terms of the absence of sympathy of Railway Agents and some of their higher officials, heads of departments, especially the E. I. Ry. towards their subordinates. And, Sir, on behalf of over 700,000 railway subordinates of all communities—for all communities now come to me with their grievances—I want to make a fervent appeal to the Railway Board to insist on Railway Agents recognising and encouraging well-organised labour unions and so deprive Agents of their autocratic powers. I want the establishment of a grievances or complaints department such as has been suggested by the Labour Commission or I warn the Railway Board of the consequences. Sir, with these remarks, I support the motion.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Pural): I rise to support the cut motion moved by my Honourable friend, Mr. Joshi. I have listened very patiently for the last four days to the various grievances ventilated on the floor of this House, and today a long catalogue of grievances against the Railway Board has been detailed by my Honourable friend, Mr. Joshi. My Honourable friend, Dr. Gidney.....

An Honourable Member: Sir Henry Gidney.

Another Honourable Member: Colonel Gidney.

Mr. N. V. Gadgil: Which would you like?

Lieut.-Colonel Sir Henry Gidney: Call me anything you like provided you do not call me too early in the morning.

Mr. N. V. Gadgil: My Honourable friend wants sympathy from the Railway Board. I think the position of the Railway Board has been made sufficiently clear by the Honourable Member in charge of the Railways the other day. He said that he has somebody whose behest has to be carried out so far as the policy of the Railway Board is concerned. The other day, when he spoke in a very apologetic manner about coal contracts being given to mines owned by Indians, I was reminded of a story, or rather a practice that was in vogue in the Maharashtra years ago. He spoke like the old style Hindu daughter-in-law afraid to speak before strangers to her husband. I would request the Honourable Member to speak out and not be afraid of these nine Europeans who occupy only a small portion of this House, and tell that somebody, who is 5,000 miles across, is nobody with us and nobody to the Government of India. If the Government of India are not strong enough, I shall just prescribe one remedy

for the Government of India to follow. The Government of India have got in their possession the antecedents, the tastes and temperaments of those Congressmen who happen to be here, and if, by this time, they have not learnt the technique of civil disobedience, I shall just request them to try it so far as the Home Government or that somebody is concerned.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member address himself to the motion before the House?

Mr. N. V. Gadgil: The relevancy of my remarks is this, that request after request has been made, grievances after grievances have been ventilated, and the reply is that somebody dictates policy, and I want the Government of India, and the Railway Board in particular, to take courage in both hands and say for once that it is for India that they stand, and not for the benefit of that somebody. Then, it is not sympathy that I claim on behalf of the railway labourers. My fundamental proposition is that the labourer is an asset, is a factor of production, it is not sympathy that he wants, it is justice, it is his right to live, it is his right to have work, and it is his right to live decently. On those grounds, I wish to support this motion.

As regards the various grievances that have been catalogued by my Honourable friend, Mr. Joshi, from the report that has been published recently, what action have the Government of India taken with respect to the recommendations of the Labour Commission? All they say is that it is 'under consideration'. Years have passed and what the Government of India have done has never come up to the expectation of the labour party or the labour organisations in India. And the reason is this. It is the basic ideology that accounts for this. If the Government of India only realise that it is labour alone that produces wealth; not the capitalist, not the bureaucracy, nor the hierarchy in the railway services, but the pointsmen, the coaching clerk, the booking clerk, the goods clerk—that they are the primary producers of wealth, I think that they will soon recognise that it is their duty to give effect to the recommendations of the Whitley Commission as early as possible. There are so many grievances which have been ventilated on the floor of this House, but I will confine my remarks hereafter to one particular grievance. This House probably knows that there was a strike on the Great Indian Peninsula Railway in the year 1930, and the strike was not declared illegal. It was a strike which was undertaken after giving due notice under the Public Utility Services Act. There was a sort of compromise with the Railway Board arrived at through the good offices of the Railway Federation, but unfortunately, the terms of the compromise were not implemented and the result is that today there are nearly 5,000 Great Indian Peninsula Railway strikers out of employment. I do not want to catalogue all the grievances, but certain grievances are such that they cannot be neglected even at this stage. There was a scheme for keeping a waiting list. Of those who, on or before the 17th March, 1930, applied to the various officers for being taken on the service, a separate list was prepared. Then, there was another list, but whatever may be the intentions of the Railway Board, the Agents do not carry out the policy, as has been suggested by Sir Henry Gidney. I may just tell here that I happened to be on the strike committee then. I learnt that such a settlement was arrived at, and I went to Poona station and asked one of the station officers whether it was a

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fact. The moment the officer heard that such a settlement was arrived at, he immediately dropped his glass on the ground and said: "Oh, is that so?" That is the spirit in which the lower railway officials act. I do not want to detail how some of them were very wrongfully refused to be taken and entered on the waiting list on the pretext that quarters had not been vacated, although that was not one of the terms of the agreement arrived at with the Railway Board. Then, those who were taken, were taken on the understanding that it was not re-engagement, but it was re-employment. The old privileges had gone. Further, there is another sort of victimisation so far as these persons, who have been taken from the waiting list, are concerned. They were taken and retrenched and then came in, with the result that those who were not strikers but retrenched were taken on the old scale. The new scale did not apply, as far as these persons were concerned, till the year 1936; but so far as the strikers who have been re-taken are concerned, they are not exempted. I will illustrate this by giving a concrete example. One man was drawing Rs. 120 as a guard. He was a striker. After three years, he was taken on Rs. 70, then retrenched and again taken on Rs. 60, and the new scale has been applied in his case. There are other grievances, and these have been ventilated on three occasions, first in June, 1930, when the half-yearly meeting took place between the Railway Board and the All-India Railway Federation and on two subsequent occasions, and yet nothing has been done. According to the figures supplied by the Agent in 1932, 438 persons from the proper waiting list were out of employment, and 3,638 from the other list. I do not think that these figures have decreased, but possibly some increase must have taken place in these figures.

Then, there is the policy of retrenchment. Even today I understand that, on the East Indian Railway inquiries are being made as to how they can retrench the key-men. There are about 1,500 key-men on the East Indian Railway and the present beat is three miles of double line and six miles of single line and the inquiry is being instituted to find out whether the beat can be increased to six miles of double line and twelve miles of single line, so as to bring 500 to 600 men on the unemployed list. The reason is that the railways are having deficit every year. The deficit is bound to be there, when the administration is top heavy and the money, which is the result of the effort of the labourers, is practically usurped by those who do not do as much labour as the primary producers do.

Then, the other grievances, which have also been ventilated by Mr. N. M. Joshi, relate to the recognition of unions. I am now the Vice-President of the Great Indian Peninsula Railway Workers' Union. It is not recognised. The Railway Board says that it is left to the discretion of the Agent. The Agent, under one pretext or other, would not recognise it and the pretext is: "You include outsiders as President, Vice-President or General Secretary and that you pass some brave and bold resolutions at your annual conferences". The fact of the matter is this, that the Agents do not want these unions, because they think they are a sort of hindrance in the administration. What I want to urge is this. They have not yet recognised that but for these labourers they would not be able to secure one farthing of earning for these 40,000 miles of the railway. It is the basic attitude that I want to attack. Nobody connected with a railway

union is allowed to go into the railway yard if he happens to be an outsider. Not only this, but the railway officials and other executive officers work in constant co-operation to see that the railway union does not even get lodging to have its headquarters. That is my experience in Poona. This is the way the Agents and the railway officials look at railway workers. Therefore, I submit that it is not sympathy that I want for the labourers. It is not a sort of patronage that I want. I want a clear recognition of the fact that the workers and the workers alone are the producers of wealth. I stand on the ground of right, on the ground of justice, and what is really due to them. With these words, I support the motion.

Maharaj Kumar Vijaya Ananda Gajapatiraj (United Provinces: Landholders): Sir, I, a new player on the public field, a freshman in the game of politics, playing my first innings, and even if I make a duck, I crave the indulgence of the House for a few minutes. I feel I owe it to the House to acknowledge that I have learnt much during the last few days from the speeches of my Honourable seniors on both sides of the House. My impression is that a hard and tough constitutional fight is going on. I must modestly admit that I cannot contribute any weapon or ammunition for any of the parties to the fight. But I must not be grudged the opportunity to put forward my views, as a representative, about what my difficulties are in discharging the duties of my position here.

Sir, railways are now a part and parcel of our lives. As a product of progressive civilisation of the age, there are certainly larger and smaller issues involved in its day to day administration. Those who are fit to deal with the larger issues have dealt with them. But we, the beginners, are anxious about smaller issues—about grievances. There is something very embarrassing to understand why 28 crores of the Depreciation Fund is shown as a temporary loan. I have pondered over why this is loan and not expenditure—why this is temporary, when there is no prospect of its repayment in the near future.

Why is it not a proper disbursement of the Depreciation Fund, and if not, why should it not be added to the capital at charge? I do feel disgust and even anger on station platforms when I see people huddled together like cattle in a railway carriage. Certainly I do not bless the railway people when my friend sends a basket of Muzaffarpur *lichis* and I find brick-bats in the basket. I cannot blame the abusers of the railways when the stones equalise the weight entered in the railway receipt of a mango parcel. I have got instances where risk-notes of consignors have been construed by Courts extinguishing instead of "limiting" the liabilities of railways as carriers. I have come across complaints of helpless, friendless, resourceless and disorganised dealers of goods, who cannot make both ends meet in their business owing either to delay of delivery, or heaviness of rate, or loss on transit, or all of these causes. But what I seriously feel is that there must be somebody to whom we can go for a fair deal, and who will, on hearing us, say, "This shall cease".

I may be allowed to say, as both sides of the House have testified, that we have got such men in the Honourable Mr. Rau and the Honourable Member in charge. I have heard the Honourable Mr. Rau giving answers to the questions and, I feel that he tries to give correct and satisfactory replies to the points raised, (Mr. Lalchand Navlrai: "Sometimes evasive also") and I need not give a certificate to the Honourable the Commerce

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Member's attempts to pass through rainy days and stormy weather. The Honourable Members, who are playing at high stakes for some radical change by means of cuts and votes, are unquestionably giving expressions of popular opinion. These are grave constitutional questions and in face of these questions, his position is not an enviable one. But the daily work depends more on the human element in the situation. Votes and principles must be respected and translated into change in the system, change in the routine, change in outlook, all of which depend on the change of heart. I believe in human and responsive outlook of the two Honourable Members on behalf of the Government and in view of the solemn promises made by them in this House every day, I appeal to all my friends to rely on them, and I appeal to the authorities to make up their minds that when people go to them with a grievance, they will see it through in such a way that people may feel that that state of things is going to be improved. I plead for mutual friendliness, co-operation and service between men of heart in matters of daily routine, of railway travellers and railway transport. Constitutional struggle may, in the opinion of politicians, quicken the advent of a happier day. But race is not always to the swiftest. (Loud Applause.)

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Mr. President, I am thankful to my friend, Mr. Joshi, who put forward this motion and has very ably and lucidly criticised the state of affairs concerning labour and the sort of treatment that is meted out to labourers by the Railway Administration, and no better man than he can express in a better way the general grievances of labourers and others employed on the railways.

Now, I for myself, at this stage want to confine myself to one single grievance, and that is as it affects the crewmen and the crew in charge on the Eastern Bengal Railway, and, as for the other aspects, I would leave it to my other friends to approach them from their different angles of vision. I can only say at the very outset that the Railway Department ought to make a definite policy of extending similar privileges enjoyed on other railways to all employees of railways that are concerned in similar duties, at any rate on the State Railways. Now, so far as I have come to learn, I believe the case of the crewmen and the crew in charge has already been represented to the authorities time after time, but without effect; and even an Honourable Member, like Mr. Giri, as the General Secretary of the Labour Association, drew the attention of the Establishment Branch of the Railway stating the grievances of the E. B. Ry. crewmen and the crewmen in charge, but no effect was given to that particular demand; and I stand up today, Sir, and say firmly that the grievances are legitimate and they ought to receive sympathetic consideration, and, from that point of view, I can tell the House that the men concerned already approached the authorities, but first of all the reply was like this that the matter was under consideration and has gone up for investigation, but after the investigation it was found out that the case which they put forward was very legitimate and the case was this that they wanted some sort of allowance over and above their pay, because, on the East Indian Railway, the crewmen and others get an allowance called the consolidated allowance; some of those who are senior in service get Rs. 20, and some of them who are junior in service get Rs. 15. Now, this treatment should also be extended to those gentlemen who do similar

work and the same kind of work. That is a thing to be considered,—namely, that on one railway they have got these allowances. Now, why should not these be extended to the other railways where the men concerned perform the same amount and same kind of work?

That is a very important point to be considered.

Another grievance is this that, in regard to these appointments of crew inspectors and other appointments, outsiders intrude. That should not be the policy. I think those gentlemen, who are already in the service, joined that service with the definite purpose of proving their efficiency. If so, they ought to have preference in comparison with outsiders. I do not know how it happened like that. Now, crew inspectors are a cadre of the service which draws a salary of Rs. 200 a month. There has been a rule with the Railway Board that decisions concerning services carrying a pay of Rs. 200 and upwards must receive the sanction of the Railway Board. But, in the particular case of the Eastern Bengal Railway, that rule has not been observed, and I tell you how. There are certain posts created in the Eastern Bengal Railway as crew inspectors, and I will tell you how outsiders creep in. There are certain savings from that crewmen's budget, and, out of those savings, these posts have been created and given to them. By that, they escape the usual criticisms and thus do not receive any attention from the Audit Department, and they are also saved from the criticism of the Railway Board. Now, that is very unfair. I think if anything is sought to be done, that ought to get the sanction of the Railway Board, and this principle should be maintained that these crew inspectors ought to be recruited from the crewmen and the crew in charge.

Dr. Ziauddin Ahmad: By promotion.

Mr. D. K. Lahiri Chaudhury: Exactly.

Another thing I want to say at this stage is this, that I welcome the suggestions just made by my Honourable friend, Sir Henry Gidney, and that is that a Grievances Committee ought to be set up. It is really a pity that the Railway Board is run in such a way that there are thousands and thousands of grievances of different sorts which are not remedied, which are not even ventilated, and which are not listened to when ventilated, but which are absolutely turned down without any rhyme and reason, and that is a thing which is growing and growing and arousing strong feelings in the country against the administration. It is a pity, Sir, that while we on this side of the House come here deliberately to move our motions in order to ventilate individual or general grievances of the public, these railways, which should take up the matter in their own hands, fail even to consider these grievances. My Honourable friend, Mr. Gadgil, with whom I sympathise very much, made a very learned speech in the sense that he made a very important point, namely, that the railways pay little attention to all these railway unions. That is a very important point, and it must be looked into. The railway unions ventilate the grievances of the railway employees and they have a legitimate right to get a good hearing from the railway authorities. Sir, I appeal to the Government that they will make it a point to look into the matters of these poor and helpless crewmen who are on their legs from morning till evening. I am further supported in my remarks by the speech which was delivered, I think, by my Honourable friend, Sir Leslie Hudson, at the

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time of the general discussion of the Railway Budget, in which he said that there ought to be a sufficient check of tickets, and these crewmen do a great deal of work in that direction. I appeal to the Government that they will take up this matter in right earnest and will redress their grievances without any loss of time. With these remarks, I whole-heartedly support the motion which has been moved by my Honourable friend, Mr. N. M. Joshi.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I think the grievances of the railway employees are so many, that not only a book, but volumes can be written about them. In the first place, the important question that arises is this: How are these disputes or grievances to be redressed? We know that the present machinery is too slow, and it leaves the whole thing to the Agents who are callous to recognise the grievances brought to their notice.

Sir, I am in full accord with the expression of my Honourable friend, Sir Henry Gidney, when he said that the railway administration is in opposition to the railway recognised unions. Sir, it cannot possibly be said that the railway recognised unions, which stand for ventilating the grievances of the railway employees, are being listened to or any consideration is given to the points which they place before the railway officers. In view of this opposition, what is the remedy open to them for getting the grievances of these railway employees redressed? I submit, that there ought to be, as has been suggested, a conciliation machinery. When we see that the grievances are not complied with and they are not listened to, what is the other course left? There ought to be an umpire and that umpire should be a conciliation board. There are at present staff councils and there are also recognised unions. They do meet and their proceedings do take place. But with what result? The Agents are more or less prejudiced against these unions and they do not give them any sympathetic hearing. Besides that, it is well-known that it takes a long time to arrive at a decision, and, therefore, it is necessary that there ought to be some machinery to which reference could be made and which could get the grievances redressed.

Now, with regard to that, I will give the instance of the Travelling Ticket Examiners whose memorials have been lying with the Government for a long time. Have they been considered? Whenever I put a question about them, the Honourable Mr. Rau says every now and then, that they are not yet considered. I hope he will now arrive at a decision as early as possible. Sir, they used to draw a large amount of money in the shape of allowances which were due to them. Now, those allowances have been reduced to Rs. 30 a month. That is a case which requires looking into at an early date.

Then, with regard to the other grievances. I may take up the grievance with regard to leave. As the House knows, there are certain stations which are called third class stations and there are other small stations where there are only two or three men working. For instance, there are stations where only three persons work—the station master, the assistant station master and a signaller. How do they work? They work the whole week without any relief. The station master works during the whole day and the assistant station master works the whole night and the signaller works for the day with a relief given to him by the assistant station master at night. They

also suffer from other disabilities. These small stations are at out-of-the-way places where these people cannot get even proper foodstuffs. They have, therefore, to go to some other place at some distance. Now, how can they go? Is there any relief for them? Therefore, there ought to be some relief given to them, so that they may be able to leave the station. At any rate, some relief should be given to them on Sundays or on some other days when they can leave the station and attend to their domestic work as well. They are more or less prisoners there. Therefore, the rules with regard to leave ought to be revised.

Then, Sir, I come to the second question which is still more important, and that is with regard to the medical aid to these subordinates. Now, what medical aid do they get? There are sub-assistant surgeons at certain stations and they have a very long beat such as they are not able to travel on and give the necessary medical help. There have been many cases where a sub-assistant surgeon has been called and he has not been able to go. Therefore, there ought to be travelling sub-assistant surgeons. Only then it will be possible to give proper medical aid. Sir, instances can be cited where the employees have called for medical aid, which has not reached them and they have died. Who is responsible for all this? Therefore, the number of these travelling sub-assistant surgeons should be increased.

Then, I come to the question of the guards. Now, these guards are waiting in class II for a very long time, and, I think, many guards have retired from class III, but their places have not been filled up. Whenever questions are asked in this House about them, the reply makes it clear that whenever there are vacancies in class III, the posts are abolished. Now, is that fair to the guards in class II? Is it fair that there ought to be no rise to these men at all? Therefore, the policy of the Government that whenever there are vacancies in class III the posts are abolished should cease, otherwise it is causing a great injustice to the guards of class II.

Then, with regard to appeals. When appeals are made, they are generally or mostly withheld by the very officer against whose order the appeal is lying. Not only are they withheld, but the applicants are never informed that their appeals have been withheld. The result is that when any questions are put anywhere or in this Assembly, the reply is given that it is the business of the local officer. Then, what is the Railway Board for? Therefore, with regard to these appeals also, the rules should be changed and should be revised and it should be the duty of the officer who withholds it on certain grounds to give those grounds and inform the applicant, so that he may find his own remedy and not remain content with no redress having been given to him. Then, with regard to the question of the railway unions, I would submit that there is one thing in which there ought to be no discrimination with regard to passess to these men who go and attend conferences or meetings of the Agent or the Divisional Superintendents. At present there are councils and the members of the staff councils are given passess, whereas the members of these unions are not given passess at all. Why do the Government people alone get passess? Why is it that the representatives of the employees do not get passess? This is invidious distinction. In that respect also, the rules should be changed.

With these words, I support the motion.

Mr. Frank D'Souza (Government of India: Nominated Official): Sir, if I may refer first to my Honourable friend, Mr. Lalchand Navalrai's speech, he spoke about the grievances of railway employees being so many as to fill a volume enumerating them. This is scarcely surprising considering the large number of railway employees in India, the number being over 7,00,000. The wonder is that the grievances are not more numerous than they actually are. Some of these grievances are what might be called genuine cases of hardship which obviously require redress by departmental heads. There are others which involve matters of policy, and those obviously would not be in the power of the railway administration to deal with. The Honourable Member for Railways will deal with questions of general policy, and all that I am concerned with today is just to refer to those few items of grievances of which I have personal knowledge.

The first of these is as regards passes. It was said that the lowest class of employees do not get passes. The conditions vary on the different railways, but so far as we are aware, there are very few classes of railway employees who do not get passes after about two years service. All permanent employees get passes under the rules of the railway. Temporary employees and perhaps daily rated men are the only people who do not get passes.

Another point that I may refer to is in connection with the Great Indian Peninsula strikers to whom reference was made by my Honourable and gallant friend, Colonel Gidney. According to a report received by the Railway Board from the Agent of the Great Indian Peninsula Railway, the position on the first of this month was as follows: On the first waiting list, the number of men who had not been reinstated was 154. On the second waiting list, the number was 2. The men on the second waiting list are those who were on the first waiting list, but refused to accept particular posts when such were offered to them. The total number of men, therefore, who are waiting to be reinstated, on the 1st February, was 156. The number on the register for employment is 3,188 and the number of ex-strikers retrenched after re-employment is 2,184. On the 17th March, 1930, the number of persons who were on the waiting list for employment was approximately 5,000. These are the men who complied with the terms of the Government of India communique of the 1st March, 1930. As an indication of what has been done to give these men employment, the mere fact that we have today come down to 156 shows that the efforts made by the administration to get these men back to work have not been unsatisfactory. The position might have been better in this respect, were it not for the fact that the re-employment of strikers has been somewhat retarded owing to preference having to be given to the men who were retrenched in the course of the economy campaigns of 1931 and 1932.

Then, Sir, my Honourable and gallant friend, Colonel Gidney, supported my Honourable friend, Mr. Joshi, in his remarks on unions, particularly as regards the recognition of unions, although, I believe, he did not quite agree with him on the question of having outsiders to run these unions. In this connection, Sir, it seems to me that some reference to my personal experience in this respect would be of interest to the House. I may claim that I have as much experience and perhaps as much right to speak as regards railway labour as many labour leaders of today. My credentials in this matter are not patent to those concerned, and so, I may be forgiven if I make some reference to them. I was a member of the National Union of Railwaymen of India and Burma from the time when it was known as

the Amalgamated Society of Railway Servants of which my Honourable and gallant friend, Colonel Gidney, is the Advisory President today. I was on the Board of Trustees of this Union, now called the Executive Committee, for 25 years, and, if any proof were needed of my work with that Union, I have it here in a Certificate of Merit that was sent to me two months ago by the Union. With your permission, Sir, I will read it:

"Certificate of Merit awarded to Mr. Frank D'Souza as a mark of appreciation and deep esteem for long and faithful service rendered to the National Union of Railwaymen of India and Burma for a period extending over 25 years."

C. W. GIDNEY, President.

Dated 22nd December 1934.

F. CURRIEN, General Secretary."

What makes this tribute all the more remarkable is the fact that seven years ago, under instructions from my then superiors, I had to sever my connection with the Union. The fact that after seven years they should have thought of sending me this certificate shows what they thought of my services when I was with them.

Lieut.-Colonel Sir Henry Gidney: It is not my signature.

Mr. Frank D'Souza: It is the signature of your brother who is the President. I believe, Sir, I am the only trustee of the National Union of Railwaymen who has also been given as a memento a gold chain in recognition, as they put it, of valuable services rendered. I, therefore, think, Sir, that I can claim to be one who has rendered as good and faithful service to the labour cause as many representatives of labour in India today. It may be my good fortune, or misfortune, according to the point of view of an individual, that I am today a Government servant, but I have first hand experience of railway labour, apart from such experience as may have been gained in an official capacity. I started from the bottom of the railway ladder. I know exactly what a guard does,—I did it myself for four years. I know what an assistant station master does,—I did that for another four years. I know what a clerk does, I was the chief clerk of a district office. So that, from the bottom I have got, I will not say to the top, but not very far from the top; and, therefore, I think I can speak as one who has had diversified experience both of a subordinate's life and career and of an officer's. Now, Sir, it surprised me when I heard one of my Honourable friends, I think it was Mr. Joshi, say that officers do not work hard and it is only the subordinates who work hard.

Mr. N. M. Joshi: No; I said the officers do not work as hard as the subordinates.

Mr. Frank D'Souza: I stand corrected; but that merely emphasises what I was going to say in more moderate language. My point is that in my 16 years' service as a subordinate, I had an easier time than I have had as an officer. The majority of subordinates generally have fixed hours of duty, but most guards have not. Still the work is easier than that of an officer. As officers, many of us have to work frequently 14 hours a day, and not eight. There is no question of applying to us the

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hours of employment regulations, no question of granting overtime. On the other hand, it may be said that officers are better paid than those on the lower rungs of the ladder. I accept that, and pass on to the subject I was getting on to when I digressed to present my credentials to speak on this matter. The point is the recognition of unions and the association of outsiders in advisory capacities in those unions. Well, Sir, if I may say so, my experience of the Great Indian Peninsula Railway strike of 1912-13 has warned me, as it has warned others who had experience of that strike, that the most dangerous man an union can have is the outsider. I know that that sentiment will not appeal to the majority in this House

Mr. N. M. Joshi: Preach that to the Agent of the Madras and Southern Mahratta Railway who does not like railway employees to be the secretaries.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member wants to make a personal explanation, he ought to rise and make it.

Mr. Frank D'Souza: The position is this, that in the case of the strike of 1912-13 on the Madras and Southern Mahratta Railway, which subsequently extended to the Great Indian Peninsula Railway, the Board of Trustees of the Amalgamated Society of Railway Servants, the only labour union in India at the time opposed the strike *in toto*. They had then an outsider to lead them, one Mr. Harry Rogers. This was in the days before J. A. Balfour, whom labour leaders have perhaps met, became the Union's Secretary—Rogers was a demagogue of the forceful type, one able to talk over men, who—or, at least, majority of whom—could not think for themselves. That class has practically disappeared, and we have a much better class of subordinates today. Well, Sir, Rogers persuaded the men to believe that there was only one method of obtaining redress from the railway authorities, and that was by going on strike. That strike, Sir, ruined the Union. The National Union of Railwaymen today, which might have taken the place which the All-India Railwaymen's Federation occupies, lost its funds to the extent of one lakh and 25 thousand rupees and got into debt to the extent of another 25 thousand rupees, merely because of a strike forced on them by an outsider. Profiting by the lessons of that strike, the committee, of the Union promptly arranged to modify their rules so as to make a strike impossible unless it was voted for by 3-4ths of the total number of members in the union. Their position now is so satisfactory that although occasions have arisen, within recent years, for the executive committee of the union to consider the declaration of a strike to support strikes elsewhere, they have never, I believe, considered it possible to obtain 3-4ths of the votes in favour of a strike.

Lieut. Colonel Sir Henry Gidney: I believe that is a model union.

Mr. Frank D'Souza: I quite agree it is a model union. And what that union has done now is to see that on its executive committee there are none but railwaymen and ex-railwaymen, that is, men who are really interested in the welfare of the railwaymen of India and Burma.

Sir, that completes what I have to say about my personal experience of establishment matters. General questions of policy, I believe the Honourable Member for Commerce and Railways will deal with.

Khan Sahib Nawab Siddique Ali Khan (Central Provinces: Muhammadan): Sir, the Maharaj Kumar of Vizianagram has just played his innings here on the floor of this House, and, now, I, as a Member of the Central Provinces team and the Cricket Club of India deem it proper to play my first innings and speak a few words about the grievances of the railway employees.

Sir, I speak for those who cannot speak for themselves and who are ordained by "All-mighty" to keep quiet under the penalty of dismissal or discharge, which is really a death sentence for them. The sad story is so voluminous that it would require several days to relate, but I shall relate a few things.

The Railway Board has got great fascination to appoint persons of super-annuated age. They have, in this very year, recruited a youngman of 63, who is now in his second childhood, as he retired from the service of the Railway Board itself, 13 years ago. The other two persons appointed are 56 and 49. The Government of every country, including the Government of India, pressed compulsory retirement at the age of 55 years, or even before that, but the Railway Board, which, according to our Resolution, has ceased to exist, follows the other course.

The second grievance of the railway employees is the Subordinate Railway Accounts Examination, which is conducted by the Controller of Railway Accounts. In this examination, the candidates are required to obtain 50 per cent. marks in each paper, 66 per cent. in each subject and 75 per cent. in the aggregate. May I ask the Financial Commissioner, whether there is any other examination under the sun, besides this one, where 75 per cent. marks are necessary for qualification? Is it not a fact that this examination for Subordinate Service is more stringent than the examination of Indian Audit and Accounts Service?

I now draw attention to the revised scales of pay. These revised rates of pay are not applicable to those employees who were not in service on the 15th July, 1931. I request the Railway Board that the persons, who joined the training school on the prospects of the old scales of pay, may also be excluded. This will apply to journeymen apprentices on the State-owned railway. This class of men have recently been given the benefit of old leave rules and it is reasonable to demand that they may also be given the old scale of pay.

The next thing I should like to point out is, and to which the attention has already been drawn by Mr. Jamma Das Mehta in his representation, that it is a common practice in the railways that gratuity and even provident fund is forfeited on a very trivial cause. I mention one case for your consideration. A certain railway employee booked his luggage on his pass. The luggage was lost and he claimed Rs. 230. The Inspector of Claims asked him to withdraw his claim, but he refused to do so. Then the Traffic Inspector came to him and he also induced him to withdraw the claim, giving him future hopes of promotion in his own department. Instead of getting any reward for setting aside his claims of the loss, the Divisional Superintendent dismissed him, forfeited his gratuity and

[Khan Sahib Nawab Siddique Ali Khan.]

provident fund for attempting to cheat the railway. The case of this kind can only happen in the Railway Department of India. No appeal lies in this case. No person would read his appeal. May I ask, is this a case for forfeiture of gratuity and provident fund? I take this opportunity to press on the Railway Board that no officer should be entitled to forfeit the provident fund and gratuity without the explicit permission of the Railway Board, and they should set up a Special Officer for this purpose.

The next thing I should like to draw the attention to is the case of the Travelling Ticket Inspectors. The Railway Board has been performing experiments after experiments at the expense of tax-payers, and it is high time that they should come to some definite decision and stick to it. Sir Guthrie Russell, the Chief Commissioner of Railways, in his speech in the Council of State, and the President of the Railway Conference expressed the desire to amend the Railway Act and make travelling without ticket a cognizable offence. The Chief Commissioner in support of his arguments mentioned that three million people travelled without ticket, but Dr. Ziauddin, in the Assembly, pointed out that these three millions were less than three quarters, or more accurately 65 per cent. of the passengers, and this small percentage is not so alarming as to justify a change in the Act. The chief cause of this disease is the experiment of the Railway Board itself. Make travelling without tickets impossible by your rules and practice as is done in European countries. May I ask the Member of the Railway Board, who has done extensive travelling in Europe, whether it is possible for any person to enter the platform without a ticket or to travel even to one station without a ticket? But here in India the stations are so built that on side-stations it is only the kindness of the passengers that they purchase tickets or handover their tickets to the railway authorities. The system of ticket-checking is wrong in principle and objectionable in practice. They think out schemes after schemes, but they never think out the manner in which those schemes can be put into practice. One person devises a scheme, the other person who does not like it makes every effort to make it a failure. There is a fight between the higher officers, but the poor people who work these schemes become the victims of circumstances and they are tossed about from one place to another, sometimes in audit, sometimes in traffic, sometimes in the running duty and sometimes on the station staff, sometimes here and sometimes there. They have no place of residence and they are treated like unclaimed persons by every department of the railway, there is no one to press or look after their interests. They have now got a person of great experience in the Railway Board, and I hope that this grievance which has now become almost chronic will soon be redressed and justice will be done to these persons, who have been knocked about from place to place and from door to door.

I also like to draw the attention to the manner in which the individual cases of railway employees are attended to. If any person is prejudiced against any subordinate, he discharges him. He is authorised to approach the Divisional Superintendent only on paper, to go to the Agent and even to the Railway Board, but nobody ever reads his papers. For this reason, there is a very great dissatisfaction among the staff. If you want economic and efficient running of railways, then you should satisfy the subordinate

staff and keep them contented. With these words, I support the motion of my Honourable friend.

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

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. R. S. Sarma (Nominated Non-Official): I move that the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Joshi may want to reply.

Mr. V. V. Giri (Ganjam *cum* Vizagapatam: Non-Muhammadan Rural): Sir, the Honourable Mr. DeSouza, who intervened in the debate this morning, has lost the great reputation he made yesterday. Mr. DeSouza referred to a certificate of merit granted to him by the National Union of Railwaymen, India and Burma. I do not know if it is a certificate of merit or a certificate of release. I am sure, if the National Union of Railwaymen and their leaders had heard the speech of Mr. DeSouza today, they would have said: "God save us from our friends, and God save us from the Honourable Mr. DeSouza". I am bound to say, and the members of the National Union of Railwaymen are bound to say that the Honourable Mr. DeSouza has kicked the ladder on which he has risen. Sir, I claim, though humble, some experience of the trade union movement in this country, specially the railway trade union movement, the only difference between me and the Honourable Mr. DeSouza is that I have never been a paid officer, not that I mean to say that Mr. DeSouza was a paid officer of that union, but he has been in the service of the railway and he rose from position to position, and he now occupies the position of a Director in the Railway Board. My experience generally is that those who rise from the ranks in the railway services and go to bigger offices are generally connected with people who have not done much service to the railway union, and I do hope that the Honourable Mr. DeSouza is not one of them.

Sir, restriction of time compels me only to deal with a few subjects relating to the grievances or demands of the railway workers. I would, therefore, confine my attention only to two subjects which I consider very important, and those subjects are, the question of unemployment and the question of establishing a joint machinery for preventing strikes, for maintaining peace in the industry in the Railways. I need not refer to the action taken by other Governments in civilized countries who consider that unemployment is a great bane to the country, whether that Government is a Fascist Government, a Socialist Government, a Capitalist Government or a Communist Government. I feel, Sir, that in this country the Government have not done all that it ought to have done with respect to these questions. The complaint generally in this country is that the workers demand extravagant things, that they ask for more wages, that they ask always for the best conditions of service which finances would not allow, but, Sir, what is the attitude of the Railway Administrations, when the

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workers demand of them things which do not involve any financial commitments? I desire, Sir, to deal this afternoon with those subjects which do not require any financial commitments and yet the Railway Administrations have failed to satisfy.

I may refer to the question of unemployment and the disputes that arose with respect to the retrenchment during the last four years. I speak especially from the knowledge that I have of the two unions of which I was and am still the President. Let me first refer to the Bengal and North Western Railway Indian Labour Union. In the middle of May, 1933, the administration of that railway wanted to retrench 400 workers, and the Union, when it was informed about the fact, placed before the Administration alternative proposals, and one of those alternative proposals was the introduction of short time which has the effect of spreading work among a greater number of men. I want to tell the Honourable Mr. DeSouza that his experience most probably related to one union, but I shall now refer him to the experiences that the whole of India has in this matter, I shall refer my friend to the other side of the question and convince this House and convince you, Sir, that there are unions which are always ready and willing to put up the most constructive, the most practicable measures when disputes arise. Speaking about the Bengal Nagpur Railway Union, when the question arose, the Union placed certain proposals before the authorities, and I think I would do well to read a few paragraphs from the letter that the Union addressed to the Railway Administration with reference to the question of retrenchment:

"Paragraph 9. Without prejudice to the Union's contention that more work for the staff can be made available not only in the interests of the employees but also in the interests of efficient management of the Railway, the Union maintains that there is no necessity to compulsorily discharge any staff under retrenchment in view of the existence of various other alternative methods of reduction of expenditure.

Paragraph 11. The Administration being a commercial undertaking should be willing to consider any proposals designed to help the staff provided that no financial liability is thereby incurred.

Paragraph 17. In the present retrenchment about 400 hands are declared to be surplus constituting 5 per cent. of the existing labour force in the shops. The easiest method of absorption would be to introduce short time which has the effect of spreading work among a greater number of men.

Paragraph 19. An argument advanced against increase of short time to absorb surplus is that the proportion of surplus in the various categories being different, a uniform reduction of work would result in unbalancing of the categories causing thereby dislocation of work.

Paragraph 20. The Union submits that in such cases the system of leave by rotation can be introduced. By this method the scheduled workshop operations will not suffer any break and at any time the number of staff on compulsory leave by rotation in each category would be the number of staff who would be otherwise discharged in the corresponding category.

Paragraph 23. It will be agreed on all sides that a system of Unemployment Insurance is a *sine qua non* of any organized industry in advanced countries and without entering into a controversy as to the reasons or causes of such a system in this country, the Union feels that a way out of the difficulty can be found.

Paragraph 25. What the Union submits is a modified proposal which ought to be acceptable. The number of surplus staff in the present case is comparatively so small that a voluntary contribution by the retained staff in various departments through the salary bills for the relief of those under compulsory leave without pay should suffice to meet the situation."

The staff, Sir, were prepared to contribute throughout the length and breadth of the railways for the relief of those who were under compulsory leave without pay.

We applied to the Administration, we wanted a court of enquiry or a conciliation board in this matter, and I am sorry to say that the Honourable Member in charge of Industries and Labour and his Department would not hear what we demanded. We were prepared to suffer financial loss. We never wanted the Administration to suffer financial commitments, and, in this connection, I would like to refer to an application that we had made to the Chief Mechanical Engineer on this matter:

"Sir, with reference to the proposed retrenchment of staff in our category, I beg respectfully to submit that I am quite willing—(this is the employee's application)—to go on leave in rotation, without pay if necessary, till the absorption of the surplus to the necessary extent. I am prepared to bear any loss of wages, great or small, incidental to the working of this method, in order that my fellow workers may be saved from the calamity of compulsory discharge from service in these hard days. I am perfectly aware that the prospects of revival of trade conditions are very uncertain.

I beg to request you to be good enough to introduce this expedient without any further hesitation, in view of the fact that bloc retrenchment of staff is bound to adversely affect our morale and create a serious feeling of insecurity of service, notwithstanding any assurances to the contrary."

Sir, this is the application that 20,000 workers had made to the Railway Administration, and, without any financial commitments, retrenchment could have been avoided and 400 workers and their families could have been saved from starvation and in course of time they would have been absorbed. So also, on the Madras and Southern Mahratta Railway, there was retrenchment, and, unfortunately, a strike happened because the Department of Industries and Labour would not accede to our request to have a conciliation board under similar circumstances. Therefore, if strikes have happened, if disputes have happened, I say that it is the Government that is more responsible than the unions or outsiders connected with the unions.

My Honourable friend, Mr. Clow, stated the other day that the workers in this country employed in industries are not really prepared to contribute towards any unemployment insurance. If a test is wanted, if an instance is wanted, there cannot be a better example than the 20,000 forms that were submitted to the Bengal Nagpur Railway Administration for this purpose. Therefore, I say that it is not the outsider that is responsible for spoiling the organisations as has been stated by my Honourable friend, Mr. DeSouza; it is the policy adopted by the Railway Administration, by the Government of India, that is responsible, by not creating the ground for good unions in this country. The Royal Commission on Labour have stated that unions should be recognised; that was in the year 1930-31. At page 166, they say:

"We believe that a more generous policy in respect of recognition would be to the advantage of all concerned in railway work, and we commend this matter to the careful consideration of administrations and unions."

As has been already stated, it is now four or five years since the Royal Commission made their recommendation. The Royal Commission became a royal omission and their recommendations have not been carried out today. If, during the last two or three or four years, there was unrest in the railways due to retrenchment, if only the joint standing machinery that as been proposed by the Commission were in existence, all these strikes,

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all these disputes, would and could have been avoided. The Royal Commission on Labour went throughout the country, took evidence from various employees and employees' organisations on the railways, from the employers, from the Railway Board and from the Agents, and they came to the conclusion that there must be a joint standing machinery, especially because in India section 15 of the Trade Disputes Act makes it compulsory for the railway worker to give notice. I would like to quote two sentences from the report. This is what the Commission say at page 346.

"In our view the weakest point of the Indian provision is that, while it restricts the powers of workers in public utility services to coerce their employers, it gives in return no assurance that their grievances will receive a hearing."

So that, there are two proposals that I have put forward. In order to avoid unemployment, we did not demand of the Government to spend more money. We stated that the workers had agreed that the principle of leave in rotation should be introduced to the highest extent and that the workers took the responsibility . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. V. V. Giri: I do not wish to dilate more on this point except to say that the Government of India and the Railway Board should give their attention to the proposals that I have put forward and that the Railway Board should see that all the Agents do recognise the various unions that are in existence. Unless all these matters are carefully looked into, unless a joint standing machinery is immediately established, there shall not be peace, and if the administration is interested in the workers of this country, it should see that the joint standing machinery is introduced at the earliest possible opportunity.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, we have been charged with great delay in considering and giving effect to the recommendations of the Whitley Commission. I realise my Honourable friend, Mr. Joshi's impatience, and in a measure I have some sympathy with him, but I do hope that he will see that before these very far reaching recommendations can be given effect to or accepted they must be considered very carefully. They have to be referred to various authorities and interests concerned and their effects and consequences on the general administration of the railways have to be most carefully examined. So far as legislation consequent on the Whitley Commission's recommendations and giving effect to those recommendations are concerned, considerable progress has been made. Honourable Members will be able to realise the progress that has been made by referring to the annual reports which, I think, are already in their hands. May I, Sir, pay my testimony to the studied restraint with which my Honourable friend, Mr. Joshi, stated his case and which I think made his case all the more impressive? I cannot take up every grievance that was voiced by Mr. Joshi as those grievances cover a very wide field, but I shall endeavour to take up, what I consider, some of the most important of them which are of a general character. Mr. Joshi firstly laid emphasis on what he claimed was the racial discrimination existing in practice in regard to appointments to the higher grades of certain categories of posts and he cited, I think, in this connection the

case of guards. Let me read to the House the orders which have been passed by the Board, and I think these orders should satisfy the House that we have absolutely set our face against any such thing as racial discrimination. I shall read the relevant portion of those orders:

"No branch of the railway services should be reserved for any one class or community, that members of all classes or communities possessing the necessary qualifications should be eligible for appointment to any branch. Whatever method may be employed to redress communal inequalities or to prevent an undue preponderance of any one class or community, the efficiency of the services must be maintained and no candidate should be admitted who does not possess the qualifications laid down as the minimum necessary for the work to be done."

So far as actual practice is concerned, I have endeavoured in the short time, since Mr. Joshi made his speech, to ascertain what it is, and one of my officers who has himself served on the Eastern Bengal Railway assures me that in actual practice, so far as he is aware, Indians other than Anglo-Indians have, as a matter of fact, been appointed and are being appointed direct to the higher grades of this particular category of appointments.

Then, Sir, let me take the question of the extension of provident fund benefits to the lowest paid subordinates of the railways and let me assure the House that the decision of the Board is not absolutely and definitely final in this matter. The following are the terms of its conclusion: "The Railway Board estimate that this recommendation, if applied to all railways, would involve additional annual expenditure of not less than half a crore and in present economic conditions its acceptance is impossible". I lay stress on the qualification there. Honourable Members will realise that with so many competing claims on the financial resources of the railways it is impossible for us to do justice to everybody. Reduction of third class fares, the provision of greater amenities to third class passengers, reduction of freight rates all ask for our consideration, and Honourable Members will realise that there is not enough money in the till to go round and meet all claims at once.

Then, Sir, let me next turn to the question of the hours of employment regulations. These are the considered recommendations of the retrenchment committee:

"In view of the present financial stringency and the fact that there is a possibility of the revision of the convention being taken up at Geneva in the near future and finally that the Whitley Commission's report which has an important bearing on this problem has not yet been considered, we recommend that further action be suspended and that no efforts be made to introduce these rules, where they are not at present in existence."

I would point out, Sir, that we have really gone very much further in applying the Convention than under the strict letter of its terms we were forced to do, but I would like it to be understood that we have every desire and every intention to go further and I hope that it will be some consolation to my Honourable friends to know that we are doing our best to see whether we cannot extend the action, which we have taken in connection with the State Railways, during the course of the next year to the Bombay, Baroda and Central India and the Madras and Southern Mahratta Railways. My Honourable friend, Colonel Gidney, complained of those, whom he described as the autocrats of the railways, namely, the Agents. He emphasized, I think, the difficulty of unrecognised unions in the matter of appeals.

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Here, again, let me remind him that the Board has already dealt with this matter and it has given the following assurance:

"The Railway Board will consider an appeal if submitted by a labour union in the event of the Agent of a State-managed railway refusing to grant recognition to it."

Then, Sir, my Honourable friend, Sir Henry Gidney, laid great stress on the difficulties experienced by the low paid staff of the railways because of attachments for debt. I hope that that complaint will soon be a thing of the past when this House has dealt with the legislation which is now before it. So far as the recommendations are concerned, which specially concern the railways, I do not think that there are any which are calculated to result in any material direct increase in monetary benefits to the staff, so that, I submit, it is not a matter of any very special importance that effect should be given to these recommendations immediately or very hastily. I do submit that having regard to the fact that these proposals are very intimately bound up with large questions of administration that every care should be taken to consider their effects and consequences before we commit ourselves finally to their adoption. The House will, I think, realise that in these matters a step hastily taken may land us in trouble because of the difficulty of retracing our steps subsequently. Despite the fact that delay has taken place, I would submit to the House that the workers are not adversely affected, for the simple reason that machinery exists already which enables them to bring forward their grievances, to ventilate their complaints and to see that measures are taken to alleviate the conditions of which they complain. I would like to give to the House a very short sketch of what the existing machinery is and more especially so, because my Honourable friend, Sir Henry Gidney, was, I think, a little unfair when he referred to the staff committees. I have had a note prepared on this subject, and perhaps the House will bear with me while I give extracts which I hope will put the matter in a somewhat different light from that which he threw upon it:

"In several workshops, e.g., at Moghalpura, Jamalpur, Lillooah, Lucknow and Kharagpur, an employment or establishment officer is specially provided, whose duty it is to look after the interests of the employees, and who ordinarily interviews workmen who have any grievances to represent. A further link between the administration and the workshop employees is supplied on the North Western Railway by the establishment of Labour Bureaux in the Locomotive and Carriage and Wagon shops. All workmen have access to the Bureaux and an enquiry office is provided where workmen can make inquiries regarding their pay, gratuity, etc.. Personnel or liaison officers are also provided on most railways who deal with questions connected with Staff Council, appeals and welfare and with representations from Unions regarding particular matters. Another means of contact between the staff collectively and the administration is provided by Staff or Welfare Committees which have been formed on several railways in the last few years under a variety of names (and, I think, here I may point out that my Honourable friend's suggestion that they consist entirely of nominees of the administration is not quite correct). The North Western Railway have Area and Divisional Councils and Workshop Committees consisting entirely of elected members. The East Indian Railway have Welfare Committees in Workshops, Regional Area Committees and, above them, Divisional Welfare Committees consisting partly of elected and partly of nominated members. On the Great Indian Peninsula Railway, the organization of Staff Committees consists of a Railway Council, Divisional Committees, Station Committees at certain selected stations and Workshop Committees. Members of these are partly elected and partly nominated. On the Bengal Nagpur Railway, District Welfare Committees have been established primarily, to afford individual employees facilities to bring personal grievances in a suitable form to the notice of the higher authorities. They consist of nominated members representing the Indian subordinate staff in the various branches."

Mr. M. S. Aney (Berar Representative): Who nominates them?

The Honourable Sir Joseph Bhore: The Administration, in that particular case—that I think is the only such case:

"The South Indian Railway have staff committees, with a majority of elected members representing all classes including persons in inferior service. The Bombay, Baroda and Central India Railway have district staff committees, central staff committees and a general staff committee consisting of elected members to confer with district officers, heads of departments and the Agent, respectively. The Bengal and North Western Railway and the Rohilkund and Kumaon Railway have staff welfare committees consisting of elected members representing the various classes with district officers as *ex-officio* members. These committees are chiefly concerned with two aspects of the labour problem—the extension of welfare work and the removal of grievances. Meetings are held periodically and proceedings forwarded to the competent authority whose orders are communicated to the Committees."

Now, Sir, these committees are organizations the object of which is to establish better relations between employers and employed and they owe their origin to the initiative of the employer.

Then, Sir, there are, as the House is aware, the trade unions. These are the creation of the staff themselves and their object is primarily and essentially to protect the interests of the staff. Behind and beside these agencies, there is the Trade Disputes Act, the provisions of which are, and can be, invoked if these other agencies fail to secure a settlement of disagreements and disputes. I venture to submit, Sir, that, even as things are, the machinery which exists is not inefficient: it is still capable of providing a valuable means for settling disputes and disagreements, but it is in the interest of all parties, that it should be improved and that we should be able to have something which will ensure, as far as possible, what we all desire to have, namely, industrial peace and industrial co-operation.

Lieut.-Colonel Sir Henry Gidney: Hear, hear.

The Honourable Sir Joseph Bhore: Now, Sir, coming specifically to the recommendations of the Whitley Commission, I think they fall naturally under three heads. Firstly, there are the recommendations for a more generous treatment of trade unions; secondly, there are those recommendations which deal with welfare committees and a central council for each individual railway; and, thirdly, there are those proposals which deal with the setting up of a central, permanent machinery for the settlement of disputes. Now, as I have pointed out, time has inevitably had to be taken for consideration, not because of any want of sympathy with the workers, but because administrative problems of considerable magnitude and complexity are involved. We all know, for instance, that my Honourable friends, Mr. Joshi and Mr. Giri, are doughty fighters in the cause of labour, but I think I am doing them no injustice when I say that, when it comes to binding labour, they will not always be able to deliver the goods. We might, in many cases, go far to meet labour, provided we felt that there were those who could guarantee that labour would, in its turn, be able and be prepared on certain occasions to take a certain course and act in a certain manner. However, Sir, I need only say that we have practically completed our examination of the recommendations of the Whitley

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Commission and that we hope to be able very shortly to announce our conclusions. I hope, Sir, that at any rate not later than the date at which the All-India Railwaymen's Federation has its next meeting with the Board, we shall be able to state quite definitely what our conclusions are in this matter.

I hope my Honourable friend, Mr. Joshi, will not press his motion. Once again let me assure the House that it is in no spirit of antagonism that we have examined these recommendations of the Labour Commission. Rather have we done so with the full knowledge that contented railway employees are the greatest possible asset of any Railway Administration, and, if we, Sir, are not able to accept every recommendation, it is only because we have also to keep before us other needs and requirements *viz.*, those of a sound Railway Administration. (Loud Applause.)

Mr. N. M. Joshi: Mr. President, I do not propose to detain the House for more than only a few minutes. Sir, the Honourable Member, Mr. D'Souza, while opening the case for Government, gave the history of his own rise from a guard to the top of the ladder, as he said. It is a rule, Mr. President, which I generally follow in dealing with permanent officials of the Government, that I do not criticise the careers of individual permanent officers of Government. I shall only refer to one remark which he made, namely, that the outsiders are the most dangerous people in trade unions. Mr. President, I am not in that happy position of irresponsibility in which the Honourable Member is. But let me tell him that his opinion is not shared by the Royal Commission on Indian Labour, nor, may I say, even by the Government of India. It is true that the Royal Commission did not have the benefit of the advice of such a distinguished officer. Mr. President, I shall not deal with him any more.

The Honourable Member in charge of Railways admitted, at first, that the Government of India did take a fairly long time to consider the recommendations of the Royal Commission, but he said there were administrative difficulties. But, Sir, I do not think there is any one here who will charge the Government of India with having acted hastily. (Laughter.)

Mr. M. S. Aney: With acting at all!

Mr. N. M. Joshi: Now, it is almost four years since the Royal Commission made its recommendations, and there are several recommendations which, I am sure even the Honourable Member will not say, will create administrative difficulties. Take, for instance, the first grievance which I mentioned, *viz.*, that, whenever railway employees, after they are confirmed, have to be medically examined, they should have the right of being examined by a specialist. I wonder what administrative difficulties will be caused by the acceptance of this recommendation.

Lieut.-Colonel Sir Henry Gidney: None at all.

Mr. N. M. Joshi: Well, Sir, the Royal Commission made recommendations regarding the right of being properly heard by people who are discharged or dismissed. I do not know what administrative difficulties

that will create. A large number of the recommendations of the Royal Commission neither involve any expenditure nor do they create any administrative difficulties. I, therefore, feel that the Government of India was not justified in delaying the consideration of these recommendations. The Honourable Member said that the Government of India have issued orders for the removal of racial discrimination. Well, Sir, you may issue the orders but perhaps there are people who do not obey your orders. That may be one of the reasons why my Honourable friend, Mr. DeSouza, rose from the guardship to the top of the ladder. But let me tell him that today on the Great Indian Peninsula Railway there is not a single permanent Indian guard who is in charge of a passenger train on the main line.

Mr. S. Satyamurti (Madras: Non-Muhammadan Urban): Is that so?

Mr. N. M. Joshi: That is a statement which I make. Let anybody come forward and say that my statement is wrong. Of course, 3 P.M. there are many guards, but none of them is an Indian. But, Sir, these things do not happen unless there are some people who prevent the Government orders from being carried out. Then, the Honourable Member said that if the recommendation of the Royal Commission with regard to the provident fund is given effect to, it will cost half a crore of rupees. Let them give effect to that recommendation partially. Let them begin to spend, say, a lakh of rupees every year more to give effect to that recommendation. Let them go step by step, but let them make a beginning. Why reject the recommendation altogether? What they have done is to reject the recommendation.

Then, Sir, with regard to the Convention of hours of work, the Honourable Member did not reply to my criticism that the labour supervisor should not be under the Railway Board. You cannot ask your officer to undertake prosecution on behalf of Government of those people who are responsible for the management of railways and yet keep the labour office under the control of the Railway Board. The Act provides for a penalty for the breach of regulations. It is the duty of the labour supervisor to find out the breaches of these regulations. How can you place that officer under the Railway Board? I have got a copy of the report of that labour officer. That poor man cannot point out the breaches of the law, because, if the breaches of the law are pointed out, naturally the question will arise why were not those Agents prosecuted? I want the Honourable Member to give a reply to that question.

Well, Sir, the Honourable Member referred to the staff committee. A large number of these staff committees are brought into being as rivals to the trade unions. The Royal Commission has recommended that every effort should be made in order that there should be co-operation between these staff committees or staff councils (whatever you may like to call them) and the trade unions. They also recommended that some kind of representation should be given to all the trade unions on these committees to the extent to which their membership entitles them. I quoted a recommendation of the Royal Commission that those members of the staff committees who belong to the trade unions should be permitted to be accompanied during the meetings of the staff committees by the officers of the trade unions. What have Government done to that? Moreover, it is wrong for Government to start welfare committees in rivalry to the trade unions. I will give you one instance. Up to last year, there was no trade union on the Burma

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Railways. So there was no welfare committee. The trade union was started last year and so was the welfare committee started. May I ask whether this is a right policy? Mr. President, I do not wish to go into the details of these questions, but I do want the Government of India to hasten their pace a little more. Four years is a long period, and if they hasten their pace, they will be doing a great amount of good to the railway employees. Before I conclude, I wish to repeat the suggestion which I made that the Government of India should appoint a Special Officer on their staff whose duty it should be to look after the interests of labour and that officer should not be drawn from the railway services. He should either belong to the Indian Civil Service or to any other service of that nature. I hope I have convinced the Legislature that the Government of India have failed in their duty and they will join me in my protest.

Mr. President: The question is:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be further reduced by Rs. 100."

The Assembly divided:

AYES—75.

Aaron, Mr. Samuel.
Abdul Matin Chandhury, Mr.
Abdullah, Mr. H. M.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Azhar Ali, Mr. Muhammad.
Ba Si, U.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Baqai, Mr. M. A.
Barda'oi, Srijut N. C.
Bhagavan Das, Dr.
Bhagchand Soni, Rai Bahadur Seth.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Chattopadhyaya, Mr. Amarendra Nath.
Chettiar, Mr. T. S. Avinashilingum.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Fazlul Huq, Mr. A. K.
Gadgil, Mr. N. V.
Gauba, Mr. K. L.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Gidnev, Lieut. Colonel Sir Henry.
Giri, Mr. V. V.
Govind Das, Seth.
Gupta, Mr. Ghanshiam Singh.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.

Khan Sahib, Dr.
Khare, Dr. N. B.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.

Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sheodass Daga, Seth.
Siddique Ali Khan, Khan Sahib Nawab.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U.
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.
Ziauddin Ahmad, Dr.

NOES—46.

Abdul Aziz, Khan Bahadur Mian.
Ahmad Nawaz Khan, Major Nawab.
Allah Bakhsh Khan Tiwana, Khan Bahadur Nawab Malik.
Ayyar, Rao Bahadur A. A. Venkatarama.
Baipai, Mr. G. S.
Bhore, The Honourable Sir Joseph.
Buss, Mr. L. C.
Chatarji, Mr. J. M.
Clow, Mr. A. G.
Craik, The Honourable Sir Henry.
Dalal, Dr. R. D.
D'Souza, Mr. F.
DeSouza, Dr. F. X.
Drake, Mr. D. H. C.
Gajapatiraj, Maharaj Kumar Vijaya Ananda.
Graham, Sir Lancelot.
Grigg, The Honourable Sir James.
Hockenhull, Mr. F. W.
Hossack, Mr. W. B.
Hudson, Sir Leslie.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Kirpalani, Mr. Hiranand Khushiram.

Lal Chand, Captain Rao Bahadur Chaudhri.
Lindsay, Sir Darcy.
Mehr Sha' Nawab Sahibzada Sir Sayad Muhammad.
Metcalf, Mr. H. A. F.
Miligan, Mr. J. A.
Monteath, Mr. J.
Mukerjee, Mr. N. R.
Mukherjee, Rai Bahadur Sir Satya Charan.
Nayar, Mr. C. Govindan.
Noyce, The Honourable Sir Frank.
Owen, Mr. L.
Raisman, Mr. A. J.
Rajah, Rao Bahadur M. C.
Rau, Mr. P. R.
Sarma, Mr. B. S.
Scott, Mr. J. Ramsay.
Scott, Mr. W. L.
Sher Muhammad Khan, Captain Sardar.
Singh, Mr. Pradyumna Prashad.
Sircar, The Honourable Sir Nripendra.
Sloan, Mr. T.
Swithinbank, Mr. B. W.
Tottenham, Mr. G. R. F.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): Two Honourable members who do not belong to any group have given notice of motions which they want to move today, one is from Captain Lal Chand and the other is from Mr. Sarma. The notice of the motion from Captain Lal Chand was given at 11-50 A.M. on 23rd February and the other from Mr. Sarma was given at 12-25 P.M. on 23rd February. Therefore, the motion Captain Lal Chand stands first in the list unless he is prepared to waive his right in favour of Mr. Sarma.

Mr. R. S. Sarma: Sir, in the conference yesterday between yourself and ourselves, it was decided that the motions would be taken today in the following order, first Mr. Joshi's, then my motion, and afterwards, Captain Lal Chand's. It was only an accident that to make his motion formal, Captain Lal Chand gave notice of his motion a little earlier than mine, and it is a matter of no concern as to when he gave it, as the order of procedure had already been settled.

Mr. President (The Honourable Sir Abdur Rahim): If there was any such arrangement, that was between the Honourable Members themselves.

Mr. R. S. Sarma: You, Mr. President, gave out this morning that these will be taken in this order, i.e., first Mr. Joshi's, then the one on wagons, and then about agricultural produce.

Mr. President (The Honourable Sir Abdur Rahim): The Chair's attention was not drawn to the fact that the two Honourable Members might not agree among themselves. (Laughter.) In the absence of such agreement, the Chair must follow the ordinary practice and take up the motions in the order as they stand. The Chair, therefore, calls upon Chaudhri Lal Chand to move his cut motion.

Excessive Rates and Insufficient Facilities for Transport of Agricultural Produce and Live Stock.

Captain Rao Bahadur Chaudhri Lal Chand (Nominated Non-Official):
Sir, I move:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be still further reduced by Rs. 100",

to discuss the excessive rates and insufficient facilities for transport of agricultural produce and live stock. So far as the actual rates are concerned, the matter was fully discussed yesterday on the European Group's cut. Mr. Bajoria, who carries on a large and extensive business and is an expert in these matters, gave detailed figures to show how railway rates were unfair to the agriculturists as well as to the industrialists. We expected some concession figures from the Honourable Member, Mr. D'Souza, who very eloquently put the Government case before this House yesterday, but we were sadly disappointed when he did not even touch on that question. As a matter of fact, one portion of my motion would have been out of order if he had utilised the opportunity of giving details of concessions, if any, that they have been earmarked for agricultural and dairy products and also for live stock. The few variations that were suggested and discussed yesterday were due to competition between waterways and railways.

Sir, the subject is very wide, and I confess that it is not my special subject, and the reason why I do not propose to tackle the actual rates is that I am not an expert in figures and thus leave them for experts like my Honourable friend, Dr. Ziauddin, and others. I will, therefore, argue my case as a layman simply to ask for concessional rates for the transport of agricultural produce, including vegetables, fodder, fuel, fertilisers, dairy products, agricultural tools, machinery and live stock. I base my claim on two points: firstly, India is purely an agricultural country, and, as agriculturists and the largest consumers of goods, their contribution to the treasury should not be measured from the land revenue figures and the cesses they pay, but the bulk of all indirect taxes also should be credited to their accounts. All the high tariff walls impose fresh taxes upon them, as by those walls they are debarred from buying in the cheapest market. Secondly, the principle of giving concessions to industries has been in practice for a number of years and every year large sums are given away to one industry or another. There is no such direct contribution to agricultural concerns and Government should welcome suggestions which may give some relief of a similar nature to the agriculturists as well. That however, is a side issue, and my claim for concessions for agricultural products by railways rests, not only on general grounds, but also on some special grounds. All State-managed railways have the guarantee of the general revenues of the country to meet their liabilities in times of stress. In the case of all railways, the executive help them in acquiring lands, in keeping their lines safe, and most of the provisions of the Railway Act give special protection of the railways, whether State-managed or otherwise. This is all at the expense of the people's other rights. With rights there must be liabilities as well, and we are justified in asking for concessions for the agriculturists who are the greatest sufferers. To take one simple case, do Honourable Members realise how much inconvenience is caused to a peasant when his land is cut into two pieces by a railway line? I hope we realise that crossing a railway line from one part of the field

to another alone would amount to trespass. But that is not all. Agricultural produce is transported in such large quantities that, even in consideration of this large use, there should be a concession for them.

In regard to cattle, my case is simpler, and even on economic considerations of the country as a whole, we need concessions. Every year thousands of cattle are exported from up-country to big towns like Bombay, Calcutta, Madras, Poona, Benares, etc., and also to Burma. To give Honourable Members an idea of how many cattle are exported from up-country to these big towns, I have the authority of the Veterinary Department of the Punjab. An inquiry was held into this matter and it was found that from one station, i.e., Rohtak alone, 112 milk cattle (cows and buffaloes) were exported daily on the average. This comes to about 40,000 cattle annually from one railway station alone. There are many stations of that nature, and Honourable Members can realise how many cattle are exported every year from this tract which is known as Hariana. This does not include transport of cattle by roads. Now, all these milk cattle are imported into big towns, and they never return to their place of birth. It is a well-known fact in Bombay that as soon as a cow ceases to give at least three seers of milk, i.e., when the quantity of milk that it gives is less than three seers a day, it is at once auctioned and sent to the slaughter-house. The best material is thus wasted. If the railways had any responsibility in this matter and felt their responsibility to this country, they would at once give concession rates say one-fourth the usual rate for these cattle to be returned to their homes. They could be given away to agriculturists here at a nominal price to be sent back next year for the benefit of those big towns. Sir, in an agricultural country like India, where the proverb was that milk was in plenty, the conditions are becoming hopeless. I shall here quote Mr. Kothawalla, the dairy expert to the Government of India. In his paper read before the Cattle Conference on the 23rd January, 1924, he said:

"The price at which milk is sold in Bombay is thirteen times dearer than in the United States of America and twelve times dearer than in the United Kingdom."

The *per capita* consumption, therefore, is much less, and this has a very bad effect on the health of the people and accounts for the heavy child mortality in those big towns. He further says:

"The *per capita* consumption of milk in Bombay is 3.1 ounces, while in the United Kingdom it is 10 ounces and in the United States it is 20 ounces."

Sir, the only remedy for all this is cheap rates of transport of milk cattle and a bigger supply than is at present available in the country. This is only possible if dry cows and buffaloes, that are wasted every year, are returned for further lactation to their old homes. The Royal Commission on Agriculture considered this point, and, at page 379, we have details of their findings. In para. 815, they say (and with your permission, Sir, I will read the whole paragraph, because in that paragraph are contained most of the difficulties under which we are labouring):

"There is, however, one point in connection with railway transport which, in our view, calls for immediate examination by the railway authorities. It appears that, owing to the high rates which are charged for the transport of cattle by passenger or parcel express trains, they are usually sent by slow goods trains and frequently in badly ventilated and unsuitable trucks. The only provision on the subject at present is a railway rule that at the request and risk of owners, cattle, after travelling for 200 miles, may be unloaded at a junction or other first class station and allowed to break journey for not more than 24 hours. We think that this rule in its present permissive

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form is probably an insufficient safeguard. We, therefore, recommend that the Railway Board should investigate its working and make suitable amendments, if it appears that cruelty to cattle, if not permanent injury, may result from present conditions. We should ourselves see no objection to its being made a definite responsibility of the owner that cattle should be rested and fed at fixed intervals *en route* provided that the railways on their part supply reasonable facilities. We would further suggest that the feasibility of transporting all milch cattle by passenger or parcel express train at the rates at present charged for their carriage by goods train, and also of improving the type of wagon used for the transport of all cattle, should be investigated. In existing conditions, large number of good milch cows are imported into Calcutta and Bombay by milk vendors who sell them for slaughter at the end of the lactation period as they cannot afford to stall feed them until they calve again or to send them back to the districts. In such circumstances, any measures which facilitated the rapid transport of cattle at reasonable rates would furnish a valuable contribution to the solution of some of the problems connected with animal husbandry.

I was told the other day by a cattle dealer, who takes cattle regularly to Calcutta by train, that the number of casualties in the way is not negligible. I will give one more interesting fact and that too from the report of the Royal Commission on Agriculture: this appears at page 378, para 313:

"A point raised by the Imperial Dairy Expert was that the railways charged the same amount for the carriage of a newly born calf by passenger train as is charged for a full grown cow and that this constituted a hardship to the Indian cattle trade as Indian cows are useless as milkers unless accompanied by their calves. Newly born calves can take up but little space and we consider that a calf aged one month or under should not be charged for when travelling with its dam."

I make no comments. Of course, in the case of human beings, the rule is that up to the age of three no charge is made, and between three and twelve they charge half rates. I do not know why they charge double rates for a cow and a calf.

Mr. P. R. Rau (Financial Commissioner, Railways): The calf is not carried in the arms of the cow. (Laughter.)

Captain Rao Bahadur Chaudhri Lal Chand: A child of 12 years of age is also not so carried, Sir. While on the subject, I wish to point out that we cannot take full advantage of big forest reserves both in hill sides and in the plains if we do not get these transport facilities by railways. Fodder is scarce in some parts of the country and goes waste in another. Similarly, we cannot utilise green grass of forests unless our cattle are taken there at cheap rates. I have myself seen large areas in Rajputana where thousands of cattle can be fed for nothing. Not only this: I can quote a case where the railway authorities are guilty of unequal treatment between the rich tea planters and poor agriculturists. Oil seed cake is used by tea planters as fertiliser, while the same thing is used to feed cattle by up-country cattle breeders. If we examine the railway rates, we find that tea planters of Assam get them at very cheap rates as a concession, while we do not get any such mild treatment.

I hope I have made my case clear for a concession; and it is hoped that the Honourable Sir Joseph Bhoré will do us a good and kind turn by making some provision before he leaves charge of his high office. All of us here are anxious for rural uplift: but Government should understand that mere digging of pits for night-soil, putting some ventilation in our huts or the like will not help us. Raise our economic condition, and that will be the real uplift. I would, in this connection, make the following suggestions for the consideration of the Railway Board. These suggestions

are of a constructive nature, and I do so because generally the remark that is made from the Government side is "Well, this is all criticism: no constructive suggestion has been made". My suggestions are:

- (1) Give concession rates for return of milk cattle from big towns at quarter the usual rate.
- (2) Give vendors passes to bring milk products to towns by entitling such people to travel on third class tickets with one and a half maunds of such produce.
- (3) Give a general concession for dairy products including ghee.
- (4) Give fodder concessions throughout the year and particularly during the lazy season.

Now, Sir, having said this, I will give the House one small story (Laughter), and that story illustrates the difficulties of the poor and ignorant agriculturists. Sir, there is a tract of land between Rohtak and Panipat. The whole of that tract is well irrigated and densely populated. There was no railway line here, and we had been pressing hard and asking the Punjab Government to connect that tract of land by means of a railway line. At first, proposals were made to construct an agricultural tramway. I was then on the Communications Board of the Punjab, and a survey was carried out. But when it was discovered that the line would prove a very profitable proposition, Government agreed to have a broad gauge line, and that line has been opened since. The estimates received from the officer who was deputed to prepare the estimates showed a return of nearly 16 per cent. on the investment. . . . (An Honourable Member: "What is the story?") Please have a little patience, the story is coming presently. (Laughter.) Now, when the railway line was actually constructed, the Engineer, in order to show economy, took the line straight without touching any village or any *Abadi*. There is a *pucca* parallel road running along the villages, but this railway line runs through cultivated fields without touching any *Abadi* or village, and as a matter of further economy, the railway authorities did not acquire any land for any approach road from the intervening stations to the *pucca* roads, so that there is no way now leading to these stations by which goods could be carried for loading and unloading purposes. In 1927, there was scarcity of fodder in these parts, and the Punjab Government gave very liberal concession rates. An agriculturist belonging to a village near about one of these railway stations went to Montgomery and purchased four wagon loads of fodder and booked them to his place. It transpired then that in the intervening stations there were no second lines, nor was there any arrangement for either stopping the wagons or detaching them from the railways. So those four wagons were held up at the nearest junction station, that is, at Rohtak. The man went to the station master to ask for delivery of the fodder he had despatched. The station master telegraphed to the junction station and told the man that the wagons had been unloaded some days ago at Rohtak and that his fodder was lying at the station yard, and he could take delivery of his stuff from there. Of course, the Government were also interested in this, because three-fourths of the fare were paid by the Government, and the Deputy Commissioner was issuing certificates to the effect that it was properly delivered. Now, this man, I mean the man who had sent the fodder, came to the station and asked the station master when his wagon was going to be sent to the station of destination. The station master said: "Oh, no, it cannot be sent there, because there is no place

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to discharge it and he must take the delivery at Rohtak". The man said "I would not have brought it if I had known this. But as there is no facility for the delivery of my fodder at my village, I have to take delivery here". The result was, that there was a dispute between the two parties, and this man reported the matter to the Deputy Commissioner. The Deputy Commissioner asked the Tahsildar to see that justice was done to the poor man. In the meantime, the booking clerk or the delivery clerk, whoever was responsible for handing over delivery of the fodder, began to negotiate with the man and asked him to pay Rs. 50 as demurrage charge, and a bargain was struck for Rs. 20 after a long discussion. Mind you, the money went not to Government or to the railway, but it went to the pockets of common funds of the railway staff there. The poor man paid Rs. 20. (An Honourable Member: "Time, Sir.") Wait, let me finish this. The man paid Rs. 20. (Another Honourable Member: "Finish the story please.") The man paid Rs. 20 to the delivery clerk, and as is generally the case, after a bribe has been paid, they always become friends, and begin to trust each other. (Laughter.) The money was paid in the evening after the office had been closed, and the Chowkidar was asked to allow him to take delivery of the fodder. The actual taking of receipt was deferred, till next morning, as they never realised that goods will be despatched in one night. This consignor was very clever. He at once sold the fodder to a private dealer, and the fodder was removed that very night. The next morning the goods clerk wanted this man to produce the receipt, but the man demanded delivery of his fodder. There was a quarrel between the two parties. On the other hand, the Tahsildar was pressing for the delivery of goods saying that unless the goods were delivered that day, the goods clerk would be challanned. Railway people were in a fix, and they naturally came to me (Laughter), not to consult me as a lawyer (Laughter), but as an agriculturist and as a fellow Jat. They thought I should intervene and settle matters between them. (A Voice: "How much did you charge?") (Laughter.) I am coming to it presently. I did not charge anything for this, but I had taken good fees from him, when this man had been challanned in a murder case before. (An Honourable Member: "What did you charge?") (Another Honourable Member: "Did he get the fodder? Probably he got it.") Anyway, there was no occasion for charging anything. I asked the man to be quite frank and tell me whether he actually took delivery of the goods. He admitted having taken delivery of the fodder and having paid so much to the clerk. The other parties also admitted having taken the money from him, and the result was that, after these negotiations, the money was returned to the man and this man was asked to return the receipt, but he would not return it. He said he must have his Rs. 20 more. (Laughter.) He said: "I paid Rs. 20 at the other end to secure wagons, and they had to pay that amount also before they secured the receipt." This, in brief, is the story. I think, so far as the working of the line is concerned, this is a very good example. His Excellency the Governor of the Punjab, when opening the line, said that the agriculturist would benefit by the line, but as there are no facilities for transport of goods at those stations, the working is very defective. Then, there is another thing which is a source of trouble. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up now.

Captain Rao Bahadur Chaudhri Lal Chand: May I have two minutes more?

Mr. President (The Honourable Sir Abdur Rahim): Only one minute more.

Captain Rao Bahadur Chaudhri Lal Chand: Sir, the working of the passenger traffic on this line is also unique. The train always leaves Panipat half an hour late and always reaches Rohtak half an hour late. My friend, Mr. Sham Lal, will bear me out, that the trains leave half an hour late and reach Rohtak half an hour late, and it is always shown as the right time. I was once coming from Karnal and this train was delayed beyond time at Panipat. I asked the railway people why they were delaying as there was no other train for which they had to wait. They said: "We can make good the delay in the way," and it started half an hour after the scheduled time. But what did I see? When the train was in motion, the guard held out his hand and shouted: "Right time," "Right time", and the response from the station also was "Right time". "Right time." This happened at every station, and the train, when it reached Rohtak was supposed to have arrived "right time". This is the sort of working of passenger trains we have on that section. The place is not far off, and I invite my Honourable friend, Mr. Rau, to have a look at the working of this line. To add to our difficulties, there is no ballast on this line. If the last year's floods did so much damage in Rohtak town, it was mostly due to the breaking of the line, as breaches were caused in the line, because water had accumulated on one side. Sir, this is Government line. When lines are constructed there, they do not build enough culverts for proper drainage. That was the chief cause of Rohtak floods last year. With these few words, I move my motion.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved: "That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be still further reduced by Rs. 100."

An Honourable Member: Let the question be now put.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural). Although one gathers the impression from the speech made by the Honourable the Mover of the cut that, after all, it is not really a very difficult matter for the agriculturists to go on paying the freight and other charges that are being levied upon the conveyance of their grains, of their pulses and of their other agricultural produce and also cattle, it is a fact, a miserable fact, in this country that agriculturists are suffering and have been suffering to a very much greater extent than either the coal mine owners or the shipowners or the piece-goods merchants or any of the other big people who are able to make their profit in lakhs and crores of rupees and not by few rupees and annas as is the case with the agriculturists. It is a fact that the agriculturists in this country have been paying and were paying, during the year 1933-34, about as much as one-third of the total revenues that the Government of India were able to derive from the railways on goods traffic. Out of the Rs. 59.67 crores which it derived out of the goods traffic, as much as 20 crores were contributed by the agriculturists on the transport of their own commodities, such as rice, sugar, tobacco, oilseeds, etc. All these commodities have given them an increased revenue, more than they had given during the previous year. The Honourable the Commerce Member had the hardihood the other day to maintain that he would rather give measurable, direct and definite amount of assistance to any of these agriculturists or to any group of these agriculturists, than give indefinite, indirect assistance, that is, by not lowering the freight charges upon the transport of agricultural produce. He was prepared to devote more than twenty minutes of his reply on the first motion

[Prof. N. G. Ranga.]

in order to satisfy and if possible to persuade the European Members of this House over their grievance about the transport of coal from one part of India to another part of India and so on. But he was not prepared to say anything definite, to say anything fresh, to say anything constructive as to what he proposed to do to help the agriculturists in this country either in their capacity as third class passengers or in their capacity as those interested in the transport of agricultural produce. All that he was prepared to do was to simply ask us to refer to his speeches, speeches made in 1934, 1933, 1932, and so on. And this reminds me of the Hindu priest, Muhammadan priest or Christian priest, who always respectfully refer us to their religious doctrines as propounded in the Ramayana, the Koran, or the Bible. Similarly, if you go to Sir Joseph Bhore for his advice, or for his counsel, or for his view, about anything, he would refer us to Sir Joseph Bhore 1934, Sir Joseph Bhore 1933, Sir Joseph Bhore 1932, and so on.

Going into these freights in detail a bit, we find that so far as grains and oilseeds are concerned, the highest rate charged per mile per ton is 25 pies in one line, whilst the lowest is 6.46 pies in another line. Whereas Government charges for coal for home lines are the highest being 5.98 pies and the lowest 1.80 pies, as regards coal for foreign lines the maximum is 7.38 pies, while the minimum is 2.43 pies. For other commodities it is 23.9 pies and the minimum 7.47 pies. The Government of India have been prepared, and rightly, I dare say, to make concessions in railway freights for transport of coal, because Europeans and Indians who are well organised and who are rich and are able to make their voice felt on the Treasury Benches, are interested in it, and the Government are prepared to charge the maximum of 5.98 pies only per mile, whereas for grain and oilseeds, in which the unorganised and illiterate and poor peasants are interested, they are pleased to charge the highest rate of 25 pies whilst the lowest is as much as 6.46 pies. Therefore, I submit that it is time that this House took this matter very seriously and looked at it, not in the flip pant fashion as my Honourable friend, the Mover of the cut, would have liked to look at it at the close of his speech, but looked at it seriously and tried to devise the best manner in which we can influence this Government to lower the railway freights on the transport of agricultural produce. But there is always this difficulty. We can only explain our difficulties here. We can only voice the feelings, the sufferings of the people here. But what is it that we can do after that, if the Honourable Sir Joseph Bhore does not think it fit to make the necessary concessions? In Southern India, the growers of paddy and other agricultural produce have been clamouring for a suitable reduction in the freight charged on agricultural produce, and the only answer that we have been able to get, the only concession that we have been able to gain from the Madras Government as well as the Railway Authorities has been a paltry concession in freights that are charged upon the conveyance of paddy from Trichinopoly and Tanjor to Ceylon and nothing else. What about the conveyance of other agricultural commodities all over India, between one station and another station. What is usually asked for is that the freight charges that are levied upon agricultural produce exported to places outside India should be lowered. But very few people have been at pains to explain to the Government of India as well as to the public that three-fourths of our agricultural produce really do not leave the shores of India, but is consumed in India by millions of people. From one part of India to another there is a tremendous amount of trade going on, a tremendous amount of conveyance of goods is going on, and it is on this that the major revenues of the

Government of India from railways are derived. Therefore, it is on this section of our trade that the Government should really lower the freights, and I suggest to Government, as well as to Honourable Members, that they should, at least from now, try to show some concession to the peasants, to show some consideration for the needs of the peasants, and not dismiss the question with a few stories, in a flippant fashion, and with a nice laugh, and then satisfy themselves that they have done all they can. One thing I can tell the Treasury Benches is that if the peasants' grievances are not redressed in time, whether long before Sir Joseph Bhore lays down the seals of his office before His Excellency the Governor General or a little later on,—if Government do not care to redress the grievances of the peasants, if this House does not care to concern itself about the sufferings of the peasants, there is bound to be a revolution in this country,—a revolution that will want to get rid of this sort of Government, you may call it Satanic, or something else, but this sort of Government, with a view to getting, not the zamindari Government, not the oligarchical Government, not the Maharajadhiraja Government or the Maharaja Kumar Government, but the Government of the peasants and the workers, and that day will soon come, not by peaceful means alone, but by any means that may be available to the peasants if their grievances are not redressed in time properly and fully.

Mr. Frank D'Souza: I explained yesterday how we try to keep uniform 4 P.M. rates on the railways. Today the discussion has taken on another aspect, and I am glad of this, as it gives me an opportunity of saying something in reply to my Honourable friend, Chaudhri Lal Chand. I hope I will be able to satisfy him and the House that railways are doing what they can to assist in the free movement of agricultural produce. The term "agricultural produce" covers a very wide range of commodities, beginning with a cheap commodity like fodder and coming up to a valuable commodity like cotton. Now, it is obvious that if the rates for all agricultural commodities were on the same basis, they would have to be sufficiently high to produce adequate revenue, revenue at least equivalent to what the railways are earning at present. That would mean that the rates for fodder would be very much higher than they are at present and the rates for cotton would be substantially lower than what the railways now charge. Taking fodder as one of the commodities specifically referred to by my Honourable friend, Chaudhri Lal Chand, and particularly also as he comes from the North Western Railway area, and referred to movements on that line, I may say that the rates for fodder on that railway are about the lowest that are charged on any railway. I do not think I would be doing him an injustice if I were to say that he was not quite sure what the rate for fodder on the N. W. Railway is at the moment. The rate that the North Western Railway is authorised to charge for fodder is the first class rate, 38 pie per maund per mile. The actual rate that they charge is 20 or one-fifth of a pie for the first hundred miles, and as the distance increases, the rate per maund per mile decreases. This scale of rates is one of the lowest charged on any railway for fodder. It is definitely a concession rate, and, if my Honourable friend Chaudhri Lal Chand was aware of it, he would perhaps not have asked for a further concession to be given. Then, again, during periods of fodder scarcity, at the request of Local Governments, railways,—and by railways I mean not only the North Western Railway, the East Indian Railway and other State-managed lines, but also Company-managed railways,—introduce special rates which are

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on a wagon mile basis, something like $3\frac{1}{2}$ annas per wagon per mile. The consignee in these cases pays only a small proportion of the charge, the balance is paid by the Local Government. But the $3\frac{1}{2}$ anna rate which is charged is in many cases a reduction on the ordinary rates that railways allow for the movement of fodder. My Honourable friend, Chaudhri Lal Chand, also referred to the rates for manures. I wonder how many there are who realise that railways carry a maund of manure ten miles for one pie. This rate of one tenth of a pie per maund per mile is the minimum that railways are authorised to charge, and is definitely a concession, the rate which they could have charged being 38 pie per mile per maund. Here, again, is a concession which people are not generally aware of when they ask for a concession to be allowed for the carriage of manures.

Then, my Honourable friend referred to dairy products. That, again, covers a very wide field. Milk and butter are dairy products which are carried by passenger trains at half or a little over half the ordinary rates that apply for other parcels traffic. Railways have gone further, and, in some cases, charge even lower rates than those for dairy products.

To assist agriculture generally, several railways are now carrying all kinds of seeds, seed sugar-cane, seedlings, cuttings and plants, intended for agricultural purposes at rates that are one-fourth the ordinary parcels rate. If a wagon load were booked with this kind of traffic and carried at one-fourth the parcel rate, it would be carried at a rate below what it would cost the railway to haul the wagon. It is just because in practice the wagon contains other articles chargeable at higher rates that railways can afford to carry these seedlings and seeds at rates as low as one-fourth the ordinary parcel rate.

Then, Sir, my Honourable friend also had something to say as regards the carriage of live stock. He referred to the recommendations of the Royal Commission on Agriculture. Every one of these recommendations was examined very carefully. They looked simple enough as they appeared in the Royal Commission's report, but the consideration of some of them took, it may surprise the House, about two years before decisions were finally arrived at. Speaking from memory, I may indicate briefly the action taken on some of those recommendations. One referred to the desirability of holding up live stock wagons *en route* to enable cattle to be rested, fed and watered. Railways were asked to consider this recommendation and the Railway Board know that sympathetic consideration was given to it, but general opinion was against its acceptance. Railway journeys are long enough as they are, and it would be unfair to the owners of the cattle and might amount to cruelty to the animals to keep them longer on the road by holding up wagons at stations *en route*. Another recommendation of the Royal Commission had reference to improving the type of wagon used for the carriage of cattle. Normally, the type of wagon used for the carriage of cattle has wooden floors. To the extent to which those wagons are available, they are generally used for the carriage of cattle by goods trains. When, however, it becomes necessary to carry live stock by passenger train, the position is slightly different. Here the comparatively greater speed at which these trains run make it necessary to use a special type of vehicle called a horse-box. The number of animals that can be put into a horse-box is less than the number that can be put into an ordinary wagon carried by goods train. It is inevitable, however, that the charge for carriage by passenger train should be

greater than the charge for carriage by goods train. But the charge for carriage by passenger train is nothing very substantial. It is the same as for horses, it is true, but, for a whole horse-box occupied by cattle, the rate is for the first animal three annas a mile for the first five hundred miles and two annas a mile for the additional distance beyond five hundred miles, and one anna per mile for each additional animal after the first. But there is no such limitation for the carriage of animals by goods train. Here, irrespective of the number of animals that can be loaded in a wagon,—and a maximum is fixed only in order to prevent cruelty to animals in transit,—the rate generally is four annas per wagon per mile, when booked from stations on a broad-gauge line, and three and a half annas per wagon per mile when booked from stations on a metre-gauge line. Railways have always recognised the desirability of assisting in the transport of cattle, particularly to large centres such as Bombay.

The special point to which my Honourable friend, Chaudhri Lal Chand, referred was as regards dry cattle required to be returned to upcountry stations, which had also been considered carefully. Prior to this examination, there had been a reduction in the rate from five annas per wagon per mile to the existing rate of four annas per wagon per mile. It will be recognised that there must be some limit to the extent to which railways can reduce their rates, and, I submit, Sir, that a rate of four annas a mile, which approximates to a little above the average cost to railways of carrying a goods wagon per mile by goods train, is not an unreasonable rate in fact, it is a concession which those who advocate the grant of a concession would recognise as reasonable.

Another point, Sir, which my Honourable friend, Chaudhri Lal Chand, made had reference to the number of casualties amongst cattle when carried for long journeys. His information on this point, he said, was based on the report of one cattle-owner. Well, Sir, I have been sufficiently long in an office where information of this kind comes in quickly, and must confess to not having heard yet of a single case in which cattle have been killed *en route* owing to anything connected with railway working. (Mr. R. S. Sarma: "Unless they are run over")—barring accidents.

Another point he made was that it was unreasonable to charge calves as if they were full-grown animals. My Honourable friend was not quite right on the point. One calf not exceeding three and a half feet high at the shoulder when accompanying its parent animal is carried free of charge. (Hear, hear.)

Then, my Honourable friend, very kindly, before concluding his speech said he was going to offer some constructive suggestions. I was very interested, Sir, in hearing that constructive suggestions would be forthcoming, because it is not very often, Sir, that we get them from the non-official side. It may not be their business to make such suggestions, and it may be admitted that it is for the official side, if I may say so, to consider, with the comparatively wider sources of information they have and from their own experience, what line of action is the best to adopt, but constructive suggestions coming from any source are always very welcome. My friend's constructive suggestions, however, did not go beyond suggesting that we should give concessions. Well, that is scarcely constructive. I will take the first. He proposed that we should give concession rates at one-fourth the general rate. I take that to apply to fodder. As I explained just now, the ordinary rate for fodder is 38, but

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the actual rate charged is substantially below that. The second constructive suggestion was that vendors should be given passes to bring milk. Now, my Honourable friend did not suggest between what points, at what stations and in what areas, such passes should be given. But we do know that for the carriage of market produce in some areas certain railways do allow a larger amount of luggage to be taken by a passenger holding an ordinary third class ticket. If this is what my Honourable friend suggested

Captain Rao Bahadur Chaudhri Lal Chand: Yes—that they should be allowed to take sixty seers on a third class ticket.

Mr. Frank D'Souza: I take his suggestion as meaning “not definitely sixty seers, but something more than what is normally allowed on a third class ticket, which is only 25 seers”.

Captain Rao Bahadur Chaudhri Lal Chand: It is fifteen.

Mr. Frank D'Souza: I beg your pardon—it is twenty-five.

Then, Sir, he asked for cheaper rates for agricultural produce, and my Honourable friend, Prof. Ranga, elaborated that point. He particularly stressed the need for cheaper freights for agricultural produce. But I must confess I was not able to follow the figures he gave. As far as I could gather, what he was saying was that railways carry their own materials and materials for other railways at rates that are substantially below those charged for ordinary public traffic. Well, Sir, there is nothing unreasonable or wrong in that. Railways carry their employees free of charge when they are on duty, even when this duty is not connected with the train. What is there wrong, therefore, in railways carrying their own materials free? But they do not, in point of fact, carry them free. In order to prevent abuses arising, railways have prescribed, for the carriage of their materials, charges that approximate to the actual cost of carriage, so that, from that point of view, my Honourable friend, Prof. Ranga, can have no grievance against the railways' policy in the matter of railway freight. But, Sir, I should imagine Prof. Ranga had more in mind the conditions on the South Indian Railway. He referred, rather deprecatingly, if I may say so, to what the South Indian Railway had done in the case of the freight rates for rice. Memories are short in these matters, but a little investigation would have shown that the South Indian Railway, when dealing with the question of a reduction in the freight rates for rice about two years ago, went a long way to meet the public demand in this matter. The Tanjore Rice Merchants' Association were not quite satisfied with what the South Indian Railway had been previously doing, and asked for the matter to be referred to the Railway Rates Advisory Committee for investigation. This was done. The Committee went to South India for their enquiry, but after one or two hearings the Rice Merchants' Association dropped further proceedings.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time.

Mr. Frank D'Souza: Thank you, Sir. Then I have nothing more to say.

Dr. Ziauddin Ahmad: May I know the reply of the Honourable Member to Captain Lal Chand's story? (Hear, hear.)

Mr. President (The Honourable Sir Abdur Rahim): Mr. Ebrahim Haroon Jaffer.

Mr. Ahmed Ebrahim Haroon Jaffer (Bombay Central Division: Muhammadan Rural): Sir, I rise to support the motion so ably moved by my Honourable friend, Captain Lal Chand. Before I proceed to fully support him and his arguments, let me first say, Sir, that I hope all those Honourable Members who are sitting on the other side of the House will realise, as I do, that in fact the nominated Members are not after all to be described as electrified dummies—a charge which was levelled against them the other day. After hearing the speech of Captain Lal Chand, you must have been convinced of the force of his arguments, and I congratulate him on the excellent speech which he has just delivered. Sir, we have been complaining from this side of the House for the last four years that Government have done nothing to raise the price level of agricultural products. They have done nothing to improve our trade. It is a characteristic fact that our exports and our volume of trade have conspicuously gone down. Our export last year was 146 crores compared with 311 crores in 1929. The volume of trade has also gone down. Last year, it was 361 crores compared to 552 crores in 1929. Both our exports and volume of trade cannot increase unless the Government give facilities for our raw products to move about freely in this country. There is a great handicap just now on account of heavy railway freight. Every agricultural country provides facilities for agricultural products to move on easy conditions to the port and to other markets in the country. These facilities do not however exist in India to the great misfortune of Indians. Our Railway Department thinks first and last of its own income and takes very little into account of prosperity and trades and the prosperity of the people. They forget that the prosperity of the people will ultimately affect the prosperity of the railways. People cannot travel if they have no money to pay the fare. It is, therefore, desirable that the railways in India should keep the free movements of the agricultural classes even if it is done at direct loss. I am confident this direct loss will soon be made up by the additional traffic which the railways will get when the people become more prosperous. In this connection, I wish to point out that the cost of transport of wheat from Australia to Calcutta is less than the cost of transport from Lyallpur to Calcutta. How will it then be possible for the Punjab to compete with the Australian market in Calcutta? Though I do not represent the Punjab, I am sure, this is a great grievance of the Punjab. Again, we are helping the sugar industry at a great sacrifice of the Indian tax-payers. Our income from sugar used to be in the neighbourhood of eight crores before protection was given. The income has now dwindled to insignificant figures. It is, therefore, desirable that our sugar should be able to move about freely, so that we may be able to establish ourselves and compete with Java even after the protection is withdrawn. The freight on raw hides is exorbitant as compared to other commodities, and this is a normal principle as the shipping companies do not make a huge difference in hides and skins with other raw products. The most surprising thing is that if you send 100 or 200 hides from Cawnpore to Calcutta, the rate charged becomes about the double of what it costs if you send a full wagon of 2,000 pieces. This means that the small merchants are ruined and small trade cannot exist at all. In the

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case of the wet salted hides, this story is still more deplorable, as the charges on wet salted hides are double the charges on ordinary or air dry hides. Sir, with these words, I support the motion.

Captain Rao Bahadur Chaudhri Lal Chand: Sir, I am grateful to the House for the unanimity with which this motion has been received and Honourable Members who have spoken from different Parties have shown their full sympathy. As I said in the beginning, the subject is a very wide one, and, in fact, it needed a whole day's debate to discuss a subject of this type.

Now, Sir, before I come to the points raised by my Honourable friend, Mr. D'Souza, in his reply, I have, in justice, one thing more to add to the story of trains running late. The question was asked by an Honourable friend of mine as to why I did not report this matter when they were running late and at every station they said that they were running to time. I brought this matter to the notice of the guard at one of the halting stations, and, as it was getting very late, the man went to the station master and brought me a tumbler full of pure milk. After taking that milk, it could not be expected that I should report against that staff. Sir, one point has been brought out by the Honourable Prof. Ranga very eloquently. He said that if you did not do justice to the agriculturists, the agriculturists would do justice to themselves, and an example of this has been found on this line itself. People were feeling some difficulty in the beginning in the matter of getting into the trains: sometimes the stoppages were irregular: sometimes the trains stopped at a station for half an hour and at other times they stopped only for a few minutes, and so on, and so forth. Therefore, there was some disagreement between the people and the railway employees on the side stations, but all these differences have been squared up. The house of one of the station masters was burgled once, and he was deprived of all his property, and, after that, people are allowed to travel without tickets.

Sir, most of the replies that have been given by the Honourable Mr. D'Souza remind me of the story of a man who climbed up a tree and somehow or other fell down and broke his legs. The man, instead of trying to go to the hospital, began to offer prayers. There was a companion of his who said: "Is this the time to offer prayers? Your leg has been broken and you say that God is merciful." He said: "No, I am praying, because it was not my neck that has been broken; and it was only my leg that has been broken." So the Honourable Mr. D'Souza says that these are the concessions we have given you: we could have imposed higher rates which we have not done. Sir, this reply cannot satisfy us. My Honourable friend referred to fodder concessions. Well, that is one of our complaints. Most of the burden of fodder concessions is borne by the general tax-payer in the provinces. In one year alone, I remember, in my district, the Punjab Government paid 17 lakhs of rupees for this fodder concession to the railway authorities. Was it not fair for the Railway Department to give up this amount? After all, it was a Government railway and it could have well borne this burden which was placed on the head of the general tax-payer. My Honourable friend has said that the recommendations of the Royal Commission on Agriculture were fully examined by them. But what conclusion did they arrive at? They arrived at the conclusion that it was in the interest of the cattle and cattle owners themselves that they should not be given

the concessions that have been proposed by the Royal Commission on Agriculture and that they should reach their destination as early as possible and that it was for this reason that the recommendation had not been accepted. Sir, I have no quarrel with them. If they think that it is a business concern, let them not give concessions. But I want one thing. When a Royal Commission on Agriculture had gone round the country and had examined these questions thoroughly before they made this recommendation, then, for God's sake, do not say that you are doing this in our own interest. I say you are doing it in your interest and not in our interest.

Mr. Frank D'Souza: I rise, Sir, to a point of personal explanation I might have added when I spoke that there is nothing to prevent the owner of the cattle from asking that the wagon carrying the cattle should be cut off at any station to rest the cattle. Railways have done that very often.

Captain Rao Bahadur Chaudhri Lal Chand: That was the complaint of the Royal Commission on Agriculture that the burden should not be put upon the owner of the cattle to ask the railway authorities. The railway authorities should not wait for him to make a request. As a matter of fact, the Royal Commission says that the railway authorities should themselves, of their own accord, detach the carriage after every 200 miles and give the cattle rest. That is what they said. Those people who deal in cattle know very well how much strain it is upon the cattle to be kept inside a small wagon—eight cattle or as you now say 16 cattle with their calves to be confined in that small compartment for so many days, that is really very cruel. I have seen cases where wagons have been detached at way-side stations and cattle are not allowed to come out. They remain there, because the station staff would not inform the cattle owners as to how long that stay was to be, and, therefore, even while the cattle are not travelling to their destination, they have to be kept in that black hole. Sir, may I ask my Honourable friend, Mr. D'Souza, whether they ever issued a communiqué informing the country that for these two reasons, in the interests of the cultivators themselves and in the interests of the cattle breeders themselves, they were not acting upon those recommendations of the Royal Commission on Agriculture. Sir, so far as I am aware, I never saw any such communiqué that the railway authorities had decided this in our interests. If there is any such communiqué, it is a sealed book to us.

Mr. Frank D'Souza: Sir, I believe in a publication that has been issued by the Department of Education, Health and Lands, the recommendations of the Royal Commission on Agriculture have been summarised, and against each one of those recommendations, is noted the action taken by Government; I believe in the case, the Honourable Member is referring to, the action taken has also been recorded.

Captain Rao Bahadur Chaudhri Lal Chand: As regards the recommendation of taking live stock by passenger trains, they have decided to continue the old custom. I submit, Sir, these cattle owners are very poor people. They are not organised. May I ask my Honourable friend, Mr. D'Souza, whether he would take polo ponies in such a condition as he is taking these milch cows and buffaloes. For polo ponies, they give every comfort and they take them by the most speedy trains, but the charges for their transport are nearly the same as those for milch cattle. My Honourable friend seems to have misunderstood one point. I wanted one-fourth of the ordinary rates for cattle that are to be returned from

[Captain Rao Bahadur Chaudhri Lal Chand.]

big towns to their own homes. To that my Honourable friend did not give any reply. I want that only one anna instead of four annas should be charged for their backward journey, and, for the onward journey, let them have five annas. We do not mind this, and let them make good their losses. Sir, that is all I have to say. I do admit that in the case of some of the articles that have been pointed out there are concessions, and, on the assurance that Government will do all that is possible to secure more concessions, I beg leave to withdraw the motion. But if no leave is granted for withdrawing my motion, then, I will have no option but to vote with the Opposition Members and for my motion.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member wish to withdraw his motion?

Captain Rao Bahadur Chaudhri Lal Chand: Yes, Sir. I beg leave to withdraw my motion.

(Leave was refused by the House.)

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Working Expenses—Expenses of the Traffic Department' be still further reduced by Rs. 100."

The Assembly divided:

AYES—72.

Aaron, Mr. Samuel.
Abdullah, Mr. H. M.
Aneer, Mr. M. S.
Asaf Ali, Mr. M.
Azhar Ali, Mr. Muhammad.
Ba Sri, U.
Radi-uz-Zaman, Maulvi.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Baqai, Mr. M. A.
Bardaloi, Srijut N. C.
Bhagavan Das, Dr.
Bhutto, Mr. Nahi Baksh Illahi Baksh.
Chattopadhyaya, Mr. Amarendra Nath.
Chettiar, Mr. T. S. Arinashilingam.
Chetty, Mr. Sami Venkatachalam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
DeSouza, Dr. F. X.
Ebrahim Haroon Jaffer, Mr. Ahmed.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Gadgil, Mr. N. V.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Giri, Mr. V. V.
Govind Das, Seth.
Gupta, Mr. Ghansham Singh.
Hosmani, Mr. S. K.
Iwar Saran, Munshi.
Jedhe, Mr. K. M.
Jogendra Singh, Sardar.
Joshi, Mr. N. M.
Khan Sahib, Dr.
Lahiri Chaudhury, Mr. D. K.

Lal Chand, Captain Rao Bahadur Chaudhri.
Lalchand Navahai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Muhammad Nauman, Mr.
Murtuza Sahib Bahadur, Maulvi Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Raghubir Narayan Singh, Choudhri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sherwani, Mr. T. A. K.
Siddique Ali Khan, Khan Sahib Nawab.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U.
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.
Ziauddin Ahmad, Dr.

NOES—41.

Abdul Aziz, Khan Bahadur Mian.
Ahmad Nawaz Khan, Major Nawab.
Allah Bakhsh Khan Tiwana, Khan Bahadur Nawab Malik.
Ayyar, Rao Bahadur A. A. Venkatarama.
Bajpai, Mr. G. S.
Bhore, The Honourable Sir Joseph.
Buss, Mr. L. C.
Chatarji, Mr. J. M.
Clow, Mr. A. G.
Craik, The Honourable Sir Henry.
Dalal, Dr. R. D.
D'Souza, Mr. F.
Drake, Mr. D. H. C.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel Sir Henry.
Graham, Sir Lancelot.
Grigg, The Honourable Sir James.
Hockenhull, Mr. F. W.
Hossack, Mr. W. B.
Hudson, Sir Leslie.
James, Mr. F. E.

Kirpalani, Mr. Hiranand Khushiram.
Lindsay, Sir Darcy.
Metcalf, Mr. H. A. F.
Milligan, Mr. J. A.
Monteath, Mr. J.
Mukerje, Mr. N. R.
Mukherjee, Rai Bahadur Sir Satya Charan.
Nayar, Mr. C. Govindan.
Noyce, The Honourable Sir Frank.
Owen, Mr. L.
Raisman, Mr. A. J.
Rajah, Rao Bahadur M. C.
Rau, Mr. P. R.
Sarma, Mr. R. S.
Scott, Mr. J. Ramsay.
Scott, Mr. W. L.
Sircar, The Honourable Sir Nripendra.
Sloan, Mr. T.
Swithinbank, Mr. B. W.
Tottenham, Mr. G. R. F.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member, Mr. Sarma, wish to move his cut motion? There are barely 14 minutes left.

Mr. R. S. Sarma: Sir, may I ask you one thing as a matter of information? The object of my cut is not so much to censure Government, as to raise issues for which I want to ask Government for a statement of their future policy in regard to this matter. As such, I beg to request you, Sir, to tell me whether it is possible to ask the Government Benches to reply if I state my case very briefly in five minutes. If others catch your eye and occupy the floor.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may move his motion, and then it will depend upon the Chair to see what is to be done. The Honourable the Railway Member will first move his demand.

DEMAND No. 6-G.—WORKING EXPENSES—MISCELLANEOUS EXPENSES.

The Honourable Sir Joseph Bhore: Sir, I move:

"That a sum not exceeding Rs. 4,18,00,000 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, 1936, in respect of 'Working Expenses—Miscellaneous Expenses'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 4,18,00,000 be granted to the Governor General Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1936, in respect of 'Working Expenses—Miscellaneous Expenses'."

Wagon Policy of Government.

Mr. R. S. Sarma: Sir, I move:

"That the demand under the head 'Working Expenses—Miscellaneous Expenses' be reduced by one rupee",

to discuss the wagon policy of Government. Sir, I will not suggest for a moment that it is unfair that I should have been asked to move this important cut at the fag-end of this debate with barely ten minutes to make out a case, but I would say that it is extremely unfair to the importance of the case that I should attempt in ten minutes to make out that case. The immediate provocation for this cut is the inclusion in the Railway Budget of an amount of money for re-opening what is called the Peninsular Locomotive Works for the purpose of manufacturing wagon under-frames. (Interruption.)

I would like interruptions to come from people whom I can understand.

With regard to this locomotive works, it has a big history behind it. There are three clear principles involved in the re-opening of this Peninsular Locomotive Works this year. The first is the oft-discussed question of unfair and uneconomic State competition with private enterprise: we had a lot of discussion about it and we had the opinions of Members with socialistic inclinations who had something to say about it only yesterday. There is the other aspect that the re-opening of this locomotive works is not going to be economical to the railways and as such it is against the interests of the tax-payers. The third point and the most important point is that the re-opening of this locomotive works will deal a great blow to the existing wagon manufacturing industry in the country.

The history of the wagon manufacture in this country, though of recent date, has been chequered—a history which is not, I am afraid, very edifying to the Government of India. If I had the time at my disposal, I would have given briefly the history of the wagon industry in this country. In the year 1916, when we were in the midst of the War, the Government of India were cut off from all sources of supply from European countries. There was a great shortage of wagons and Government wanted a large number of wagons for the purposes of movement of goods. They immediately entered into a correspondence with the engineering firms and the Indian Engineering Association in 1916: the Indian Engineering Association were the official spokesman of those concerns, and, as a result of that correspondence, they had a conference between the Railway Board and the representatives of the Indian Engineering Association. The Railway Board put it to the Association that they should undertake the manufacture of wagons in this country and Government would support them. The Association said that wagons could only be ordered by railways, and, therefore, if they started new concerns or put special plant in the existing concerns, they could not do so until Government assured them of a steady and continuous flow of orders spread over a number of years, that the orders must be permanent: it must be a settled figure every year and it must be continued for a long period of years, so that they might stand on their feet and not continue as losing concerns. Government agreed, but the Indian Engineering Association, with a knowledge of how certain other promises in the past by Government were treated, said that unless Government issued a communiqué guaranteeing certain number of wagons every year, and that for a certain number of years, they would not be able to undertake this industry: and, as a result of that, the Government of India

issued a communiqué on the 18th March, 1918, in which they said that the Government of India had come to a decision that, if new industries were started for the purpose of manufacturing wagons in this country, the Government of India would give annually an order of three thousand wagons for a period of ten years. That guarantee was repeated very often. The Commerce Member, Sir George Barnes, reiterated it in many of his speeches in this Assembly. As a result of this communiqué, the Indian Standard Wagon Company was floated with a capital of about a crore of rupees, Indians and Europeans subscribing. It was floated solely on the strength of this guarantee. Along with this also another communiqué was issued by the Government which is, I think, of present interest to Members of this House, because there have been questions in this House only yesterday as to why the Government of India should not undertake to build locomotives in this country. Another communiqué was issued by the Government of India in which they said that if anybody started locomotive works in this country, they would guarantee to buy four hundred locomotives every year. On the strength of that guarantee and of that Government communiqué, the Peninsular Locomotive Works was started.

Mr. P. R. Rau: Will my Honourable friend quote the date of that communiqué?

Mr. R. S. Sarma: Following the example which he often does at question time, I will supply the Honourable Member with the date afterwards (Laughter).

Mr. P. R. Rau: May I suggest the reason is that there is no such communiqué?

Mr. R. S. Sarma: There is a communiqué: it has been quoted by Commerce Members in their speeches as the locomotive communiqué. On the strength of that communiqué, this locomotive works was started. After that was started, the Government of India issued another communiqué in 1924, in which they said: "We cancel the previous communiqués: we cannot guarantee the number of orders that we promised in the previous two communiqués." (Interruption.) We have lost so much time today in discussing cattle breeding and cattle feeding that I would like no further waste of time. I think my friends from Bombay who were interested at that time in the Peninsular Locomotive Works know all about it: I think Sir Cowasji Jehangir may know something about it.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan, Urban): Nothing at all.

Mr. R. S. Sarma: There are some Members of this very House who took part in this House in 1928 in a debate on this subject and one of them is sitting on my right—my Honourable friend, Sir Daroy Lindsay. When the Government found that because of their promises the Indian Standard Wagon Company and the Peninsular Locomotive Works invested capital and entered on that venture, the Government offered to the Peninsular Locomotive Works, as they were under a moral obligation to them: "On the strength of our guarantee, you put up the works, we are now prepared to buy it from you", and they paid half the price to the Company and they bought it. The Standard Wagon Company refused to be bought.

[Mr. R. S. Sarma.]

It is very difficult, within the space of these two minutes remaining, to give a history of this transaction or its implications. (Interruption.) I am not at all afraid of interruptions, and I am not going to appeal for courtesy: but I will ask your permission, Sir, to allow me to hit back when I am hit. This is a matter in which all of us are vitally interested, in pleading for the Indian wagon industry in which many Indians are shareholders; and now the opening of this Peninsular Locomotive Works, as it is found in the budget demands of the railways, will affect that industry and many people will suffer if they start manufacturing underframes as they threaten to do. There are four or five firms that are manufacturing wagons in this country—Burn and Co., the Indian Standard Wagon Co., Braithwaite and Co., and Jessop and Co. . . .

Mr. B. Das (Orissa Division: Non-Muhammadan): Now, we understand.

Mr. R. S. Sarma: Their total capacity is about 8,000 wagons a year and Government are now taking only about 4,000 wagons a year. Therefore, the only alternative means of keeping the plant employed, when they have not got sufficient orders from the Government, is to make underframes: and if Government start to prepare these underframes in railway workshops, the result will be that some of these works, at any rate, will suffer enormously. That is my point. . . .

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Does the Honourable Member want the Government to stop their works?

Mr. R. S. Sarma: Yes. They have to stop because of the promises and pledges which they have given on the floor of this House and which I would have read out, if I had the time. In August, 1923, the Railway Board re-stated their attitude in clear language:

"It is the policy of the Government to restrict railway workshops to their primary function of dealing with the repairs and maintenance of stock and equipment of the railways.....To some extent it is desirable to undertake work that is not purely repair or maintenance work in order to make the best use of machines and staff that could not otherwise be given continuous full time employment. But it is the policy of the Government to keep the amount of such work to a minimum and particularly where it can be done by private firms."

The intention and language of this pronouncement is unmistakably clear.

But Government may say: "We have paid the money: why should we keep the works idle?" The Honourable Member, Mr. DeSouza, asked if we had any constructive suggestions to make. I will make a constructive suggestion which will not only keep this concern alive, but keep alive the capital Government have invested in this concern. There has been a demand on the floor of the House that locomotives required for use in this country should be built in India. I say, let the Peninsular Locomotive Works be used for the purpose of making locomotives, and not underframes.

(It being Five of the Clock.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair does not propose to put the cut motion that has just been moved because there has been no discussion on it.

The question is:

"That a reduced sum not exceeding Rs. 12,49,990 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, 1936, in respect of 'Miscellaneous Expenditure'."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 8,65,24,900 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, 1936, in respect of 'Working Expenses—Maintenance of Structural Works'."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 10,74,19,700 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, 1936, in respect of 'Working Expenses—Expenses of the Traffic Department'."

The motion was adopted.

DEMAND No. 2—AUDIT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,85,000 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, 1936, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 4—REFUNDS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,00,000 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, 1936, in respect of 'Refunds'."

The motion was adopted.

DEMAND No. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,46,25,000 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, 1936, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

[Mr. R. S. Sarma.]

It is very difficult, within the space of these two minutes remaining, to give a history of this transaction or its implications. (Interruption.) I am not at all afraid of interruptions, and I am not going to appeal for courtesy: but I will ask your permission, Sir, to allow me to hit back when I am hit. This is a matter in which all of us are vitally interested, in pleading for the Indian wagon industry in which many Indians are shareholders; and now the opening of this Peninsular Locomotive Works, as it is found in the budget demands of the railways, will affect that industry and many people will suffer if they start manufacturing underframes as they threaten to do. There are four or five firms that are manufacturing wagons in this country—Burn and Co., the Indian Standard Wagon Co., Braithwaite and Co., and Jessop and Co.

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Mr. R. S. Sarma: Their total capacity is about 8,000 wagons a year and Government are now taking only about 4,000 wagons a year. Therefore, the only alternative means of keeping the plant employed, when they have not got sufficient orders from the Government, is to make underframes: and if Government start to prepare these underframes in railway workshops, the result will be that some of these works, at any rate, will suffer enormously. That is my point. . . .

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"It is the policy of the Government to restrict railway workshops to their primary function of dealing with the repairs and maintenance of stock and equipment of the railways.....To some extent it is desirable to undertake work that is not purely repair or maintenance work in order to make the best use of machines and staff that could not otherwise be given continuous full time employment. But it is the policy of the Government to keep the amount of such work to a minimum and particularly where it can be done by private firms."

The intention and language of this pronouncement is unmistakably clear.

But Government may say: "We have paid the money: why should we keep the works idle?" The Honourable Member, Mr. DeSouza, asked if we had any constructive suggestions to make. I will make a constructive suggestion which will not only keep this concern alive, but keep alive the capital Government have invested in this concern. There has been a demand on the floor of the House that locomotives required for use in this country should be built in India. I say, let the Peninsular Locomotive Works be used for the purpose of making locomotives, and not underframes.

(It being Five of the Clock.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair does not propose to put the out motion that has just been moved, because there has been no discussion on it.

The question is:

"That a reduced sum not exceeding Rs. 12,49,990 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, 1936, in respect of 'Miscellaneous Expenditure'."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 8,65,24,900 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, 1936, in respect of 'Working Expenses—Maintenance of Structural Works'."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 10,74,19,700 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, 1936, in respect of 'Working Expenses—Expenses of the Traffic Department'."

The motion was adopted.

DEMAND NO. 2—AUDIT.

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The motion was adopted.

DEMAND NO. 4—REFUNDS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,00,000 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, 1936, in respect of 'Refunds'."

The motion was adopted.

DEMAND NO. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,46,25,000 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, 1936, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

DEMAND No. 6-B—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF
LOCOMOTIVE POWER.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,92,60,000 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, 1936, in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

The motion was adopted.

DEMAND No. 6-C—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND
WAGON STOCK.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 5,99,50,000 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, 1936, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

The motion was adopted.

DEMAND No. 6-D—WORKING EXPENSES—MAINTENANCE OF FERRY STEAMERS
AND HARBOURS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 28,70,000 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, 1936, in respect of 'Working Expenses—Maintenance of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND No. 6-F—WORKING EXPENSES—EXPENSES OF GENERAL DEPART-
MENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,73,40,000 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, 1936, in respect of 'Working Expenses—Expenses of General Departments'."

The motion was adopted.

DEMAND No. 6-G—WORKING EXPENSES—MISCELLANEOUS EXPENSES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,18,00,000 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, 1936, in respect of 'Working Expenses—Miscellaneous Expenses'."

The motion was adopted.

DEMAND No. 6-H.—WORKING EXPENSES—ELECTRIC SERVICE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,22,75,000 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, 1936, in respect of 'Working Expenses—Electric Service Department'."

The motion was adopted.

DEMAND No. 7—WORKING EXPENSES—APPROPRIATION TO DEPRECIATION
FUND.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,28,00,000 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, 1936, in respect of 'Working Expenses—Appropriation to Depreciation Fund'."

The motion was adopted.

DEMAND No. 8—INTEREST CHARGES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,78,000 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, 1936, in respect of 'Interest Charges'."

The motion was adopted.

DEMAND No. 9—TEMPORARY WITHDRAWALS FROM DEPRECIATION FUND.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,89,50,000 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, 1936, in respect of 'Temporary Withdrawals from Depreciation Fund'."

The motion was adopted.

DEMAND No. 11—NEW CONSTRUCTION.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 26,00,000 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, 1936, in respect of 'New Construction'."

The motion was adopted.

[26TH FEB. 1935.]

DEMAND No. 12—OPEN LINE WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 14,72,50,000 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, 1936, in respect of 'Open Line Works'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 27th February, 1935.

LEGISLATIVE ASSEMBLY.

Wednesday, 27th February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN.

Mr. William John Calvert Richards, M.L.A. (Burma: European);
and

Mr. Kodikal Sanjiva Row, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

• SECURITY DEMANDED FROM PRESSES AND NEWSPAPERS.

590. *Sardar Sant Singh: (a) From how many presses and newspapers was security demanded under the Press Act since its coming into force?

(b) In how many instances was this security declared forfeited?

(c) In how many instances were appeals filed, against the forfeiture of the security in the High Court and with what result?

(d) Is it a fact that the security is demanded by the Local Governments when a new declaration is filed after the old printer and publisher leaves the service of a newspaper?

The Honourable Sir Henry Craik: (a) to (c). The information is being collected from Local Governments and will be laid on the table of the House in due course.

(d) I would refer the Honourable Member to sections 3 (1) and 7 (1) of the Indian Press (Emergency Powers) Act, 1931.

Mr. S. Satyamurti: May I know if the Government confine prosecutions, under the Press Act, to writings, which promote or incite violence to person or property?

The Honourable Sir Henry Craik: That is a question which ought to be addressed to the Local Governments concerned.

Mr. S. Satyamurti: May I know if the Government of India have not an all-India policy in this matter?

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LEGISLATIVE ASSEMBLY.

[27TH FEB. 1935.]

The Honourable Sir Henry Craik: The question of policy can hardly be discussed across the floor of the House in answer to a supplementary question. Prosecutions are instituted by Local Governments and not by the Government of India.

Mr. S. Satyamurti: May I know if the Government of India have ever considered this question as an all-India question, and laid down any principles or policy in the matter?

The Honourable Sir Henry Craik: Probably they have, but I am not prepared to discuss a question of policy across the floor of the House in answer to a supplementary question.

Mr. S. Satyamurti: I am not asking for a discussion of the policy. I only want to know whether the Government of India, as a matter of fact, have laid down any all-India principles or policy in this matter?

The Honourable Sir Henry Craik: The Honourable Member had better put down a question on the paper.

Mr. S. Satyamurti: May I know if the Government of India have any proposals to amend or repeal this Press Act, in view of the grave oppression it causes to many owners and editors of presses in this country?

The Honourable Sir Henry Craik: That question seems to me to contain a certain amount of argument, but, as a matter of fact, the Emergency Press Act, I think, expires towards the end of the year, and the question whether proposals should be made for its continuation or not is still under consideration.

FAMINE IN THE CEDED DISTRICTS IN THE MADRAS PRESIDENCY.

591. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government be pleased to state if the ceded Districts in the Madras Presidency are subjected to a severe famine and a Famine Commissioner is also appointed by the Madras Government?

(b) Have the Government of Madras submitted any report on the famine in the ceded Districts?

(c) Are the Government of India aware that the Sandur State authorities have issued a Press communiqué, offering supply of free fodder and forest produce to cattle in the famine area of the ceded Districts?

(d) Have non-official committees also been formed to collect fodder in various places in the Presidency?

(e) Are Government prepared to order the free transport of fodder by rail from all places to the famine affected areas?

(f) Will Government be pleased to state whether the ceded Districts have been subjected to famine for a very long time, and if so, during what years, and what was the amount spent on famine relief measures till 1934, barring land revenue remissions?

(g) What are the permanent famine relief works undertaken so far?

(h) Have Government at any time considered the question of constructing a metre gauge railway between Yarraguirpad and Nandyal of the famine area, and if so, was the survey completed and were estimates prepared?

(i) Are Government prepared to take up the work of Yarraguirpad-Nandyal Railway immediately as a famine measure in view of the severe famine, and provide work for the labourers?

Mr. G. S. Bajpai: (a), (c), (d), (f) and (g). I have asked for certain information from the Local Government and will communicate the result to the House in due course.

(b) Yes.

(e) The Railway Board have approved of special rates between certain stations in Bellary and Anantapur districts for fodder booked by Government officials to Government Depôts for distribution to the public.

(h) Yes. In 1908-09 when estimates were prepared and the return was found to be inadequate.

(i) It is for the Local Government to take the initiative. No such proposal has been received from them.

Prof. N. G. Ranga: Will the Government of India be pleased to place on the table of the House the report so far received from the Government of Madras about famine conditions in the ceded Districts?

Mr. G. S. Bajpai: There are only two preliminary reports which were sent to the Government of India as a result of the inspection made by the Revenue Commissioner. If my Honourable friend would like to have access to those, I shall place copies in the Library of the House.

Prof. N. G. Ranga: In view of the fact that famine prevails in Kurnool, Cudappah and Chittoor districts also, will the Government of India be pleased to advise the railway authorities to offer freight concessions for the conveyance of fodder from Northern Circars to some suitable depôts organised in those districts?

Mr. G. S. Bajpai: I submit that it is for the Local Government to approach the Government of India with suggestions as to the new areas that this concession should be extended to. I have no doubt that, if representations are received from them, they will be sympathetically considered by the authorities concerned.

Mr. C. N. Muthuranga Mudaliar: With regard to my Honourable friend's answer to part (b) of the question, may I know what is the nature of the report of the Madras Government?

Mr. G. S. Bajpai: I did not quite catch the Honourable Member's question.

Mr. C. N. Muthuranga Mudaliar: May I know the nature of the report received from the Madras Government?

Mr. G. S. Bajpai: It is a descriptive report, Sir. (Laughter.)

Prof. N. G. Ranga: Since there is already a Central Famine Relief Committee organised on a non-political basis and it is trying to collect subscriptions and fodder from Northern Circars also, will the Government of India be prepared to consider the advisability of allowing freight concessions for the conveyance of fodder from the Northern Circars to the ceded Districts through the medium of this Relief Committee?

Mr. G. S. Bajpai: I have already answered the question, Sir. I have said it is for the Local Government to make suggestions to the Government of India and the Government of India will then consider those suggestions.

Munshi Iswar Saran: Will the Honourable Member kindly give us a rough idea of the contents of this descriptive report?

Mr. G. S. Bajpai: I can give my Honourable friend the text of the latest report from the Government of Madras:

"Six relief works in Anantapur and three relief works in Bellary in progress; also one test work in Anantapur and two test works in Bellary. Distress acute in Anantapur and increasing in Bellary. Cooly classes (with apologies to my Honourable friend Mr. Sri Prakasa) in Anantapur and labouring and agricultural classes in Bellary mostly affected. Labourer freely resorting to works. No influx of foreigners. No wandering or emaciation. People on relief generally in good condition. Public health generally good except for small-pox prevailing in some villages of Anantapur. Fodder inadequate in parts. Hill grass being imported. Relief measures adequate. Loans being advanced. Numbers—relieved, Anantapur works, including test works, 10,035; Bellary including test works, 4,127."

Prof. N. G. Ranga: Is it not a fact that the construction of Yerragurpad-Nandyal Railway was proposed as one of the famine protection measures?

Mr. G. S. Bajpai: I have already answered that question. I said that in 1908-09, estimates were prepared and it was found that the return on it would be inadequate.

Prof. N. G. Ranga: Is it not a fact that in normal circumstances, even if the return were found to be inadequate, as a famine protection measure, it ought to be undertaken?

Mr. G. S. Bajpai: My answer to that is that I have dealt with the question from the point of view of the Railway authorities who deal with it as a commercial concern. The purely famine aspect of it is for the Madras Government.

Prof. N. G. Ranga: Is it not a fact that it is permissible even for the Government of India to consider the advisability of undertaking the construction of such railway as a famine protection measure?

Mr. G. S. Bajpai: I have already answered that question. I have told my Honourable friend that it is for the Local Government to take the initiative.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

FAMINE RELIEF MEASURES IN THE MADRAS PRESIDENCY.

592. *Mr. C. N. Muthuranga Mudaliar: (a) Are Government aware whether any famine relief measures on behalf of Government have been taken in the Madras Presidency?

(b) How many relief centres have been opened and test works commenced?

(c) How many labourers are employed in each centre and what are the wages for male and female workers?

(d) Are all the relief works undertaken of a permanent nature and remunerative?

(e) Have Government undertaken any irrigation works as famine relief works at all?

(f) Are Government aware that the Irrigation Committee appointed thirty years ago by the Government of India, has recommended the Tungabhadra project as a permanent relief measure for the ceded Districts?

(g) Will Government be pleased to state why the Tungabhadra project was not taken up then, and whether it would be taken up at all, and if so, in what stage it is?

Mr. G. S. Bajpai: (a), (b), (c), (d) and (e). I have asked for detailed information from the Local Government and will communicate the result to the House in due course.

(f) and (g). I would refer the Honourable Member to the replies given by the Honourable Sir Frank Noyce to questions Nos. 265 and 266 on the 14th of this month and to connected supplementaries.

Prof. N. G. Ranga: In view of the fact that the Honourable the Commerce Member

Mr. President (The Honourable Sir Abdur Rahim): This question has already been answered and there were supplementary questions to that answer. You want to put supplementary questions on those?

Prof. N. G. Ranga: This is in regard to the reply that the Honourable Member has given, and that answer is referred to

Mr. President (The Honourable Sir Abdur Rahim): In that case the whole thing would become interminable. The Chair cannot allow that. Next question.

CERTAIN GUARDS IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

593. *Mr. Muhammad Azhar Ali: Are Government aware, and if not, are they prepared to make inquiries and state:

(a) whether it is a fact that the orders of the Railway Board conveyed in letter No. 6862-F., dated the 26th March, 1931, are never carried out by the Divisional Superintendent, East Indian Railway, Moradabad;

- (b) the dates and trains worked by guards, C. L. Logawney, P. R. Barnard, Iqbal Ahmad, H. Speedely and A. O. Miller in the year 1934;
- (c) the nature of employment on which the said guards were on duty in the year 1934;
- (d) the number and date of the order authorizing their employment other than a guard;
- (e) the period of employment on special appointments;
- (f) the grade, rate of pay and position according to seniority of the said guards in their substantive and special appointments;
- (g) whether the special appointments are within the sanctioned strength;
- (h) the total expenditure incurred;
- (i) whether these guards are replaced in their substantive appointments by temporary guards;
- (j) who is responsible for the extra expenditure; and
- (k) what emoluments these guards received during the period they were on special duty?

Mr. P. R. Rau: (a) Government have no reason to believe that such is the case.

(b) to (k). Government have no information and do not consider it necessary to interfere in these matters of detail, which are entirely within the competence of the local railway administration.

SENDING OF ADVANCE COPIES OF APPEALS BY RAILWAY EMPLOYEES.

594. *Mr. Muhammad Azhar Ali: Is it a fact that Government informed this House on the 18th July, 1934, in reply to starred question No. 1425 asked on the 16th December, 1933, that the Railway Board do not consider that the practice of sending advance copies of appeal calls for disciplinary action? If so, will Government please state how they reconcile their reply with letter No. 729-E./24/85, dated the 10th October, 1934, from the Divisional Personnel Officer, North Western Railway, Delhi, reading: "Please let me have the explanation for sending a copy of his application, dated the 18th September, 1934, direct to Agent, Lahore"?

Mr. P. R. Rau: The reply to the first part of the question is in the affirmative. Government are not aware of the facts mentioned in the second part, but have sent a copy of the question and reply to the Agent, North Western Railway, for such action as may be necessary to impress on all the officers of the railway the policy of Government in the matter.

Mr. Lalchand Navalkar: May I know from the Honourable Member whether advance copies could be sent?

Mr. P. R. Rau: The policy is that the practice of sending advance copies calls for no disciplinary action.

VISION TEST OF THE STAFF ON THE EAST INDIAN RAILWAY.

595. *Mr. Muhammad Azhar Ali: Will Government please state:

- (a) the procedure of vision test of the staff on the East Indian Railway;
- (b) whether the vision of an employee is determined according to the sight examined of one eye, or of both eyes;
- (c) whether an employee is required to sight with an eye or with both the eyes;
- (d) whether proper examination rooms are provided at places of vision test on the East Indian Railway;
- (e) what sort of indication cards are provided for the test;
- (f) whether letter "C" is only on the indication card;
- (g) whether letter "C" is a revolving one;
- (h) whether the signals, points, trains, lines, rails and inter-locking instruments are also revolving; and
- (i) whether Government propose to improve the system; if not, why not?

Mr. P. R. Rau: I have called for information and will place a reply on the table of the House in due course.

WORK OF STAFF ON STATE RAILWAYS CONSIDERED ESSENTIALLY INTERMITTENT.

596. *Mr. Muhammad Azhar Ali: Will Government please state the classes of staff on State Railways whose work is by actual experience during the past four years considered essentially intermittent?

Mr. P. R. Rau: I would refer the Honourable Member to pages 13 or 16 of the annual report on the working of the Hours of Employment regulations during the year 1933-34 by the Supervisor of Railway Labour, a copy of which will be found in the Library of the House.

STAFF WARNED AND APPOINTED ON THE EAST INDIAN RAILWAY.

597. *Mr. Muhammad Azhar Ali: Has the attention of Government been invited to circular No. A. E.-2581/1, dated the 4th September, 1934, issued by the Agent, East Indian Railway? If so, will Government please state:

- (a) the number of staff who were not specifically warned at the time of appointment on or after the 15th July, 1931;
- (b) the number of staff appointed on or after the 15th July, 1931; and
- (c) the number of staff who were specifically warned after the time of appointment on or after the 15th July, 1931?

Mr. P. R. Rau: The information required is not readily available and Government consider that the collection of the information will involve an amount of time and labour not likely to be justified by results.

DIFFERENT CADRES OF THE ESTABLISHMENT OF THE EAST INDIAN RAILWAY.

598. *Mr. Muhammad Azhar Ali: Is it a fact that under Fundamental Rule 9(4) "cadre" means the sanctioned strength of a service or of an establishment? If so, will Government please state:

- (a) whether the establishment of the East Indian Railway is one cadre;
- (b) the names and nature of service of each cadre of the establishment of the East Indian Railway;
- (c) the sanctioned strength of each service on the East Indian Railway;
- (d) the sanctioned strength of the establishment of the East Indian Railway;
- (e) the sanctioned strength of the establishment or service divided into cadre; and
- (f) the sanctioned strength of each cadre of the establishment of the East Indian Railway?

Mr. P. R. Rau: The reply to the first part of the question is in the affirmative. As regards the second part:

- (a) No.
- (b) to (f). The information is so bulky that its collection will involve an amount of time and expenditure out of all proportion to its value.

Dr. Ziauddin Ahmad: May I know whether a printed list is not available?

Mr. P. R. Rau: The list containing the bulky information asked for in this question is not available.

Dr. Ziauddin Ahmad: The names ought to be in some establishment list and ought to be available?

Mr. P. R. Rau: If the reference is only to the superior services, then the information is probably available in a printed list, but, so far as I can see, the Honourable Member asks for information about all the railway services in the East Indian Railway.

Dr. Ziauddin Ahmad: Are not the printed lists kept in the office of the Divisional Superintendent?

Mr. P. R. Rau: The Honourable Member asks for lists of the low paid staff also.

Mr. Muhammad Azhar Ali: Whatever is available—that is what I want.

Mr. P. R. Rau: I shall find out whatever is readily available.

Dr. Ziauddin Ahmad: The Divisional Superintendents ought to have these lists. Otherwise how can they prepare pay sheets?

Mr. P. R. Rau: In the case of the higher paid staff, that information would be readily available.

CONTROL OF THE CENTRAL SERVICES.

599. *Mr. Muhammad Azhar Ali: Is it a fact that under Fundamental Rule 4 the staff of central services are under the Governor General in Council?

The Honourable Sir Henry Craik: The staff of certain services is under the control of the Governor General in Council not by virtue of rule 4 of the Fundamental Rules but by virtue of the delegations made in the Civil Services (Classification, Control and Appeal) Rules and in the Railway Services (Classification, Control and Appeal) Rules. Rule 4 of the Fundamental Rules merely provides that the powers specifically granted by those Rules to Local Governments (in certain matters) may be exercised by the Governor General in Council in respect of all Government servants other than those under the administrative control of Local Governments.

CONTROL OF THE SERVICES ON STATE RAILWAYS.

600. *Mr. Muhammad Azhar Ali: Is it a fact that the services, both gazetted and non-gazetted on State Railways in India are under the administrative control of the Governor General in Council?

Mr. P. R. Rau: Yes, Sir.

ADMINISTRATIVE POWERS DELEGATED BY THE GOVERNOR GENERAL IN COUNCIL TO THE RAILWAY BOARD, AGENTS, ETC.

601. *Mr. Muhammad Azhar Ali: Will Government please state the extent to which the administrative powers are delegated by the Governor General in Council to the Railway Board, the Agents, the Heads of Departments, the Divisional Superintendents, Superintendents (Transportation, Staff, Commercial, Power, Watch and Ward, Way and Works, etc.), Assistant Superintendents (Transportation, Staff, General, Commercial, Power, Watch and Ward, Way and Works, etc.); Supervisors, Inspectors, Controllers, Shed Foreman, Station Masters, Assistant Station Masters, clerks, etc., in respect of matters affecting personnel and establishment?

Mr. P. R. Rau: The information required is contained in various orders and codes and Government consider that the collection of these details will involve an amount of labour and expense out of all proportion to any possible advantage that can be gained thereby.

TRANSFER OF CONTROL OF THE RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI, TO THE AGENT, EAST INDIAN RAILWAY.

602. *Mr. Muhammad Azhar Ali: (a) Will Government please state the date on which the transfer of the Railway School of Transportation at Chandausi from the control of the Railway Board to the control of the Agent, East Indian Railway, was effected?

(b) Will Government please lay on the table of this House a copy of the terms of transfer of control of the Railway School of Transportation at Chandausi from Railway Board to East Indian Railway?

(c) Will Government please lay on the table a statement showing the authority under which the pay of the staff of the Railway School of Transportation at Chandausi, appointed by the Railway Board, can be revised, modified or altered by the East Indian Railway?

(d) Will Government please state the date from which the Agent, East Indian Railway Circular No. A. E.-2027 of the 8th October, 1930, is operative in regard to the staff of the Railway School of Transportation at Chandausi?

(e) Will Government please state the authority under which the Agent, East Indian Railway Circular No. A. E.-2027 of the 8th October, 1930, is made applicable with retrospective effect to the staff of the Railway School of Transportation at Chandausi?

Mr. P. R. Rau: (a) The orders were issued by the Railway Board in February, 1933.

(b) No special terms were drawn up.

(c) The orders of the Railway Board transferring the school to the control of the Agent are sufficient authority.

(d) and (e). I am obtaining information regarding the Agent's circular letter referred to and will lay a reply on the table of the House in due course.

Prof. N. G. Ranga: Why was the school transferred from the control of the Railway Board to the management of the Railway Company?

Mr. P. R. Rau: The Agent of the East Indian Railway is subordinate to the Railway Board. The school was transferred in 1932 to the control of the East Indian Railway Administration, because it was decided that it should deal only with the staff of the East Indian Railway. Formerly, the staff of other railways also were trained in that school.

Prof. N. G. Ranga: Is there a separate school for the staff of every railway under the control of the Railway Board?

Mr. P. R. Rau: Not directly under their control. Each Railway Administration arranges for the training of its own staff.

Prof. N. G. Ranga: Are there different schools like that?

Mr. P. R. Rau: Yes.

Mr. M. S. Aney: Can the railways which are managed by the State directly start schools without consulting the Railway Board?

Mr. P. R. Rau: Each railway has got its own school.

Mr. M. S. Aney: Are the schools maintained under the express orders of the Railway Board?

Mr. P. R. Rau: Oh, yes.

CONTROL OF THE FINANCIAL COMMISSIONER OF RAILWAYS OVER THE EXPENDITURE FROM RAILWAY REVENUES.

603. *Mr. Muhammad Azhar Ali: (a) Is it a fact that the Financial Commissioner of Railways in India has no control over the expenditure from Railway revenues?

The Honourable Sir James Grigg: With your permission, Sir, I shall reply to questions Nos. 603 and 604 together. The Honourable Member is quite mistaken in thinking that the Financial Commissioner of Railways has no control over the expenditure of railway revenues and that he has never exercised any check on such expenditure. The position is set out in a minute, a copy of which I lay on the table, by Sir Alan Parsons, which was placed before the Committee which considered the separation of railway from general finances in 1924. The checks and control referred to in this have been exercised by the present Financial Commissioner just as effectively as they have been by his predecessors since 1922.

Minute by the Financial Commissioner, Railways, on the financial control and accounts of railway operations.

I was asked at the last meeting of the sub-committee to let them have a note on this subject; and I understand that the questions on which some members of the sub-committee feel some doubt are:—

(i) whether financial control is as adequately secured by having a Financial Commissioner as a member of the Railway Board as having a Financial Adviser or similar officer a member of the Finance Department outside the Board, or, as used to be the practice, by requiring some of the proposals of the Railway Board to be referred to the Finance Department; and

(ii) whether the separation of railway accounts and audit, which is being investigated, will weaken financial control.

2. I must point out that neither of these questions has any bearing on the separation of railway from general finances. Effective financial control is equally desirable whether railway revenues and expenditure do or do not form part of the general budget; under either system the question is merely how that control can best be secured. The separation of accounts and audit may be found desirable, in order that the accounts may be of greater assistance to the administration; but if so it will be equally desirable whether railway finances are separate or not.

3. The doubts that have been expressed on the subject of financial control are, due, I think, to a misunderstanding of the functions and position of the Financial Commissioner, Railways, which an explanation of them can remove.

Apart from the usual functions of a member of the Railway Board, the Financial Commissioner has certain special powers:—

(a) No proposals involving expenditure, or affecting railway revenues, can be adopted until he has accepted them. This applies equally to small matters, such as the grant of an allowance to an employé or the addition of a clerk to an office, and to the large projects involving the expenditure of many lakhs.

(b) If on any question his views do not coincide with those of the Chief Commissioner, or of the Railway Department, he has the right to refer it to the Finance Member.

(c) He has also the right of free access to the Finance Member, and so can, and does, refer to him all matters of an equivalent importance to those which would be referred to him by the Finance Secretary or a Financial Adviser in other departments—those in fact in which he does not think it would be right for him to act on his own responsibility. In practice the Finance Member discusses with him in their initial stages, all questions of major importance so that he has the Finance Member's general instructions to guide him in dealing with them.

4. The control which he exercises is actually much greater than could be exercised by a Financial Adviser, or used to be exercised when Railway Department cases were referred to the Finance Department. (I may perhaps mention that I speak from actual experience of the other two methods)—

(a) The Railway Board has extensive powers, some of them statutory, in matters involving expenditure. For example they can without reference to the Finance Department sanction schemes costing from 18 to 20 lakhs; and in the aggregate such projects amount to a very considerable portion of their expenditure. As a member of the Railway Board, the Financial Commissioner can, and does "vet" all such proposals; and if he does not accept them he has (which he would not have under any other system) exactly the same powers as in dealing with proposals to which the concurrence of the Finance Department used to be obtained.

(b) This is a direct, measurable and very important accession of financial control. But personally I attach as great, and even greater, importance to the fact that the position of the Financial Commissioner as a member of the Board enables him :—

(i) to deal with proposals in their initial stages before they have taken final shape and to apply financial considerations in helping to shape them;

(ii) to refer to, and discuss with, any railway officer any points arising out of any proposal;

(iii) to examine or initiate proposals aimed at improving revenue. It is at least as important to have control over revenue as expenditure.

(c) As a member of the Board the Financial Commissioner is able to acquire a knowledge of the technical problems involved in the working of railways which he could not acquire in any other capacity, and which he must have if he is to exercise financial control effectively.

The real point, which I am sure members of the sub-committee will recognise, is that financial control is much more detailed, more immediately effective, and more authoritative if exercised from within than from without.

5. I can deal much more briefly with the accounts matter. Under the scheme which is being investigated the administrative authorities would be responsible for the form in which the accounts are compiled, and the actual compilation, and also for an initial audit of all transactions; and there would be a further audit (including a scrutiny of the manner in which the accounts were compiled and kept) by officers under the Auditor General. The idea has many attractions: a somewhat similar system is, I believe, in vogue in England, and has proved successful; and a system of the kind is already in force on Companies' lines in India. But a certain amount of additional audit and accounting staff will be needed; and we shall have to consider very carefully whether the advantages of the scheme are worth the extra cost. The whole matter is still under examination and no conclusion of any kind has yet been reached; and in any event, if it is decided to go on with the scheme, the matter will have to come before the Standing Finance Committee.

A. A. L. PARSONS.

Financial Commissioner, Railways.

August 28th, 1924.

Dr. Ziauddin Ahmad: Does the Financial Commissioner supervise the railway finances on behalf of the Finance Department of the Government of India?

The Honourable Sir James Grigg: That is rather a difficult constitutional question to answer offhand. In some respects, he is responsible to me and in some respects to the Honourable the Commerce Member. If the Honourable Member wants a detailed answer, he had better put down a question.

Prof. N. G. Ranga: Is it half and half?

The Honourable Sir James Grigg: I would not like to try and do a Solomon's judgment on the Financial Commissioner.

Mr. S. Satyamurti: Apart from the dual responsibility, may I know whether the railways in India have more independence in respect of expenditure of revenues sanctioned by this House than other Departments of the Government of India.

The Honourable Sir James Grigg: Not at all.

Mr. S. Satyamurti: Is it open to the Finance Department to control the railway expenditure, just as they control other items of expenditure sanctioned by this House?

The Honourable Sir James Grigg: In method No, in substance Yes.

Mr. S. Satyamurti: What is the difference between that?

The Honourable Sir James Grigg: The difference in method is simply this that general proposals for expenditure are submitted to the Finance Department direct. Proposals relating to railway expenditure are submitted to the Finance Member by the Financial Commissioner of Railways.

Mr. S. Satyamurti: When they come to the Finance Member, is there any difference in the nature and the extent of the control exercised by the Finance Member over railway expenditure as opposed to other expenditure?

The Honourable Sir James Grigg: So far as principle is concerned, none.

Prof. N. G. Ranga: Is it open to the Finance Member to say, when foreign materials are used by the railways, that Indian substitutes should be used?

The Honourable Sir James Grigg: That does not seem to arise out of this.

Dr. Ziauddin Ahmad: Is the Finance Member responsible to this House or to the Government of India for the good finances of the railways?

The Honourable Sir James Grigg: As I said just now, if the Honourable Member wants answers to a series of constitutional questions, he had better put them down on paper, and I will try to give him the answers.

CHECK OF THE FINANCIAL COMMISSIONER OF RAILWAYS ON THE EXPENDITURE FROM RAILWAY REVENUES.

†604. ***Mr. Muhammad Azhar Ali:** (a) Is it a fact that the Financial Commissioner of Railways in India never exercised any check on the expenditure from Railway revenues?

(b) If the reply to part (a) be in the negative, will Government please state the nature of check exercised by him during the years 1933, 1934 and 1935?

MADRASI GAZETTED OFFICERS ON STATE RAILWAYS.

605. ***Mr. Muhammad Azhar Ali:** Will Government please state the percentage of Madras gazetted officials on the State Railways in India by departments?

Mr. P. R. Rau: The information required can be obtained by the Honourable Member from the "Classified List of State Railway Establishment and Distribution Return of Establishment of all Railways", corrected up to the 31st December, 1933, a copy of which is in the Library of the House.

APPOINTMENT OF MR. V. S. SUNDARAM AS AN OFFICER OF SELECTION GRADE UNDER THE FINANCIAL COMMISSIONER OF RAILWAYS.

606. ***Mr. Muhammad Azhar Ali:** Will Government please state the circumstances under which Mr. V. S. Sundaram, a class II officer in his substantive capacity, is appointed an officer of Selection Grade under the Financial Commissioner of Railways?

The Honourable Sir Joseph Bhore: Mr. Sundaram was selected by Government for the post of Controller of Railway Accounts as he was considered the most suitable of the officers available who had the requisite experience.

ERRORS OF THE ACCOUNTS DEPARTMENT RECTIFIED BY THE FINANCIAL COMMISSIONER OF RAILWAYS.

607. ***Mr. Muhammad Azhar Ali:** Will Government please state the particulars of errors of the Accounts Department rectified during the years 1932, 1933, 1934 and 1935 by the Financial Commissioner of Railways?

Mr. P. R. Rau: I am not sure that I understand the Honourable Member's question exactly, but I can assure him that mistakes and irregularities, brought to notice by the Audit Department or otherwise, are rectified as soon as possible.

†For answer to this question, see answer to question No. 603.

Dr. Ziauddin Ahmad: May I just know the nature of the mistakes that may be thus rectified? Are these mere clerical errors that are rectified or more serious errors? What is the nature of these errors?

Mr. P. R. Rau: I think my Honourable friend might ask that question of Mr. Azhar Ali. (Laughter.)

CLASSIFICATION OF DISPENSARIES UNDER THE EAST INDIAN RAILWAYS.

608. ***Mr. Muhammad Azhar Ali:** Will Government please state the classification of dispensaries, with the strength, grades and classes of the staff under the East Indian Railway administration?

Mr. P. R. Rau: The information has not been compiled and Government do not consider any useful purpose will be served by collecting it.

OLD OUDH AND ROHILKUND RAILWAY SUB-ASSISTANT SURGEONS SERVING ON THE EAST INDIAN RAILWAY.

609. ***Mr. Muhammad Azhar Ali:** Will Government please state the number of old Oudh and Rohilkund Railway Sub-Assistant Surgeons serving on the East Indian Railway Company Section and *vice versa*?

Mr. P. R. Rau: With your permission, Sir, I propose to reply to questions Nos. 609 and 610 together. Government have no information. They must leave it to the Agent to regulate transfers according to the needs of the service.

EAST INDIAN RAILWAY SUB-ASSISTANT SURGEONS SERVING ON THE OLD OUDH AND ROHILKUND RAILWAY.

†610. ***Mr. Muhammad Azhar Ali:** Will Government please state the grades of the East Indian Railway Company's Sub-Assistant Surgeons serving on the old Oudh and Rohilkund Railway Section and *vice versa*?

PRICES OF SUGAR AND SUGAR CANE AT CERTAIN PLACES.

611. ***Dr. Ziauddin Ahmad:** (a) What was the price of sugar on the 10th February or about that date at Cawnpore, in the Delhi market, and at factories?

(b) At what price do factories purchase sugarcane?

Mr. G. S. Bajpai: I lay a statement on the table, Sir.

†For answer to this question, see answer to question No. 609.

Statement.

(a) *Cawnpore* :—price per maund of Sugar on 9th February, 1935, in *Cawnpore* market on factory delivery basis :

Maximum.—Rs. 9-12-0.

Minimum.—Rs. 8-3-0.

Average.—Rs. 8-10-0.

Delhi :—on 12th February, 1935, on factory delivery basis :

Maximum.—Rs. 9-10-0.

Minimum.—Rs. 8-6-0.

Average.—Rs. 9-1-0.

(b) The approximate price at which cane is being purchased by sugar factories is as follows :

United Provinces (Western districts) 6 to 6½ annas per maund.

United Provinces (Eastern districts) 6 annas per maund.

Bihar and Orissa 5 to 5½ annas per maund.

Dr. Ziauddin Ahmad: May I know the answer to part (d) of the question?

Mr. G. S. Bajpai: Well, Sir, if my Honourable friend wants to know at what price the sugar-factories purchase sugarcane, that is included in this statement. That is, at 6 to 6½ annas per maund in the western districts of the United Provinces, six annas per maund in the eastern districts of the United Provinces, and at 5 to 5½ annas per maund in Bihar and Orissa.

Dr. Ziauddin Ahmad: May I know whether it is a fact that they purchase at the rate of six annas and not at five annas, because my information is that it is five annas?

Mr. G. S. Bajpai: No, Sir. That is the information which has been supplied to me by the Sugar Technologist.

Dr. Ziauddin Ahmad: And by the Local Government?

Mr. G. S. Bajpai: Yes, he has made inquiries not merely from the Local Government but individually from factories.

Prof. N. G. Ranga: Was any action taken to consult local authorities on the question of the price adopted and paid to the peasants in these factories?

Mr. G. S. Bajpai: I have got a question about that immediately afterwards.

Mr. B. Das: Is not a part of the price of sugarcane refunded as a sort of concealed rebate to the sugar manufacturers?

Mr. G. S. Bajpai: No, Sir. I do not think there is any concealed rebate given to the sugar manufacturers.

Mr. B. Das: Did not Government receive such reports, and was it not mentioned on the floor of this House that this was the practice in Bihar and Orissa?

Mr. G. S. Bajpai: I believe, Sir, in the course of discussion last year some such statements were made.

Mr. B. Das: Did Government take steps to inquire whether the sugar-cane growers were being mulcted or not by the sugar-manufacturers?

Mr. G. S. Bajpai: I believe in the course of his reply Sir George Schuster dealt very effectively with that suggestion.

PROFIT AND LOSS ACCOUNT OF A SUGAR FACTORY.

612. ***Dr. Ziauddin Ahmad:** (a) Have Government seen the profit and loss account of any sugar factory?

(b) If so, what is the profit after providing 7½ per cent. for depreciation and four per cent. towards working capital?

Mr. G. S. Bajpai: (a) and (b). There has been no official examination of such accounts since the last Tariff Board Enquiry.

Dr. Ziauddin Ahmad: Did Government ever consider the advisability of inquiring from this particular industry about the profits which they are deriving under this protective duty?

Mr. G. S. Bajpai: Well, Sir, that question was gone into very carefully last year when the question of imposing an excise was being considered, and, as my Honourable friend is aware, there are two sides of the story. There are those who think that more than a reasonable rate of profit is being derived by the factories, and, on the other hand, there is an impression amongst a great many people that even the rate of profit suggested by the Tariff Board is not being derived.

Dr. Ziauddin Ahmad: Sir, in view of the difference of opinion which the Honourable Member has just mentioned, is it not desirable in the interest of the taxpayer that we should know the actual facts, and will not the Honourable Member take steps to find that out?

Mr. G. S. Bajpai: That, Sir, is really asking for an expression of opinion.

Dr. Ziauddin Ahmad: Will Government find out the actual facts?

Mr. G. S. Bajpai: Government have no reason to believe that the factories are deriving a higher rate of profit than was considered reasonable by the Tariff Board.

Prof. N. G. Ranga: Have the Government of the United Provinces fixed any minimum price that should be paid?

Mr. G. S. Bajpai: As far as I am aware, the Governments of the United Provinces and of Bihar and Orissa have fixed minimum prices.

Prof. N. G. Ranga: Will the Honourable Member please supply us with that information?

Mr. G. S. Bajpai: Certainly, Sir.

CALCULATION OF THE PRICE OF SUGAR-CANE BY THE UNITED PROVINCES GOVERNMENT.

613. ***Dr. Ziauddin Ahmad:** (a) Are Government aware that the United Provinces Government, in calculating the price of sugarcane, did not allow an anna per maund recommended by the Sugar Tariff Board?

(b) If so, are Government prepared to raise the excise duty on sugar by one anna per maund?

Mr. G. S. Bajpai: (a) The price fixed is a minimum price irrespective of the quantity of sugar recovered from the cane.

(b) No.

Dr. Ziauddin Ahmad: May I draw the attention of the Honourable Member to the fact that the Tariff Board specially recommended that one anna extra may be given over and above the calculated price so long as that special duty lasts, and that being so, may I know whether this one anna extra is being given to sugar-cane growers?

Mr. G. S. Bajpai: Sir, the Tariff Board took the figures which were suggested as a minimum by the Sugar Committee in 1918, and their idea was that the cane-grower should have a minimum price of seven annas. But that recommendation was made in conditions when they felt that at a lower price there would not be an assured supply of sugar-cane to the factories. That is not the position today.

Dr. Ziauddin Ahmad: My Honourable friend referred to the Report of 1918. What about the later report, the sugar tariff report? Is it not a fact that they explicitly mentioned that one anna extra should be given to the sugar-cane cultivators?

Mr. G. S. Bajpai: That is perfectly true, but, as I have tried to explain to my Honourable friend, that recommendation, which was based on the recommendation made by the Sugar Committee, was intended to ensure a regular supply of cane to the factories. In other words, they were under the impression that the factories would be competing for cane, whereas, as a result of the extension of the area under cane, the position today is that cane is competing for buyers. (Laughter.)

Dr. Ziauddin Ahmad: Is it not a fact that the protection was given to the sugar industry on the recommendation of the Tariff Board and not on the recommendation of the Sugar Committee? And is it not a fact that they recommended that one anna extra should be given to sugar-cane growers over and above the calculated price? According to the formula they gave, may I ask whether that one anna recommended by the Tariff Board was or was not given to the sugar-cane growers?

Mr. G. S. Bajpai: Well, Sir, as my Honourable friend is aware, the business of fixing prices for sugar-cane has been left to Local Governments. The Local Governments have to take into account all the relevant considerations, and I submit that there is no reason to assume that the prices that they fix are not adequate.

Dr. Ziauddin Ahmad: May I just ask one more question? Is it not the case that the Local Governments may possibly take the advice of one category of people? In fact they did so in the United Provinces. Are you, therefore, justified in saying that the recommendations of the Tariff Board are carried out?

Mr. President (The Honourable Sir Abdur Rahim): That is really arguing. Next question.

EFFECT OF EXCISE DUTY ON *KHANDSARI* SUGAR.

614. ***Dr. Ziauddin Ahmad:** (a) Will Government be pleased to inform this House of the effect of excise duty on *Khandsaris*?

(b) Is it a fact that they are closing down on account of excise duty?

(c) What is the margin of profit of *Khandsaris* as compared with sugar factories?

Mr. A. J. Raisman: (a) I would invite the attention of the Honourable Member to Section XIII of the Review of the Sugar Industry of India, published as a Supplement to the *Indian Trade Journal*, dated the 5th July, 1934. The *Khandsari* season has only recently begun and it is too early to give any further information.

(b) It is reported that a number of open pan factories are not working this year but it is impossible to say to what extent this is due to competition with modern vacuum pan factories, to the fall in sugar prices or to the excise duty. I would add that a substantial portion of the *Khandsari* industry does not come within the definition of a factory and is in consequence exempt from the excise duty.

(c) In March last, the profit of a *Khandsari* factory was estimated at seven annas four pies per maund and that of a modern factory at one rupee five pies per maund. No later estimates are available.

Dr. Ziauddin Ahmad: Will the Honourable gentleman now find out from the Local Governments about the condition of these *khandsaris*? My information is that they are all closing down on account of this excise duty. Will he make inquiries from Local Governments?

Mr. A. J. Raisman: Well, Sir, in connection with other questions that have been put down on the paper, I have made certain inquiries from the Local Governments, but it is extremely difficult to find out what is the actual position. But I shall be giving a reply on this subject later on.

AMOUNT REALISED AS CUSTOMS DUTIES AND COLLECTION OF CUSTOMS REVENUE IN THE *KATHIAWAR* STATES.

615. ***Dr. Ziauddin Ahmad:** (a) Will Government be pleased to state the amount realised from the various States in Kathiawar on account of the customs duties on goods re-exported from Kathiawar?

(b) Is there any unrealised amount from Jamnagar or any other Kathiawar State?

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(c) Do Government contemplate writing off their dues?

(d) Are Government taking any steps to settle this question?

(e) Have Government considered the scheme of taking direct charge of collecting customs revenues and giving rebate to Indian States on goods consumed by them, in accordance with the treaties?

The Honourable Sir James Grigg: (a) Rs. 4,79,35,000 from July 1927, when the land customs line was re-imposed, to December, 1934.

(b) Yes. Rs. 1,21,000 from Jammagar and Rs. 15,54,000 from the other Kathiawar States.

(c) No.

(d) and (e) The whole question of the relations with the Kathiawar Maritime States in Customs matters is under the consideration of Government.

Mr. B. Das: Is it a fact that some of these Kathiawar ports give rebates to the importers?

The Honourable Sir James Grigg: That is a matter of very common suspicion.

Mr. B. Das: Is it not a fact that certain States are given definite rebates on sugar and silk?

The Honourable Sir James Grigg: I will not go so far as to say that it is a fact. I would only say that it is extremely widely supposed.

Mr. S. Satyamurti: Are Government taking any steps to realise these arrears?

The Honourable Sir James Grigg: That is covered by my answer to the last two parts of the question.

Mr. S. Satyamurti: Apart from the question of bargaining, are they taking any steps for realising these amounts apart from the question of the Federation?

The Honourable Sir James Grigg: Quite apart from the Federation, we are taking steps which, we hope, will clear up the whole question satisfactorily.

Mr. S. Satyamurti: What are these steps which the Government are taking for recovering these amounts?

The Honourable Sir James Grigg: That is part of the general settlement.

Mr. S. Satyamurti: Is it part of the steps that the amount will be written off, if they agree to join the Federation.

The Honourable Sir James Grigg: I obviously cannot make a statement about the whole complicated series of negotiations.

Mr. S. Satyamurti: I am asking the Honourable the Finance Member of the Government of India, as the custodian of the revenues of this country, whether he has taken any steps to realise the arrears due to British India, or whether he is using them as a pawn in the game of drawing them in this game of Federation?

The Honourable Sir James Grigg: In answer to the second part of the Honourable Member's question whether these sums of one lakh from one State and of 15 lakhs from the rest of the Kathiawar States are being used as pawns in the game of Federation, in the first place the magnitude of the figures should be a sufficient answer, but if they are not, I will say no, they are not being used as pawns in the game of Federation. The whole negotiations are being conducted without any reference to Federation whatever.

Mr. S. Satyamurti: Are these negotiations being taken with a view to realising the amount or to write it off?

The Honourable Sir James Grigg: I am not prepared to make any statement about any minor point connected with these negotiations especially in view of the fact that they have not yet been concluded. I am prepared to make a statement as a whole and I will not deal with one minor item only.

Mr. S. Satyamurti: Are the Government of India not thinking of writing off this amount?

The Honourable Sir James Grigg: I will not go beyond my previous answer.

Mr. H. P. Mody: May we take it that pending a decision on the question, the Government of India have taken every possible step to strengthen the cordon?

The Honourable Sir James Grigg: Yes, Sir

Mr. S. Satyamurti: What are those steps that they have taken to strengthen the cordon?

The Honourable Sir James Grigg: I am not an expert customs officer, but steps have certainly been taken to strengthen the cordon and to increase the staff, and they have taken adequate measures to prevent as far as possible smuggling over the line.

REMOVAL OF INDIAN KING'S COMMISSIONED OFFICERS BEFORE ATTAINING HIGH POSITIONS AND RANKS.

616. ***Srijut N. C. Bardaloi:** (a) Will Government be pleased to state how many Indian gentlemen have been given King's Commission in the Army since 25th August, 1927?

(b) How many of them have gone out of the Army since then?

(c) Will Government be pleased to give the particulars of the length of service in each case and the causes of their having to leave the service for good?

(d) Is it a fact that none of the Indian King's Commissioned Officers who had to leave the Army for good attained the rank of a Major?

(e) Is it a fact that those gentlemen who had thus to leave the Army passed two examinations, viz., the entrance examination held by the Public Service Commission in India and then graduated at the Royal Military College at Sandhurst?

(f) Is it also a fact that they had to pass the retention examination before they were confirmed?

(g) Is it a fact that some of them had passed even the promotion examination?

(h) Will Government be pleased to state how or why they were found to be unfit for military service after many years service?

(i) Are Government aware of the fact that there is a strong feeling both among the sufferers as well as the public that frivolous excuses are put forward to remove Indian King's Commissioned Officers before they attain high positions and rank?

Mr. G. R. F. Tottenham: (a) 137.

(b) Four.

(c) Two died after about a year's service.

Two resigned their commissions after about two years' service.

(d) Yes.

(e) Yes.

(f) Officers are required to pass the retention examinations within three years from the date of their appointment to the Indian Army.

(g) No.

(h) Does not arise.

(i) No and such a feeling could in no sense be justified by the figures I have quoted.

Dr. G. V. Deshmukh: May I ask, Sir, how many British gentlemen took the King's Commission during the same period?

Mr. G. R. F. Tottenham: I am afraid I shall have to ask for notice of that question. I have not got these figures in my head.

Srijut N. C. Bardaloi: May I ask, Sir, how many gentlemen have been appointed since 1917?

Mr. G. R. F. Tottenham: I must ask for notice of that question. The Honourable Member's question here refers to recruitment since 1927, and I have given the answer to that.

Mr. S. Satyamurti: With reference to answer to clause (d) of the question, may I know the reasons why none of the Indian King's Commissioned Officers ever reached the rank of a Major?

Mr. G. R. F. Tottenham: Some of them have, for instance in the I. M. S.

Mr. B. Das: May I ask, Sir, how many Indian Majors there are in the Indian army?

Mr. G. R. F. Tottenham: I must ask for notice of that question.

Mr. B. Das: Is it not a fact that some of the officers who were recruited from the Indore College were asked to leave the service, because they were going to be promoted to the rank of the Major?

Mr. G. R. F. Tottenham: Certainly not.

Srijut N. C. Bardaloi: There are about 180 officers appointed since 1917. May I know, how many of them have retired?

Mr. G. R. F. Tottenham: Since 1927, there have been 137 officers, of whom four have left the Army, two have died and two resigned of their own accord.

RECRUITMENT OF CADETS FOR TRAINING IN THE INDIAN MILITARY ACADEMY.

617. ***Srijut N. C. Bardaloi:** (a) Will Government be pleased to state whether it is a fact that in recruiting cadets for training in the Indian Military Academy some are recruited from the ranks and others by open competitive examinations?

(b) Will Government please state how many among those recruited by examinations have been turned out as being unsuitable?

(c) Do Government propose to hold competitive examinations confined to themselves in the case of cadets taken from the ranks of the Army as in the case of others?

Mr. G. R. F. Tottenham: (a) Yes.

(b) Four.

(c) No. The Honourable Member's attention is invited to the answer, I gave on the 5th February, 1935, to parts (c) and (e) of Sardar Sant Singh's question No. 32.

POST OF THE ASSISTANT MASTER GENERAL OF ORDNANCE.

618. ***Srijut N. C. Bardaloi:** (a) Will Government be pleased to state the reason leading to the alteration in the designation of the post at Army Headquarters, formerly called "Assistant Director of Technical Organisation" and now styled "Assistant Master General of Ordnance"?

(b) Will Government please state what the pay is of the present Assistant Master General of Ordnance and his substantive military rank?

(c) Will Government please state the amount of expenditure incurred in importing from England the officer to fill the appointment of Assistant Master General of Ordnance at Army Headquarters and whether this expenditure could not have been saved had an Indian Officer been posted instead?

(d) What are the reasons for the substitution of an Indian Army Officer by a British Service Officer?

Mr. G. R. F. Tottenham: (a) The latter title describes his duties more appropriately.

(b) The present incumbent is a Brevet Lieutenant-Colonel. His total emoluments are Rs. 2,045 per month.

(c) No extra expenditure was involved. Apart from this, however, no Indian officer yet possesses the necessary staff qualifications for the appointment.

(d) His Excellency the Commander-in-Chief selects officers to fill staff appointments from those, both in the British Service and the Indian Army, who have passed through the Staff College. It so happens that a British Service officer was selected as the first holder of this appointment after its title was changed.

Mr. S. Satyamurti: What are the staff qualifications prescribed?

Mr. G. R. F. Tottenham: Passing through the Staff College.

Mr. S. Satyamurti: Is there no Indian Army Officer who has passed through the Staff College, in order to fit himself for these appointments?

Mr. G. R. F. Tottenham: I think there is one Indian officer who was at the Staff College. He may have passed out or he may not have. I am not sure.

Mr. S. Satyamurti: Is there any attempt being made to increase the number of Indians with a view to filling these appointments by Indians?

Mr. G. R. F. Tottenham: I do not think we can increase the number of Indians. It is left to them to go in for the Staff College examination. His Excellency the Commander-in-Chief is prepared to nominate those who qualify for the Staff College, but we cannot put people through the Staff College unless they have passed its examination.

Mr. S. Satyamurti: Is there any racial discrimination at all in the selection of persons from this Staff College? Will he choose Indians in preference to Europeans if they offer themselves for this Staff College course?

Mr. G. R. F. Tottenham: That position has not yet arisen.

Mr. S. Satyamurti: Will the Army Department take any steps to facilitate this process of Indianisation of the Army?

Mr. G. R. F. Tottenham: We cannot take steps to compel Indian officers of the Indian Army to pass the Staff College examinations.

CAMP OFFICE CHARGE HELD BY A TECHNICAL MILITARY CLERK IN THE ORDNANCE BRANCH AT DELHI.

619. ***Srijut N. C. Bardaloi:** Is it a fact that in the camp office of the Ordnance Branch at Delhi, a technical military clerk holds charge of the office in preference to a senior Indian Superintendent? If so, what are the reasons?

Mr. G. R. F. Tottenham: No.

DUTIES OF THE TECHNICAL MILITARY CLERKS IN THE MASTER GENERAL OF ORDNANCE BRANCH.

620. ***Srijut N. C. Bardaloi:** Is it a fact that technical military clerks of the M. G. O. Branch at Army Headquarters have nothing to do with non-technical ministerial duties in that office?

Mr. G. R. F. Tottenham: No. It is impossible to draw a hard and fast line between technical and non-technical ministerial duties in any office, and Government are content to leave it to the Master General of Ordnance to allot the duties of the various members of the clerical establishment of his Branch.

INSTITUTION OF THE RAILWAY CLEARING ACCOUNTS OFFICE AT DELHI.

621. ***Dr. N. B. Khare:** (a) Will Government please state the advantages obtained by instituting the Railway Clearing Accounts Office at Delhi?

(b) Are Government aware of the views expressed by the Railway Retrenchment Sub-Committee of the Retrenchment Advisory Committee in their report at pages 27 to 29 to abolish the Railway Clearing Accounts Office; and if so, what is their decision in the matter?

(c) Is it a fact that the assumption that the institution of this office results in saving and that there are other advantages, has been questioned by the various Chief Accounts Officers of the Railways, who have joined in this scheme?

(d) Is the Director of the Railway Clearing Accounts Office now prepared to accept the validity of these objections?

(e) What saving in expenditure has been made, in consequence of the views expressed in the Report of the Railway Retrenchment Sub-Committee on the expenditure of the Accounts and Audit, and especially on the Railway Clearing Accounts Office; and Chief Auditor's Office of the Railway Clearing Accounts Office?

Mr. P. R. Rau: (a) The Honourable Member's attention is invited to the Memorandum on the Railway Clearing Accounts Office prepared in 1931 by the Director for the Railway Sub-Committee of the Retrenchment Committee, a copy of which is available in the Library of the House.

(b) What the Committee recommended was that if the Railway Clearing Accounts Office was to be retained the cost should be reduced by at least one lakh of rupees per annum.

(c) Certain items in the estimate of saving were questioned in 1931 by the Chief Accounts Officers concerned but these objections were found to be either not valid or not of sufficient importance to alter the substantial results.

(d) No.

(c) Comparing the accounts of 1933-34 with those of 1931-32 it is found that annual savings of Rs. 1,22,000 have been effected in the Railway Clearing Accounts Office and Rs. 12,400 in the Chief Auditor's Office. The actual savings are higher because the normal expenditure has since grown on account of annual increments of pay and there has also been some addition to the work.

Dr. Ziauddin Ahmad: In view of the fact that there was a note in the report of the Retrenchment Committee that this transfer of money from one railway to another railway may be calculated on an average basis and an yearly payment may be made in lump sum and also in view of the fact that such a step was taken by the Railway Board in the calculation of the Depreciation Fund, may I ask the Government whether the time has not come for them to find out some kind of an average sum which each railway may pay to the other railways in the light of the experience of ten years income and expenditure?

Mr. P. R. Rau: It was found that the figures varied so much from year to year that the average was not likely to be accurate. Until all the State Railways are amalgamated, it would be difficult to depend upon any formula for dividing the earnings to be exact for a number of years.

Dr. Ziauddin Ahmad: Are these variations much greater than the variations in the depreciation fund for which they have found out a working formula, that is one-sixtieth of the capital at charge?

Mr. P. R. Rau: I have not compared those variations in the earnings with the other variations in the appropriation to the depreciation fund; it is impossible to say at a moment's notice how they compare with each other.

Dr. Ziauddin Ahmad: May I ask the Honourable Member to take up this question and compare it? If the variations are without limits, then adopt the same principle for this as has been adopted in the case of the depreciation fund.

Mr. P. R. Rau: I will consider that question.

CONSTRUCTION OF QUARTERS FOR THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

622. ***Dr. N. B. Khare:** (a) Are Government aware that the staff of the Railway Clearing Accounts Office has been put to hardship due to suitable arrangement of quarters not having been made up to now, and if so, when will the construction of quarters be taken in hand?

(b) In view of the fact mentioned in paragraph 86 at page 28 of the Railway Retrenchment Sub-Committee's Report, are Government prepared to take in hand the construction of quarters for the staff of the Railway Clearing Accounts Office?

Mr. P. R. Rau: (a) and (b). Government are trying to select a suitable site for building quarters.

ESTABLISHMENT OF CLEARING HOUSES ON CERTAIN RAILWAYS.

623. ***Dr. N. B. Khare:** Is it a fact that clearing houses were proposed to be established on certain Railways in India? If so, what steps have been taken to establish them?

Mr. P. R. Rau: There was a proposal to start a branch of the Clearing Accounts Office for the Southern Railways in Madras, but in view of the inevitable additional expenditure in the early stages of forming such a branch, and also in view of certain other experiments which, if successful, might have rendered such a branch unnecessary, the proposal was held in abeyance.

WORK OF APPORTIONMENT OF FOREIGN TRADE DONE IN RAILWAY CLEARING ACCOUNTS OFFICE.

624. ***Dr. N. B. Khare:** Is it a fact that the Railway Clearing Accounts Office was instituted for making apportionment of foreign traffic between the State Railways? If so, why was the work of making apportionment of foreign traffic between the State Railways and Company-managed Railways taken over?

Mr. P. R. Rau: The object of the Railway Clearing Accounts Office is to facilitate the apportionment of foreign traffic between such railways as were prepared to be parties to it.

PROCEDURE OF WORKING ADOPTED IN APPORTIONMENT OF CLEARING HOUSES.

625. ***Dr. N. B. Khare:** Will Government please state whether the same procedure of working is adopted in apportionment of clearing house and other than clearing house traffic, or is there any difference?

Mr. P. R. Rau: Traffic between Railways who are parties to the Clearing House is finally apportioned by the Clearing House on the Forwarded (or Outward) basis; while traffic between any of the above railways and other railways is apportioned in accordance with the rules of the Indian Railway Conference Association on a Received (or Inward) basis, with the exception of passenger traffic which is apportioned on an Outward basis.

TRANSFER OF CERTAIN STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE TO THEIR RESPECTIVE RAILWAYS.

626. ***Dr. N. B. Khare:** Will Government please state whether they are prepared to give chances to the staff of the Railway Clearing Accounts Office, suffering from unsuitable climate of Delhi, to be transferred to their respective Railway Accounts Offices, whenever vacancies occur in the respective Railway Chief Accounts Office? If not, why not?

Mr. P. R. Rau: The staff taken over, by the Railway Clearing Accounts Office from the different Railways, were taken over permanently; and the retransfer of this staff after so many years to the Railways from which they came would give rise to serious administrative difficulties. Individual cases of retransfer, however, have been and will be allowed so long as such retransfer is not administratively inconvenient.

EXEMPTION FROM EXAMINATIONS FOR PROMOTION IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

627. *Dr. N. B. Khare: Is it a fact that the staff of the Chief Accounts Offices of the Railways taken over by Government in 1925, has been exempted from all examinations for promotion to higher grade; and if so, why is this exemption not notified to Railway Clearing Accounts Office; and why are promotions to higher grades not given to such staff?

Mr. P. R. Rau: Staff taken over from the old companies have been exempted from the examinations which they were not required to pass under the rules to which they were subject before their transfer. The question of applying this rule to the Clearing Accounts Office will be considered.

Dr. Ziauddin Ahmad: Has the Honourable Member ever examined the question papers of this examination, and may I venture to ask whether he will be able to answer them?

Mr. P. R. Rau: I must plead guilty to the charge that I have not myself seen the examination papers.

PROMOTION OF INDIAN GUARDS ON THE GREAT INDIAN PENINSULA RAILWAY.

628. *Dr. N. B. Khare: (a) How many Indian goods guards are promoted to passenger service on the Great Indian Peninsula Railway? If none, why not?

(b) How many Anglo-Indian and European goods guards are stationed and working on Branch lines? If none, why not?

(c) Are Indian goods guards working on passenger trains on Branch lines of the Great Indian Peninsula Railway permanent passenger guards or goods guards? Are they entitled to promotion to passenger service? If so, how many have been promoted up to now? If not, why not?

(d) Have the Indian guards of all denominations to pass the same examination as the Anglo-Indian and European guards? If so, why are the Indian guards not promoted to passenger service along with the Anglo-Indian and European guards in accordance with seniority?

(e) Are the Indian guards allowed to work off and on temporarily on passenger service? Have they given satisfaction in such service? If so, why are they not promoted to passenger trains?

Mr. P. R. Rau: Government have no information, but have asked the Agent, Great Indian Peninsula Railway, to examine the allegations of racial discrimination implied in these questions and to take, whatever, steps are necessary to give effect to the policy of Government in the matter.

Mr. S. Satyamurti: May I know why Government have not ascertained since this question was put on the order paper. Part (a) of the question is: "How many Indian goods guards are promoted to passenger service on the Great Indian Peninsula Railway?"

Mr. P. R. Rau: Sir, the Government thought that they would best give effect to the intention behind this question by asking the Agent to

examine all these allegations and to take whatever steps are necessary to give effect to the policy which is that there should not be any racial discrimination.

Mr. S. Satyamurti: May I know why, in spite of the cut motion on the railway budget regarding Indianisation on railways, which was given notice of, Government did not choose to get information on a point of first class importance like this?

Mr. P. R. Rau: So far as I remember, the debate on the subject was conducted apart from any relevant figures on the subject.

Mr. S. Satyamurti: If the Government were able to give any relevant figures at all with regard to this matter, why are they not able to give relevant figures even today?

Mr. P. R. Rau: With regard to guards we have not got relevant figures at present. With regard to superior services, the figures will be found in the Administration Report. But so far as I remember, when the cut motion was discussed, only the Mover of the motion, Mr. Aney, made any use of those figures.

Mr. M. S. Aney: May I ask the Honourable Member how was he able to anticipate the line which would be taken on the cut motion regarding Indianisation? The Honourable Member must have collected all the information before the cut motion was moved.

Mr. P. R. Rau: I have certain experience of this Assembly, Sir. In any case, I did not anticipate that this question about guards would be taken up.

Mr. S. Satyamurti: Then, why decline to answer this question as to how many Indian goods guards have been promoted to the passenger service? There must be some intention in not answering this question. The Government cannot say, they will not answer this question.

Mr. P. R. Rau: I am quite prepared to get the information and place it on the table of the House, if Honourable Members are really keen on getting that information.

Mr. S. Satyamurti: Why was the information not corrected and given this morning?

Mr. P. R. Rau: I have already explained the reasons.

INCREASE IN THE RENTALS OF THE FOOD-STALLS AND REFRESHMENT ROOMS ON THE GREAT INDIAN PENINSULA RAILWAY.

629. *Dr. N. B. Khare: (a) Are Government aware that the Great Indian Peninsula Railway authorities have very heavily increased the rentals of the food-stalls and refreshment rooms?

(b) Is it a fact that the Departmental Rules and Regulations clearly state that the rentals should be as low as possible to enable the supply

of best possible food and refreshment to the travelling public at the lowest possible tariff?

(c) Are Government aware that this heavy increase in rentals will result in the supply of bad food which will be a great hardship to the poor third class passengers?

(d) Do Government propose to reduce these rentals and thus remove the hardship of the third class passengers?

Mr. P. R. Rau: (a) As I explained in my reply to Mr. Lalchand Navalrai's question No. 389 some days ago, the actual increase in rentals is not considerable although the percentage of the increase is high in some cases.

(b) and (d). No rules have been issued by the Railway Board in this matter. As I have already informed the House, it is proposed to consider the whole question as soon as replies from Railway Administrations to the Board's general enquiry have been received. I can only say at this stage that Government and the Railway Board have full sympathy with the view that the best possible food should be supplied to the travelling public at the lowest possible rates.

(e) So far as Government are aware, the increase in rentals has been graduated so as to impose a heavier charge at those stations at which the vendors are making larger profits. It is believed that the rentals which will be charged should not and will not affect the quality of the food supplied.

Dr. Ziauddin Ahmad: May I know whether it is not a fact that the rentals have been increased on Victoria Terminus Station, Bombay?

Mr. P. R. Rau: So far as I am aware, the rentals have not been increased there recently.

Dr. Ziauddin Ahmad: May I know if the rentals are increased on the ground that the vendors are making enormous profit, does it not follow from this that the vendors should be compelled to sell things at a lower price than what they are doing at present and that they should sell at the market price as we have been pressing all along from this side of the House?

Mr. P. R. Rau: That is a question of opinion.

Dr. Ziauddin Ahmad: May I know whether Government would like to have a share in the loot that these vendors are getting from the passengers by sale of articles at exorbitant prices?

Mr. P. R. Rau: As my Honourable friend is aware, the whole question is under examination, and we are awaiting the replies from the Railway Administrations.

Dr. Ziauddin Ahmad: The Honourable Member maintained on the floor of the House that these rentals have been increased on the ground that the vendors are making larger profits. I suggest that the price of the articles should be diminished so that these vendors may not get money unnecessarily from the passengers?

Mr. S. Satyamurti: How long has this question been under consideration?

Mr. President (The Honourable Sir Abdur Rahim): The previous question has not yet been answered.

Mr. P. R. Rau: I thought that my Honourable friend was giving the House a statement of his opinion on the subject. I did not hear any question being asked which required an answer.

Dr. Ziauddin Ahmad: My question is this. Whenever the Railway Department find that a particular vendor is making large profits, will Government consider the advisability of lowering the price of the articles and not tackle the question by putting an extra duty in the way of rentals on the vendors?

Mr. P. R. Rau: That will be one of the points to be considered when we consider the general question.

Dr. N. B. Khare: Do Government want to share the large profits made by the contractors?

Mr. P. R. Rau: Government do not consider that earnings of this nature should form an appreciable item in railway revenues.

Mr. S. Satyamurti: How long has this question been under consideration?

Mr. P. R. Rau: We have just received reports from seven or eight Railway Administrations, and not from the rest.

Mr. S. Satyamurti: Do Government prescribe any time limit within which the replies are to be received? Or, do they allow the Agents their own time to send replies?

Mr. P. R. Rau: We imposed a time limit within which they should forward their reports in this case. I believe it was the end of January.

CONSTRUCTION OF OFFICE BUILDING AND QUARTERS FOR STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

630. ***Khan Sahib Shaikh Fazl-i-Haq Piracha:** (a) Is it a fact that the amount of leave granted in connection with the illness of the staff in the Railway Clearing Accounts Office has been abnormally high as compared with other Government Offices in Delhi?

(b) Is it a fact that the District Medical Officer, North Western Railway, had recently occasion to invite the special attention of the Director, Railway Clearing Accounts Office, to the generally low state of health and the increased incidence of tubercular infection amongst the staff of the said office due to insanitary housing and the unhygienic and overcrowded condition of the staff office buildings?

(c) Is it a fact that the late Mr. L. S. Deane, Controller of Railway Accounts, while Director of Railway Clearing Accounts Office, made a

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personal survey of the insanitary housing conditions of the staff of the Railway Clearing Accounts Office and strongly emphasised before the Railway Board the urgent need of constructing staff quarters?

(d) Are Government aware of the fact that bad housing and arduous work in congested buildings situated in insanitary localities constitute a grave menace to the health of the staff and thereby lower their efficiency?

(e) Are Government aware that the staff of the Railway Clearing Accounts Office are generally poorly paid and have no means of providing themselves with suitable housing accommodation in Delhi, where rents are very exorbitant?

(f) Are Government aware of the fact that the majority of the staff transferred from Calcutta, Bombay and Lahore to the Railway Clearing Accounts Office at Delhi had their own residences in those cities and were given to understand at the time of their transfer that usual amenities of housing, etc., would be provided for them very early in their new station of duty?

(g) If the reply to the preceding parts be in the affirmative, will Government be pleased to state what tangible action, if any, has been taken so far, or is proposed to be taken immediately, to build suitable staff quarters and office building for the Railway Clearing Accounts Office?

(h) Will Government be pleased to state: (i) what has led to the inordinate delay in taking the scheme of the staff quarters and office building for Railway Clearing Accounts Office in hand, and (ii) the approximate date by which the work is proposed to be started?

Mr. P. R. Rau: (a) Government regret that figures showing the number of men granted leave on account of illness is not readily available.

(b) The District Medical Officer, North Western Railway, drew the attention of the Director, Railway Clearing Accounts Office, to the number of clerks in that office seeking his advice for tuberculosis of the lungs or pleura and to the overcrowding of the rooms in the office building. On this being brought to their notice, Government instructed the Director, Clearing Accounts Office, to discuss the matter with the District Medical Officer to see what steps could be taken to improve the conditions under which the staff were working. It is hoped that it will be possible before long to construct a new building for the office which will be free from the defects complained of.

(c) Yes.

(d) As a general statement of the results of bad housing and insanitary conditions, this seems unexceptionable.

(e) The scales of pay of the Railway Clearing Accounts Office are generally the same as those of other Railway Accounts Offices. Government are aware that suitable housing accommodation is not easy to obtain in Delhi and they are considering the possibility of building suitable quarters.

(f) As regards the first part of the question, the answer is in the negative. As regards the second part, it has been the intention of Government to provide suitable quarters, as soon as possible, but I am not aware of any definite promise made to the staff.

(g) Government are examining the possibility of a suitable site for quarters. A site has already been selected for a new office building and

the North Western Railway has been asked to prepare the plan and estimates. If funds for the purpose are sanctioned, it is expected that the work will be taken in hand during 1955-56.

(h) (i). The delay has been caused by the difficulty of securing suitable sites for the large colony required and of providing funds for it.

(ii) As I have already stated, it is expected to start construction of the office building in the new financial year. As regards staff quarters, it depends on when we are able to secure a suitable site.

PARTICIPATION OF INDIAN SHIPS IN THE COASTAL TRADE TO GREAT BRITAIN.

631. *Mr. N. V. Gadgil: Are Government aware that about 98 per cent. of the coastal trade to Great Britain is carried on by the British ships, and will Government be pleased to state whether they have considered the possibility of ships owned, controlled and managed by Indians participating effectively in that trade, just as British shipping is doing in Indian waters?

The Honourable Sir Joseph Bhore: Government are aware that the coastal trade in Great Britain is carried on almost entirely by British ships. There is no legal bar to the participation in that trade of ships owned, controlled or managed by Indians.

FINANCIAL HELP TO THE INDIAN SHIPPING COMPANIES.

632. *Mr. N. V. Gadgil: (a) Are Government aware that Indian Company, after Indian Company, which endeavoured to develop a coastal service has been financially shattered?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether they have considered the question of rendering such shipping companies financial help by way of subsidies, a form of help recognised by all the maritime countries of the world, and thus enabling them to face the competition of the British companies?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state whether the British shipping companies, against the competition of which subsidies may have been granted to protect the Indian shipping companies, would not be "equally eligible to participate in the grant with Indian companies" under the provision set forth in paragraph 356 of the Joint Parliamentary Committee Report?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state how in that event they would be able to protect such Indian shipping companies from the competition of the British shipping companies?

The Honourable Sir Joseph Bhore: (a) Government are aware that Indian shipping companies have had to meet severe competition from companies already established in the coastal trade.

(b) Government do not consider that in present circumstances the grant of subsidies is the appropriate method of affording assistance to Indian shipping.

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

Mr. B. Das: If the grant of subsidies is not the right form of helping the Indian shipping industry, will the Honourable Member be pleased to state in what way Government will consider the question of helping this industry?

The Honourable Sir Joseph Bore: With pleasure, Sir. In my view, the best way of settling this question is through negotiation and friendly settlement.

Mr. S. Satyamurti: What are the circumstances which make it impossible or undesirable for Government to give them financial help by way of subsidies?

The Honourable Sir Joseph Bore: I do not think that that system is in present conditions appropriate.

Mr. S. Satyamurti: In view of the Honourable Member's statement that negotiation and settlement are the best means of dealing with this question, does he consider that, after the Government of India Bill becomes an Act, there is any scope for negotiation or settlement?

The Honourable Sir Joseph Bore: Certainly, Sir.

Mr. S. Satyamurti: Do Government realise that any subsidy which may be given will have to be given to non-Indian companies also?

The Honourable Sir Joseph Bore: But I am not dealing with subsidies.

Mr. S. Satyamurti: What is the other kind of help which the Honourable Member contemplates to encourage Indian coastal shipping?

The Honourable Sir Joseph Bore: The help which has already been rendered to Indian shipping companies and which has resulted in a very satisfactory settlement so far.

Mr. S. Satyamurti: The satisfactory settlement being that all the Indian companies have been left with two per cent in their hands?

The Honourable Sir Joseph Bore: That is entirely untrue.

Mr. S. Satyamurti: Then, what is the truth?

The Honourable Sir Joseph Bore: My Honourable friend has only to go and ask the shipping companies at the present moment, and he will realise what the state of affairs is.

Mr. S. Satyamurti: Does the Honourable Member realise that the Scindhia Navigation Company is now at the mercy of the British India Steam Navigation Company?

The Honourable Sir Joseph Bore: No. My Honourable friend, if he refers to the smaller companies, should realise that that matter was, I hope, satisfactorily settled by me during the last two months.

Mr. S. Satyamurti: What was the satisfactory settlement in the last two months?

The Honourable Sir Joseph Bore: My Honourable friend can refer to the smaller west coast shipping companies, and he will find that they are perfectly satisfied with the arrangement.

Mr. S. Satyamurti: Are Government satisfied with the position that 98 per cent of the nation's coastal shipping is in the hands of foreigners, and only two per cent. in the hands of Indians?

The Honourable Sir Joseph Bore: I do not accept those figures for one moment.

Mr. S. Satyamurti: What are correct figures then?

The Honourable Sir Joseph Bore: If the Honourable Member puts down a question, I will give him the correct figures.

Mr. S. Satyamurti: Does not the Honourable Member know those figures now?

The Honourable Sir Joseph Bore: I do approximately, but I shall try to satisfy the Honourable Member by quoting him the exact figures. I do not carry the exact figures in my head.

IMPORT DUTY ON INDIAN RICE IN AUSTRALIA AND ON AUSTRALIAN WHEAT IN INDIA.

633. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government be pleased to state whether Australia has imposed an import duty on Indian rice, and if so, at what rate?

(b) Are there any other Indian commodities on which the Australian Government are imposing import duty?

(c) Will Government be pleased to state whether duty is levied on wheat imported from Australia in India?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state the rate at which duty is levied? If no duty is levied, what is the reason?

The Honourable Sir Joseph Bore: (a) Australia levies an import duty 1d. per lb. on rice not in the husk if uncleaned and 1½d. per lb. on other rice, plus a primage duty of 10 per cent *ad valorem* in both cases.

(b) Yes, Sir.

(c) and (d). A duty of Rs. 2 per cwt. is levied on wheat imported into India from all sources including Australia.

Prof. N. G. Ranga: What are our exports to Australia of paddy and rice?

The Honourable Sir Joseph Bhoré: The Honourable Member must give me notice of that question. I do not carry the figures in my head.

Mr. C. N. Muthuranga Mudaliar: What are the other Indian products subject to duty in Australia?

The Honourable Sir Joseph Bhoré: If my Honourable friend puts down a question, I will supply him with that information.

Prof. N. G. Ranga: Is it a fact that we grant Imperial Preference on Australian imports into this country?

The Honourable Sir Joseph Bhoré: No, Sir.

Mr. C. N. Muthuranga Mudaliar: With reference to (c), do Government propose to continue the duty on wheat for the coming year also?

The Honourable Sir Joseph Bhoré: My Honourable friend must wait.

Prof. N. G. Ranga: Will the Government of India be pleased to make a representation to the Government of Australia that this import duty should be abolished or lowered?

The Honourable Sir Joseph Bhoré: My Honourable friend does not realise that these import duties are of general application, and no one is singled out for specially adverse treatment.

EXCISE DUTY ON MATCHES AND MATCH FACTORIES IN INDIA.

634. ***Mr. C. N. Muthuranga Mudaliar:** Will Government be pleased to state:

- (a) the number of match factories in existence before and after the match duty was levied:
 - (i) in India, and
 - (ii) in the Madras Presidency;
- (b) the extra expenditure involved, and income derived by enforcing the match duty;
- (c) the number of labourers and clerks thrown out of employment by the closing of such factories;
- (d) the amount of matches imported into India one year before and after the imposition of the duty?

Mr. A. J. Raisman: (a) The information has been called for and will be laid on the table of the House in due course.

(b) The expenditure is estimated at Rs. 9,11,720 in 1934-35. The revenue realised up to the end of January, 1935, amounted to Rs. 1,12,67,000. The estimated revenue in a normal full year is Rs. 250 lakhs.

(c) The attention of the Honourable Member is invited to my reply to Mr. T. S. Avinashilingam Chettiar's question No. 261, in the present Session, from which it may be inferred that there was no likelihood of labourers and clerks being thrown out of employment.

(d) Imports into British India by sea were 78,718 gross in 1933-34 and 80,575 gross in the nine months ending December, 1934.

Prof. N. G. Ranga: Is there no restriction placed by the Government of India with regard to the number of matches that are to be placed in every match-box?

Mr. A. J. Raisman: The excise duty varies according to the content of the match-box, and, in addition, there is a restriction on the maximum number of matches that can be contained in a box.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that in practice the retail price of match-boxes has been increased?

Mr. A. J. Raisman: Certainly; the Government of India could not possibly impose a tax on matches and expect the price to remain exactly what it was before.

Prof. N. G. Ranga: Is not the increase in the retail prices charged for these match-boxes very much more than is justifiable by the excise duty levied on matches?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion.

Mr. B. Das: May I ask if the Indian States have accepted the policy of the Government of India in buying banderols and if no matches are smuggled from Indian States to British India?

Mr. A. J. Raisman: The great majority of the Indian States have come into the scheme and have accepted the banderol system.

Mr. B. Das: Is there no smuggling going on between the Indian States and British India?

Mr. A. J. Raisman: I should not be prepared to say that there was no smuggling going on anywhere on our frontiers.

Mr. S. Satyamurti: Have Government taken any steps or do they propose to take any steps to see that retail dealers in matches do not profiteer in the name of the excise duty?

Mr. A. J. Raisman: As far as I remember, when Government first put the match excise before this House, their proposals were calculated with reference to the lowest unit of currency so as to retain for Government the whole of the increase in price resulting from the tax. I think that in Select Committee those proposals were somewhat modified with the result that a certain margin, it is true, now goes to the dealers; but it is, I think, a small margin.

Prof. N. G. Ranga: Will the Honourable Member be pleased to state the number of matches in a match-box before and after the imposition of this excise duty?

Mr. A. J. Raisman: The position is that as a result of the imposition of the excise combined with the unit of currency, the most popular size of match-boxes now is the one that contains not more than 40 sticks.

EXCISE DUTY ON SUGAR AND SUGAR FACTORIES IN INDIA.

635. ***Mr. C. N. Muthuranga Mudaliar:** Will Government be pleased to state:

- (a) the number of sugar factories in existence before the levy of sugar excise duty;
- (b) the number of factories since closed down;
- (c) the number of labourers thrown out of employment;
- (d) the effect of the imposition of duty on cultivation of sugar-cane;
- (e) the amount realised by the imposition of duty and the expenditure thereon;
- (f) the quantity of sugar imported from foreign countries before and after the imposition of the duty?

Mr. A. J. Raisman: (a) The number of modern factories for producing sugar from cane which existed during season 1933-34 was 136. 12 Noon. This includes factories under erection and 115 factories worked during the season. In the current season 142 factories are working.

(b) None, so far as Government are aware.

(c) Does not arise.

(d) The excise duty does not appear to have affected the cultivation of sugar-cane as the area in season 1934-35 is reported to have been 3,471,000 acres as compared with 3,305,000 acres in the previous season.

(e) A sum of Rs. 55,04,000 has been realised upto the end of January, 1935. The estimated revenue in the full year 1935-36 is Rs. 150 lakhs. The expenditure is estimated at Rs. 60,250 in 1934-35.

(f) Imports into British India by sea were 218,751 tons in the nine months ending December, 1933, and 181,438 tons in the corresponding period of 1934.

Prof. N. G. Ranga: How many of these are co-operative sugar factories registered under the Co-operative Societies Act?

Mr. A. J. Raisman: I must have notice of that question.

Mr. B. Das: With reference to part (f) of the question, is it a fact that sugar imported from Java was sold at a very low price lower than what was assumed by the Tariff Board?

Mr. A. J. Raisman: It is quite true that a large number of relevant factors have altered since the Tariff Board last reported.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that though co-operative sugar manufacturing concerns are being organised in Southern India, almost all of them are being dominated by zamindars and big capitalists?

Mr. President (The Honourable Sir Abdur Rahim): That question does not arise.

Seth Haji Abdoola Haroon: Is it a fact that, on account of the excise duty, the price of sugar-cane went down to about one anna and six pies per maund?

Mr. A. J. Raisman: I am not aware that the excise duty has affected the price of sugar-cane.

Seth Haji Abdoola Haroon: Are Government aware that it requires eleven maunds of sugar-cane to produce one maund of sugar and that, on account of the imposition of the excise duty, it is not possible for the purchasing factories to pay a higher price than one anna and six pies per maund for sugar-cane?

Mr. A. J. Raisman: I cannot, in answer to a supplementary question, enter into the complicated economics of sugar production.

Seth Haji Abdoola Haroon: Is it a fact that figures of sugar cultivation quoted by the Honourable Member include the sugar-cane already sown before the excise duty was imposed last year—that is to say, in January, 1934, and February, 1934, whereas the excise duty came in force in April, 1934?

Mr. A. J. Raisman: I am afraid I am not in a position to answer that question.

Mr. B. Das: May I ask if it is not a fact that the low prices of Javanese sugar did away with the degree of protection given to sugar industries by the Government?

Mr. A. J. Raisman: The position is that when the Tariff Board dealt with the question of protection to the sugar industry, they realised that the price of sugar might vary considerably. It is a fact that the price of sugar has fallen lower than the figure contemplated by the Tariff Board; but it is also a fact that the Government have, by pitching the excise at Rs. 1-5-0 as against a surcharge of Rs. 1-13-0, also given to the industry the maximum further protection which the Tariff Board recommended.

Seth Haji Abdoola Haroon: Is it a fact that, according to the Tariff Board report, they have fixed the c. i. f. price of sugar at Calcutta at Rs. 4, whereas, in last November, the prices went down to Rs. 2-6-0 a maund?

Mr. B. Das: That is what I meant.

Mr. A. J. Raisman: If my Honourable friend is referring to the basis on which the Tariff Board worked, my answer is that it is true that the figure has fallen lower than Rs. 4, which was the basis taken by the Tariff Board; but then it is also true that the Tariff Board said that if the price fell lower, further protection to the extent of eight annas a maund might be necessary, and that further protection of eight annas has actually been given.

UNSTARRED QUESTIONS AND ANSWERS.

APPOINTMENTS HELD BY SENIOR SCALE OFFICERS ON STATE RAILWAYS.

110. Bhai Parma Nand: Will Government please state the appointments held by senior scale officers on State Railways?

Mr. P. R. Rau: The information required by the Honourable Member will be found in the Classified List of State Railway Establishment and Distribution Return of Establishment of all Railways, a copy of which is in the Library of the House

NUMBER OF USED TICKETS COLLECTED AT THE QADIAN RAILWAY STATION.

111. Khan Sahib Shaikh Fazl-i-Haq Piracha: Will Government be pleased to state the total number of used railway tickets collected from the passengers at the Qadian Railway Station, North Western Railway, on 20th and 23rd October, 1934, and on 20th, 21st, 22nd and 23rd October 1933?

Mr. P. R. Rau:

October, 1934—20th	.	.	.	.	.	433
23rd	.	.	.	.	.	263
October, 1933—20th	.	.	.	.	.	175
21st	.	.	.	.	.	148
22nd	.	.	.	.	.	157
23rd	.	.	.	.	.	125

REPORTS ON THE WORKING OF THE STAFF SELECTION BOARD ON THE EAST INDIAN RAILWAY.

112. Mr. Muhammad Azhar Ali: Will Government please lay on the table of this House a copy of the Reports on the working of the Staff Selection Board on the East Indian Railway for the period the 1st April, 1931, to the 31st January, 1935? If not, why not? What are the reasons for its non-publication?

Mr. P. R. Rau: So far as Government are aware there are no reports on the working of the Staff Selection Boards on the East Indian Railway. Government see no necessity to call for such reports.

SERVICE AGREEMENTS OF THE EAST INDIAN RAILWAY EMPLOYEES.

113. Mr. Muhammad Azhar Ali: With reference to the statement made in reply to starred question No. 13 asked on the 22nd August, 1933, relating to the supply of Rule Books to the East Indian Railway employees, will Government please lay on the table of this House a copy of the service agreements referred to therein?

Mr. P. R. Rau: Copies have been placed in the Library.

EMPLOYEES TRAINED IN YARD DUTIES AT THE MORADABAD RAILWAY STATION.

114. Mr. Muhammad Azhar Ali: Will Government please state:

- the names and class of employees trained in yard duties in the year 1934 at the Moradabad Junction Station on the East Indian Railway;
- the total expenditure incurred on such training;
- the names of the trained employees posted permanently after completion of training;
- the circumstances under which leave was refused to all other employees, as no hand was available to relieve them;
- the extent of exigency of training for which the leave was refused to employees not under training, and
- whether Government are aware of the hardship thus caused to the poor subordinates?

Mr. P. R. Rau: Government have no information, and do not consider any useful purpose will be served by collecting it. These are matters of detailed administration in which full powers have been delegated to Local Railway Administrations who are competent to deal with them.

MOVEMENT OF CERTAIN OFFICERS' CARRIAGES ON THE EAST INDIAN RAILWAY.

115. Mr. Muhammad Azhar Ali: Will Government please state:

- the movements of officers' carriages Nos. 2999, 3313, 2945, 3192, 1938, 1963, 4884, 4955, 2000, 4412, 3369, 2273, 4885, 2987, 537, 4872, 4907, 2773, 4883, 4874, 2017, 3795, 2917, 3643, 2777, 3354, 4906, 4898, 4858, 1921, 4872, 2984 and 2787, and Motor Van No. E.O.K. 4840 and open trucks attached with the officers' carriages during the period from the 1st September, 1934, to the 31st January, 1935, on the East Indian Railway;
- the nature of duties performed by the officers during the movements of the said carriages; and
- the expenditure incurred in haulage of the said carriages?

Mr. P. R. Rau: Government are not prepared to collect the information desired by the Honourable Member, with regard to the movements of a large number of inspection carriages: but they are making enquiries from the Agent to ascertain whether there is any justification for the allegation contained in the question that the privilege of using inspection carriages is abused by certain officers.

INCREASE IN THE DECK FARES ON SHIPS TO THE COROMANDEL PORTS FROM BURMA.

116. **Mr. M. Ananthasayanam Ayyangar:** (a) Are Government aware of the recent increase in the deck fares on ships to the Coromandel ports from Burma, and that such increase causes great hardship to ordinary passengers?

(b) Are Government prepared to get the fares reduced to the old rates?

The Honourable Sir Joseph Bhoré: With your permission, Sir, I will answer questions Nos. 116 and 118 together.

Government have received representations to this effect but are unable to interfere in the matter as they have no power to control ocean steamship fares and freights.

EMPLOYMENT OF TELUGU INSPECTORS ON SHIPS PLYING BETWEEN THE COROMANDEL PORTS AND BURMA.

117. **Mr. M. Ananthasayanam Ayyangar:** (a) Are Government aware that a number of Andhra labourers are constantly travelling from Burma to the Coromandel ports, but that there are no Telugu inspectors on board the ships to look after their comforts?

(b) Are Government prepared to see that a Telugu inspector is appointed on board every passenger-vessel plying between the Coromandel ports and Burma?

The Honourable Sir Joseph Bhoré: With your permission, Sir, I will answer questions Nos. 117 and 119 together.

Government have received a representation from the Burma Andhra Maha Sabha, Rangoon, complaining of the inconveniences mentioned by the Honourable Member, but they have no power to interfere in the matter.

FREIGHT LEVIED ON CARGO AND BAGGAGE BETWEEN THE COROMANDEL PORTS AND BURMA.

†118. **Mr. M. Ananthasayanam Ayyangar:** (a) Are Government aware that the freight levied on cargo and baggage to and from the Coromandel ports to Burma is higher than the freight on cargo and baggage to other Indian ports?

(b) Do Government propose to get the freight on cargo and baggage on ships to the Coromandel ports reduced to the level of freight to the other Indian ports?

†For answer to this question, see answer to question No. 116.

INCONVENIENCES ON SHIPS PLYING BETWEEN THE COROMANDEL PORTS AND BURMA.

†119. **Mr. M. Ananthasayanam Ayyangar:** Has any representation been made by the Burma-Andhra Mahasabha to Government complaining of the inconveniences of higher rates of freight and fares of deck passengers, and absence of Telugu inspectors on ships plying between the Coromandel ports and Burma? If so, have Government taken any action thereon; and if so, with what result?

FORMATION OF A SEPARATE KARNATAKA PROVINCE AND REDISTRIBUTION OF THE PROVINCES OF INDIA ON LINGUISTIC BASIS.

120. **Mr. M. Ananthasayanam Ayyangar:** (a) Are Government aware that there is a general opinion among the Karnatakas in the Bombay Presidency and the District of Bellary of the Madras Presidency that the southern portion of Bombay Presidency and a large portion of the Bellary District should be formed into a separate Karnataka province? If so, what steps do Government propose to take in the matter? If not, are Government prepared to investigate the possibilities of forming such a province?

(b) Have Government considered the possibilities of redistribution of the provinces in India on a linguistic basis? If so, with what result? If not, are Government prepared to make an early investigation by appointing a committee?

The Honourable Sir Nripendra Sircar: (a) The Honourable Member is referred to the reply given by the Honourable Sir Henry Craik to Rao Bahadur B. L. Patil's question No. 963 on August 31, 1934.

(b) Yes. The Government of India are of opinion that the principle of redistribution of provinces on a linguistic basis cannot be accepted as the sole test for territorial redistribution and that other factors must be taken into account. The latter part does not arise.

SUPPLY OF STATISTICS, REPORTS AND JOURNALS TO THE MEMBERS OF THE INDIAN LEGISLATURE.

121. **Mr. M. Ananthasayanam Ayyangar:** (a) Will Government be pleased to state how many copies of the weekly, monthly, quarterly, half-yearly, and annual trade, agricultural and other statistics are printed by the Government of India every year, and how many are distributed to the departments, how many are sold and how many are destroyed after some years?

(b) If there is a regular surplus, are Government prepared to distribute them among the Members of this House for their reference and use? If not, why not?

(c) If there are no copies available after sale, what will be the additional cost of printing 200 more copies for distribution among the Members of this House and of the Council of State?

(d) Are Government prepared to distribute free among the Members of the Assembly and the Council of State copies of the statistics, reports and journals from time to time?

†For answer to this question, see answer to question No. 117.

The Honourable Sir Frank Noyce: (a) The number of copies printed and sold vary with every publication and it is quite impossible to supply a list. Copies are only destroyed when there is a surplus that is not required.

(b) There is no regular surplus so that this part does not arise. But I might add that when a surplus occurs, we do offer copies free of charge to Members of the House if the publication is likely to be of value to them, and a list of publications which is surplus to requirements is placed from time to time in the Library.

(c) This would vary with every publication.

(d) The position is that our publications are made available to Members of the Central Legislature through the Library of the Indian Legislature which now receives six copies of each publication. If an Honourable Member of either House sends a request to the Department concerned for any publication in which he is particularly interested the request is considered and I believe that in most cases the publication is supplied. Publications of a special and general interest are frequently distributed to all Members, but Government cannot undertake to distribute all their publications to all Members of the Legislature.

CONSTITUTION OF THE HOUSE COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that I have constituted a House Committee consisting of the following Members to look after the comforts and conveniences of Members, to suggest from time to time additions and alterations to the existing accommodation and to submit plans for building more residences to suit the convenience of Members whenever such a course becomes necessary:

- (1) Mr. Akhil Chandra Datta (Chairman).
- (2) Mr. M. Ghiasuddin,
- (3) Mr. B. Das,
- (4) Mr. J. Ramsay Scott,
- (5) Munshi Iswar Saran,
- (6) Dr. Ziauddin Ahmad,
- (7) Seth Haji Abdoola Haroon,
- (8) Raja Sir Vasudeva Rajah,
- (9) Mr. N. M. Joshi,
- (10) Dr. F. X. DeSouza, and
- (11) Mr. T. S. Avinashilingam Chettiar.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 406.)

Sardar Sant Singh (West Punjab: Sikh): Sir, I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 406*), be referred to a Select Committee consisting of the Honourable Sir Henry Craik, Sir Lancelot Graham, Mr. M. Asaf Ali, Mr. Sham Lal, Mr. M. Ananthasayanam Ayyangar, Mr. Satya Narayan Sinha, Syed Ghulam Bhik Nairang, U Thein Maung, Mr. Fakir Chand and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

This amendment relates to section 406 of the Criminal Procedure Code. The history of this section is that, before the Amending Act of 1923, was passed, the appeals from the orders of a first class Magistrate passed in proceedings taken under sections 107, 108, 109 and 110 of the Code of Criminal Procedure lay to the District Magistrate. But, later on, when the amendment of the Code of Criminal Procedure was taken up, section 406 was also amended by this House. The amendment made was that the appeal should, in future, lie to the Sessions Judges instead of to District Magistrates. When the amended Bill went to the Council of State, this particular section, along with others, were amended there and the proviso to the section was added giving the Local Government powers to issue a notification that the appeals in certain areas may lie to the District Magistrate. Thus, the section, as ultimately passed, read as follows:

"Any person who has been ordered under section 118 to give security for keeping the peace or for good behaviour may appeal against such order—

- (a) if made by a Presidency Magistrate to the High Court,
- (b) if made by any other magistrate to the Court of Session:

Provided that the Local Government may, by notification in the local official Gazette, direct that in any district specified in the notification appeals from such orders made by a Magistrate other than the District Magistrate or a Presidency Magistrate shall lie to the District Magistrate and not to the Court of Session:

Provided, further, that nothing in this section shall apply to persons, proceedings against whom are laid before the Sessions Judge in accordance with the provisions of sub-section (2) or sub-section 3A of section 123."

My amendment aims at removing the first proviso. I may mention here, in this connection that a comprehensive Bill for amending certain provisions of the Code of Criminal Procedure including this section was introduced by me before the last Assembly in 1931. But as all the sections which I wanted to be amended were included in one Bill, certain objections were raised by the Government, one of which was that there was no uniform principle underlying that Bill. Another objection taken was that my amendment aimed at creating suspicion of judicial officers. On these grounds, my Bill was thrown out. I have now brought forward this Bill, after trying to meet some of the objections which were raised then. I have tabled six Bills containing six sections of the Criminal Procedure Code, and each Bill deals with one section. Therefore, it cannot be said now that there is want of a uniform principle in regard to this measure. Even in 1923, when the entire Code of Criminal Procedure was considered, clause by clause, by our predecessors, this House did not

[Sardar Sant Singh.]

provide originally this proviso which confers powers on the Local Governments to issue notifications changing the course of appeals to the District Magistrates. Now, so far as my information goes, and so far as I have been able to discover, Sir, the only province where the Local Government has used this power is my unfortunate Province of the Punjab

The Honourable Sir Henry Craik (Home Member): That is not correct.

Sardar Sant Singh: Then, may I know what is the position?

The Honourable Sir Henry Craik: Burma and N. W. F. Province, and also a part of Bihar and Orissa.

Sardar Sant Singh: They are sister provinces.

The Honourable Sir Nripendra Sircar (Law Member): They are cousins.

Sardar Sant Singh: Yes, they are cousins as the Honourable the Law Member suggests.

Again, Sir, this proviso aimed that the Local Governments would exercise discrimination in using this power, because, in the words of the proviso, the power is given to the Local Government to issue a notification "to direct that in any district specified in the Notification appeals from such order made by the Magistrates or Presidency Magistrates shall lie to the District Magistrate", that is to say, when the exercise of power becomes necessary, the Local Governments may use such power in respect of certain district or districts, where, on account of prevalence of unusual crime or overcrowding of Sessions Judges files, appeals may lie to the District Magistrate. But, instead of restricting themselves to the power given in the proviso, the Punjab Government have gone so far that by one stroke of the pen they have nullified the intentions of the Legislature for inserting this proviso and giving the right of appeal to the Sessions Court. Therefore, my objection is that this proviso has not been properly used and should be repealed.

The second point which I wish to bring to the notice of this House relates to the provisions of the Code which give rise to such appeals. As far as I have been able to make out,—and I state it subject to correction—that the preventive provisions, as are found in sections 107, 108, 109 and 110 of the Code of Criminal Procedure, are not to be found in the penal laws of any other country including England, United States of America, France or Germany.

As I am not attacking those provisions just now, and as I am not asking for the repeal of those provisions, I only refer to them as an additional argument that even if these provisions are considered to be necessary,—and, for the sake of argument we may assume that they are necessary,—they are not consistent with the general principles of penal laws, and, therefore, they should be exercised very carefully and cautiously. That is the reason why the power to take proceedings under these sections are vested in first class Magistrates, and not in Magistrates of a lower class when such powers are exercised by the first class Magistrates, the appeals should ordinarily lie to the Sessions Court. At the same time, I would draw the attention of the Honourable Member to this fact, that the District Magistrate is the chief executive of the district; the Superintendent

of Police is subordinate to him; the Magistrates are subordinate to the District Magistrate. It is but natural that proceedings relating to the maintenance of peace in a district may emanate, and sometimes occasionally do emanate, from the District Magistrates. He hears reports probably from the police; he decides that proceedings should be initiated, and the proceedings are taken up by the police and a regular chalan is put in Court and final orders are passed. Why then should the District Magistrates be empowered to hear appeals?

It is a well-known fact, and it is one of the principal grievances of Indians, that the executive and judicial functions have not been separated in India. The question has been before the Government for well nigh a century. While replying to a question in Parliament in April, 1927, and, again, in 1928, the Secretary of State for India admitted that this question had been receiving the attention of the Government of India for the last hundred years, though in this House, in reply to my question, the then Home Member, now His Excellency Sir Harry Haig, said that his information did not go beyond the year 1900, that is 34 years only. In Parliament it was admitted that this question had been under the consideration of the Government of India for nearly a hundred years. Even in the new Government of India Bill, which is now before Parliament, the Chapter referring to the control of the judiciary has this specific provision that first class Magistrates and other Magistrates shall be under the District Magistrates. Therefore, even in the so-called reforms, which are still in the clouds now, we are told that the question of the separation of judicial and executive functions is not going to be considered. This Bill aims, Sir, to separate, though very partially, the executive functions from the judicial functions. My grievance is, with due respect to the District Magistrates, some of whom are very eminent gentlemen, that justice is not done and cannot be done when appeals are heard by them. The men affected by these proceedings know fully well and the painful realisation has come to them that they cannot receive justice from District Magistrate, with the result that people have ceased appealing from the orders of Magistrates, but quietly submit to the restriction on their liberty of action. The main argument that was advanced in 1923 was put in very forcibly by Mr. T. Rangachariar when he spoke on a similar amendment moved by Sir Hari Singh Gour in that year. He said:

"To whom should the appeal go is the next point. Should it go to the executive head of the district or should it go to a judicial officer? The proposal is that it should go to the judicial head of the district. What is the harm in that amendment? An appeal lies; why should not the appeal go to a judicial officer? You have passed an order; the urgency is all gone; an order has been passed; there is no question of any stay or anything of that sort; peace is not threatened; the vagabond is already bound over; you only give him the chance of an appeal. Give him a fair hearing. What is the good of giving a right of appeal with the one hand and taking away with the other hand? What is this fear of Sessions Judges, I want to know?"

This could not be put in better language. My point is, if the right of appeal is to be given at all, let it be an effective right and not illusory and in a half-hearted fashion without any substance behind it. One argument that was advanced during the last discussion on this amendment was that it betrays a suspicion of the District Magistrates. I do not want to refer to this matter at great length but when I deal with my third Bill, where this will come out in greater prominence, I will quote certain authorities to the effect that an enactment of laws restricting the fancies and whims of particular judicial officers does not amount to a suspicion of the

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judiciary. If an evil exists, Members both on the Treasury Benches as well as on the opposite side should see that the evil is killed. There is no reason why today Honourable Members occupying the Treasury Benches should care little for creating confidence in the administration of justice as their predecessors used to do in previous years. Today we find that whatever comes from this side of the House is looked upon with suspicion. Why? They come forward with the charge that the Opposition is not reasonable. I will test the reasonableness of the Treasury Benches by their attitude towards this Bill today, and I hope that they will set a very good example by themselves becoming more reasonable.

The last objection that is taken to this Bill is that the number of appeals to Sessions Judges will be so many that they will not be able to dispose of them, and then there will be expense involved in having more Judges. I submit that this is no valid objection at all. We are not here to care about expense on more Sessions Judges, because a particular evil has to be killed. Today the Punjab has produced a surplus budget and she can afford to appoint more Sessions Judges to dispose of the appeals, if necessary. With these words, I move my motion.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Code of Criminal Procedure 1898, (*Amendment of section 406*), be referred to a Select Committee consisting of the Honourable Sir Henry Craik, Sir Lancelot Graham, Mr. M. Asaf Ali, Mr. Sham Lal, Mr. M. Ananthasayanam Ayyangar, Mr. Satya Narayan Sinha, Syed Ghulam Bhik Nairang, U Thein Maung, Mr. Fakir Chand and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Khan Bahadur Mian Abdul Aziz (Punjab: Nominated Official): The Honourable Member who has moved this Bill has referred particularly to the Punjab. He has also referred very briefly to the discussion that took place in this House, but he has not referred to the discussion that took place in the Council of State where this amendment was first originally brought forward. The debate in the other House on the subject is a memorable one. A large number of people put forward the case against this proviso very skilfully, and, at the concluding stage of the discussion the then Home Member, Sir Malcolm Hailey, put the case thus:

"We leave it to the Executive Government, because the latter is after all in the best position to know exactly what it can afford. If the Local Legislatures desire to influence their Government in this direction they know how to do it, and have only to show their readiness to provide the resources necessary to increase the number of Sessions Judges. As I say, we have from the first taken our stand on financial grounds."

Then, this proviso was enacted in the other House. It came back to this House and the question was again taken up. There was a great deal of argument about this. Once again the same attitude was taken by the Government, and I think the following remarks deserve the attention of this House:

"That is to say, that although we have at present an organisation which can and does hear the appeals and against whom I will not admit the charge that they do not

hear those appeals properly,—yet we should add to the expenditure of the Local Governments by forcing them to appoint fresh Sessions Judges. Various calculations have been formed as to the numbers which will be required. I do not wish to pin my faith to those, for they cannot, in the circumstances, be accurate. It has been suggested, for instance, that in the Punjab from 5 to 7 Sessions Judges will be required."

Now, during the last twelve years nothing has happened to show that a change is needed—in any case in the Punjab Legislative Council there was no steady, or continuous, or even casual, reference to the provision of funds for this extra establishment. As a matter of fact, when Sir Malcolm Hailey was dealing with this case twelve years ago, he referred to the total number of 43,000 people as being required throughout the whole length and breadth of India to be placed on security. In the Punjab alone, if the House will bear with me, I will not give all the figures,—we have from year to year a very large number,—I am reading from the last report on the Criminal Work in the Punjab for the year 1932—Note prepared by the Honourable the High Court:

"There were 5,667 cases under section 107 of the Criminal Procedure Code involving 29,129 persons of whom 9,777 or 33·6 per cent., were ordered to execute bonds. Under sections 109 and 110 of the Criminal Procedure Code there were 7,909 cases involving 8,729 persons before the Courts as compared with 6,543 cases and 7,132 persons in the preceding year. Prosecution was successful in the case of 5,882 persons or 67·4 per cent, as compared with 65·6 per cent, in the previous year."

Now, Sir, I have figures for other years, but, if the House will permit me just to give approximate figures, the House will be interested to know the volume of work that the average Sessions Judge, who is also the District Judge, has to do in the Punjab. There are altogether 21 Divisions in the Punjab for 29 districts. For instance, in my Division, there are six districts and only three Sessions Judges. The total volume of work for the whole province, criminal appeals, average—I am only mentioning round figures—are over 12,000, civil appeals including regular and miscellaneous are per year over 7,000, original criminal cases, which are mostly murder cases or dacoity cases with murder, average nearly a thousand, if not more, original civil cases over 2,000; all this 21 Sessions Judges have to do. Now, Sir, under the security sections alone, the number of individuals who are ordered to execute a bond for keeping the peace every year averages 9,000. It may be more. I have just given one year's figures and I can give figures for every year exactly. Those who are required to execute bonds to be of good behaviour average every year over 4,500. Sometimes it is more than 6,000 but that is the average. Now, if we give all this work to the Sessions Judges, I will not say that five more will be required, but merely as a matter of practical convenience at least two would be required. They would have to be peripatetic, in this sense that they could not sit down in one district, because there is not enough work. If you divide the province into two sections and entrust each section to one Sessions Judge, he will have just 14 districts. He will be in a district for just 26 days odd, then, at the end of it, he will have to go to another district, or if the existing Sessions Judge fixes the work for him and he does the ordinary work, it will come to the same thing, namely, that the delay would be something enormous, and in this connection I hope the House will permit me to give a very small quotation from the Civil Justice Committee's report of 1924-25. This report was written after the Punjab Government had made use of this proviso, which was a very proper use,

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and there is no ground for saying that it was not a proper use. This report says very distinctly—I am reading from page 88, paragraph 5:

“The greater portion of many of the district judges’ time is occupied by sessions and criminal appellate work, and during such time as the judge can devote to civil work, his attention is distracted by a variety of miscellaneous judicial work in respect of which under the existing law he has exclusive jurisdiction. If we expect the district judge to do justice in any way to the work which, as indicated above, legitimately appertains to his office a portion of his sessions work must be taken away from him.”

Now, Sir, this was a very authoritative pronouncement.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Will the Honourable Member allow me to interrupt him for a moment. I would like to know how many appeals per year were preferred in these cases under consideration?

An Honourable Member: Security proceedings?

Mr. M. A. Jinnah: Yes.

The Honourable Sir Henry Craik: Figures are not available.

Khan Bahadur Mian Abdul Aziz: Figures are not available, but I can tell the Honourable Member that District Magistrates hear 9,000 appeals every year in the Punjab.

Mr. M. A. Jinnah: My question is how many appeals are preferred under sections 107 and 108?

The Honourable Sir Henry Craik: I can answer my Honourable friend. I tried to get the figures, but this class of appeals is not shown separately in any return that I have been able to get.

Khan Bahadur Mian Abdul Aziz: When I was interrupted, I was reading from the Civil Justice Committee’s report. It was a very timely interruption which wanted to take away the effect of that careful finding and that was to the effect that Sessions work must be taken away from the Sessions Judge.

Mr. M. A. Jinnah: May I explain to the Honourable Member? It was not my intention really to interrupt him with a view to making him lose his thread. The whole question of expense depends upon the number of appeals that are to be preferred and the whole question of the time that will be occupied will also depend upon the number of appeals that are preferred. That is the point.

Mr. T. Sloan (Government of India: Nominated Official): Perhaps I can

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member, Khan Bahadur Mian Abdul Aziz, is in possession of the House. He had better go on.

Khan Bahadur Mian Abdul Aziz: The Civil Justice Committee of 1924-25 wanted to take away a portion of the Sessions work of the District Judge.

Mr. M. S. Aney (Berar Representative): District Magistrate?

Khan Bahadur Mian Abdul Aziz: Of the Sessions Judge. If the Honourable Member wants to look at this, I can give it to him.

Mr. M. A. Jinnah: You don’t give us what we want.

Khan Bahadur Mian Abdul Aziz: The original criminal work done on an average by the Sessions Judge in the Punjab is over 1,000 cases per annum. If Honourable Members have paid any attention to the news this morning, the Finance Member speaking in the Punjab Legislative Council said yesterday in answer to a question that there were nearly 900 murders on an average in the Punjab. If we take murders with dacoity, the number is over a thousand. For several years it has been over 800. Primarily, it is thus a question of expense and finance. Sir Henry Moncriff-Smith, when he introduced this proviso, said that Government were very anxious that there should not be any delays in the disposal of the civil work which at present the District and Sessions Judge has to do. Even where cases accumulate and Additional Sessions Judges are appointed and very great care is taken that there should be no accumulation, I have not the least doubt that even then there are delays. I cannot say what the number of appeals in security cases would be, but the number of appeals is likely to be very large, if this Bill has any meaning.

An Honourable Member: Why?

Khan Bahadur Mian Abdul Aziz: There will thus be a very sorry picture of stagnation if this proposal is adopted, and when the Honourable the Mover of the Bill said that he did not care what the expenditure was, he was certainly not speaking for people who have to pay for this extra expenditure.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Are you?

Khan Bahadur Mian Abdul Aziz: There is only one other thing which the House might consider. The Honourable Member who moved this Bill—I was very glad to note this change—said that in some cases, not many, the proceedings were initiated at the instance of the District Magistrate. There is a printed statement of his—of course, I am very glad he has now modified it—in which it is said that the “District Magistrate himself, in most cases, initiates proceedings for keeping the peace”. There is, of course, no foundation for that except in very rare cases; and, even in cases of bad livelihood, the District Magistrate does not initiate proceedings except on very rare occasions and the procedure is laid down in the High Court Rules and in the orders of the High Court of Judicature at Lahore. The following quotation will, I hope, duly impress the House that the High Court themselves regulate this: I quote from page 6, paragraph 10 of Volume III, of the Lahore High Court of Judicature’s Rules and Orders:

“Proceedings under section 110 of the Code of Criminal Procedure, shall not be taken against a *Zaildar*, *Ala Lambardar*, *Adna Lambardar*, or *Inamdar*, without the special order of the District Magistrate;”

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Now, that is the only class of cases, and the second sub-clause of this very instruction of the High Court says:

"When such proceedings are instituted against a person of one of the classes named, he shall be dealt with when practicable by the District Magistrate himself."

Sir, that should knock the bottom out of all those suspicions which people have that District Magistrates do not deal with these cases justly. District Magistrates could not produce a better proof of confidence in them than this order of the High Court itself, and in this connection I will just refer to one other observation of the Civil Justice Committee. The Committee said—of course they were referring only to the civil work in that case:

"The supervision exercised by the High Court has been increasing in efficiency and has now attained a very high standard. For this reason we are disposed to be hopeful as to the result in future. The Punjab is a province in which we can leave with confidence improvement in methods to the present officers."

Sir, in the Punjab—I do not know about other provinces—an Honourable Judge of the High Court comes every winter to every district as an inspecting Judge and he sees the work done by every Magistrate, even by the District Magistrate, and, ever since this attention has been paid to inspection work, the procedure and the general quality of the work has improved immensely. And I may also be allowed to say that I was very pleased to find that the Honourable the Mover of the Bill resisted the temptation of indulging in any condemnation of officers who are not here to defend themselves. Sir, a large number of these inspection notes, recorded by the inspecting Judge every year, show that there undoubtedly is very great improvement, and District Magistrates themselves, in the interests of their own self-respect, cannot uphold an order of a subordinate Magistrate if it is bad in law or if wrong procedure has been adopted. That is the reason why, in these cases under section 110 or section 109, the convictions are still only two-thirds of the total. It is said that the District Magistrate initiates proceedings. As a matter of fact, he is the head of the district and what he does is, whenever there is the slightest doubt, he says, "no, do not prosecute". Sir, it is a gratuitous assumption that when he is consulted, he always says, "do prosecute". In the majority of cases, he exercises his discretion and the only meaning present in the mind of District Magistrates of the phrase that he is the head of the district is that the police must work according to the law, as he himself must work according to law. There is no other meaning. That is his duty and he cannot maintain his self-respect if he allows his subordinates to break that very law of which he is the guardian and custodian.

For these reasons, Sir, I think that there is no case for referring this mere negation to a Select Committee and saying, "omit this proviso". At any rate, the position taken up formerly has remained unaltered and that is this, are the Government of India justified in saddling Local Governments with expenditure the extent of which is not known to them? And whatever has been said with regard to the separation of judicial and executive functions, it was dealt with on the former occasion in this House when it was said: "Very well, leave it at that; till then, there is no justification for altering the mode of disposal of work which is at present carried on in

a very satisfactory manner". Not a word do I wish to say that there is no room for improvement. We should welcome it, if Sessions Judges were available and if they could relieve District Magistrates. I do not want to say a word against that, and it would undoubtedly be most desirable if we could afford it, but the financial position is the main argument for our having made use of this proviso and very proper use of this proviso.

Mr. Sham Lal (Ambala Division: Non-Muhammadan): Sir, I am very glad that the position for the Government has been defended by the Commissioner of the Ambala Division, which constituency I have got the honour to represent (Hear, hear), and it would be better, I think, if I might explain what are the real facts which compel me to support the motion made by my Honourable friend, Sardar Sant Singh.

Now, Sir, the position is that this provision in section 406 was an exception; that is, in exceptional cases the Local Government might direct the District Magistrate to hear the appeal. This Criminal Procedure Code was passed in 1923; and if, as the Honourable Member has stated, it is the case that, on account of the rush of work and the special circumstances of the Punjab, it was necessary to make this direction or notification, then, may I ask, how many months after the passing of the Criminal Procedure Code was this notification issued? No Sessions Judge in the Punjab was allowed to hear any appeal. My point is that when this provision was inserted, it was intended by the Government that these exceptional powers would be the rule in the province, and as soon as the Criminal Procedure Code was passed, at once there was a notification in the Punjab that the appeals in security cases should be heard by the District Magistrate and not a single appeal was allowed to be heard by the Sessions Judge. Now a most relevant question was put by the Honourable Mr. Jinnah, namely, as to the number of appeals in security cases preferred every year. That would help us in judging as to whether the Sessions Judges would be overworked. We know the work done by the District Magistrates. The District Magistrates are the executive heads and they have got no time. If they can find time to dispose of these appeals, then how is it that the Sessions Judges cannot find time? Let us take the statistics. From every district, you will find, 10 or 15 appeals under this section are disposed of by the District Magistrate and this would not be heavy work for the Sessions Judges. We can go on with figures, but the question is not this. The question is this. The policy of the law is that the appeals should be heard by the Sessions Judges. Only in exceptional cases, when you find that there is a rush of work and when you find that the Sessions Judges cannot cope with the work, you may issue a direction. But your *bonâ fides* and good faith can only be tested after working this provision for some time and then you can make out a case for the notification. May I ask the Official Member if any such case was made out in the Punjab in order to justify this notification under section 406? I think no such case was made out. Of course, the Honourable Member has quoted the figures. My submission is that these security sections are being abused and the work has increased, because you cannot expect any justice from the District Magistrates. They are the executive heads and they practically reject all the appeals. I can name a District Magistrate who used to boast and say: "I seldom accept an appeal". And I can quote one case in order to show how this section was abused. One Magistrate took Rs. 1,000 as a bribe for discharging an accused under section

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107, and, after the accused had been discharged, he asked the complainant to file another complaint and he demanded Rs. 1,000 more. There was a Commission and that Magistrate was dismissed. There was a judicial finding with regard to this case that he demanded Rs. 1,000 from that man in a security case under section 107, and, after he had been discharged, he demanded the same amount again. These sections are being abused by the police and by the magistrates, and because no offence is committed and nothing has been done, you can get hold of any person and prosecute him. The abuse of this section is due to the fact that it is very easy to get these persons bound down and very easy to get the appeals rejected. But the question is whether the District Magistrates are deciding these cases properly. So far as the present District Magistrates are concerned, they are busy with their executive work. Even their original cases are being decided by section 30 magistrates. We find that the new District Magistrates have got no judicial mind. They pass stereotyped orders. "I have heard the appeals. The evidence justifies that it would be very hazardous to let off this man. Therefore, he should be bound down." You have got these stereotyped orders. Of course, my Honourable friend, Mr. Abdul Aziz, may not be of that type, but if you were to examine the District Magistrates' judgments, you will find that they never apply their mind. I have practised for 30 years, and I can say that I seldom expected justice at the hands of these District Magistrates in security cases. There may be good District Magistrates, but they dispose of those cases summarily. The cases may not have been instituted at the instance of the District Magistrates, but when they consult the Superintendent of Police, he says: "Well, Sir, there is a great lawlessness and people should be bound down." There is a general discussion with the Superintendent of Police as a result of which some cases must be instituted under section 107. Then, the District Magistrate considers it his duty to support the police and the police after having got this license prosecute people indiscriminately. Sir, these sections are being abused in every district. Of course, my Honourable friend, Captain Lal Chand, is sitting here as a Nominated Member, but I think all lawyers practising in Courts would defend this position that these appeals should not be decided by executive officers. The chief difficulty that we find is this that the judicial and the executive functions have not been separated. I do realise the difficulty that the work of the Sessions Judges might increase, but who is responsible for this position? If you allow the District Magistrate to do the judicial work, the work of the Sessions Judges must increase and we can only ask the Legislature to have the appeals heard by the Sessions Judges. Separate the executive from the judicial, and you will not find the Sessions Judges overworked.

Another Bill which my Honourable friend, Sardar Sant Singh, is going to introduce is with regard to section 30 cases. We say, let there be Assistant Sessions Judges to try section 30 cases, let these appeals be heard by these Assistant Sessions Judges. Then, the Sessions Courts will not be overworked. But you create difficulties in your way by not separating the judicial from the executive. You say that the financial position does not allow this, I do not agree with you there. My submission is that the Bill is very important. We have got bitter experience of these reserved powers and safeguards. They have become the rule of the day. This special power was reserved for exceptional cases, but in our province it has

Mr. L. Owen (United Provinces: Nominated Official): Sir, I rise to oppose this Bill. It is perhaps necessary to explain to this House that I myself belong to that unfortunate body of public servants known as the District Magistrates. I say unfortunate advisedly, for while to some we loom very large as the brutal instruments of an unprincipled autocracy, as the visible incarnation of unbridled power, to others we are remote as to be microscopically small and insignificant. And because we are ultimately responsible for the maintenance of these terrible twin Law and Order, it very often happens that the people murmur against us and the gods frown down upon us. That is why I have ventured to raise my voice in this august Assembly, because the laws which are made for the control of the criminal element in the population are the laws which we will have to administer. And do not forget that if the shadow of crime falls lightly on the man in the street, it is because of the work that is being done in the Courts of your Magistrates. It is fashionable nowadays to be sentimental about the criminal, to regard him as a fall brother, who has for unaccountable reasons strayed from the straight and narrow path of rectitude. There, but for the grace of God, they think of me. Well, generosity is a fine quality, an uplifting and a noble quality, but in this case it is misplaced.

An Honourable Member: Will the Honourable Member kindly speak up. We cannot hear him.

Mr. L. Owen: The sinister menace of crime is no less real, because it is unseen and because a large percentage of the population has never come within its orbit.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must speak up. It is difficult for the other side of the House to hear him.

Mr. L. Owen: The intention of every Bill must be to benefit some portion of the community. Now, let us see what portion of the community this Bill proposes to benefit. Well, if anything is certain, it is that it is not the honest, hard-working, God-fearing citizen who is to get a helping hand. Nor is it the amateur in crime, the man who has succumbed to sudden temptation or who has been driven to crime by hunger or by force of circumstances to commit his first breach of the country's laws. No, the type of man to whom this Bill will extend is to be found mentioned in the sections which are covered by section 40 of the Criminal Procedure Code. These are four in number. Section 106 deals with the bully, the ruffian and the disturber of the public peace. Section 108 deals with the sedition monger. Section 109 deals with the rogues, vagabonds and suspects generally, while section 110, which is a most comprehensive section, refers to habitual offenders, to those who are by habit and from choice robbers, receivers of stolen property, master thieves, habitual mischief makers, cheats and extortioners and to those also who are so desperate and dangerous that the very fact that they are at large is hazardous to the community. In short, the protégés contemplated in this Bill are the choicest scum of the criminal underworld. I hope they will be duly grateful to my Honourable friend who is the sponsor of the Bill for the interest that he takes in their welfare and for the solicitude he has shown for their well-being. That disposes of the section of the community which is to be benefited.

[Mr. L. Owen.]

Now, let us consider the nature of the relief which it is proposed to give. The object of the Bill is to ensure that applications in revision from orders passed under the preventive sections shall be heard by the District Judge and not by the District Magistrate, and the reason given in the Statement of Objects and Reasons before me is that the District Magistrate himself in most cases initiates the proceedings for keeping the peace. The fact is, of course, that in most cases the District Magistrate does nothing of the kind. (Hear, hear.) It is the Sub-Divisional Officer who initiates these proceedings, and, it is only in cases of emergency, of extreme emergency, that the District Magistrate intervenes either directly or indirectly. Now, let me take an instance of some such case. Supposing, for example, it is proposed to take out in two days time a procession along a disputed right of way and supposing if that procession is taken out, there is a likelihood of a serious breach of peace. If this is brought to the District Magistrate's notice, the position then becomes one of extreme difficulty. He cannot decide at a moment's notice which party is in the right and it is quite possible that he might then, on his own initiative, stop the proceedings against both the parties for keeping the peace. Assuming that this position has arisen, how are the parties going to be benefited if the application for revision is to be heard by the District Judge? The District Judge will then be in a position of equal delicacy, because, if he issues an order for stay of proceedings, he might find himself responsible for a riot of the first magnitude, while, if, on the other hand, he decides to hear the case in the ordinary way, the order will probably have lapsed before the day for hearing comes on. I would maintain, therefore, that in cases where the District Magistrate himself takes proceedings, the circumstances are such that the parties themselves would not benefit if the applications for revision were heard by the District Judge, and if this view is correct, as I think it is, then the whole object of the Bill is defeated. I have referred at some length to section 107, Criminal Procedure Code, because this section has been specifically mentioned by the Honourable the Mover in the course of the Statement of Objects and Reasons. If I have only given one example, it is because most Honourable Members in this House, I imagine, will be able to multiply examples from their own particular experience in the districts.

Then, passing for a moment to the other preventive sections: section 108, Criminal Procedure Code, is now almost a dead letter and can be ignored. With regard to the other two sections, as I said before, I cannot imagine circumstances arising in which the head of an important district will himself take the initiative in applying the preventive section. He may, if there is a sudden unaccountable increase in crimes in one of his sub-divisions, make enquiries as to whether use is being made of the section, but that is a totally different thing. As far as the individual criminal is concerned, and remember we are dealing with criminals now, I think that the District Magistrate is as unbiassed as the District Judge. I do not mean to say that mistakes are not made in the course of appellate work by the District Magistrate. If you wanted to look, you would probably find a thousand such mistakes and equally if you looked just as carefully, you would probably find a similar one that has been made by the Sessions Judge. If that were not so, there would be no need of any High Court, nor would there be any need of the Privy Council. The fact that one man is gazetted as the District Magistrate and another man is gazetted as the District Judge does not change his mentality.

Some Honourable Members: No, no.

Mr. L. Owen: I doubt it very much.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Then, act as a Sessions Judge and you will know it.

Sardar Sant Singh: The change comes as soon as the forum is changed.

Mr. L. Owen: I have never acted as a Sessions Judge, but I do know that in all appeals that come before me, I have tried to do justice. I do doubt very much whether, if these appeals are taken by the Sessions Judge, there would be very much difference ultimately in the result.

This brings me to my last point. The proviso which we are now considering is a purely permissive one. The power which is given to the District Magistrates is not vested in them by virtue of their office, but is conferred upon them by the Local Government, and I cannot for one moment imagine a Local Government even considering the conferring of these powers without, first of all, consulting its High Court. It must be quite clear to every one present that any step which excludes from the jurisdiction of the Judges a power which is vested in them can only be taken away with the fullest concurrence and consent. Nor do I think that the High Courts, which are the most careful guardians of the rights and liberties of the subject, would give that concurrence and consent unless they have fully considered what it meant and unless they have confidence in the work of the District Magistrate. It is for these reasons that I oppose the Bill which has been brought up by my Honourable and learned friend. (Applause.)

Mr. S. Satyamurti: I move that the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot accept closure now. Mr. Fakir Chand.

Mr. Fakir Chand (Jullundur Division: Non-Muhammadan): Sir, I rise to support the Bill moved by my Honourable friend, Sardar Sant Singh. This Bill has been opposed on two grounds. One by the learned Commissioner of the Ambala Division on the ground of financial stringency; another learned speaker, who has just preceded me, opposed the Bill on the ground of the Bill being not conducive to efficiency. He says that justice is better done at present by the District Magistrate than by the Sessions Judge. Now, I just want to inform the House as to the way in which this law is administered. We must start at the very bottom of the whole thing. Honourable Members, who have more experience than myself, will know how these security sections are used or abused by the police. The easiest way in which they proceed is like this. They will first enter the name of a man in their own register which is called the register of *budmashes*. They may enter anybody's name; there is no restriction and nobody supervises their work to see whether they are right or wrong. As a matter of fact, I can point to cases of defamation being brought against sub-inspectors of police who entered the name of a particular person as a *budmash*. So they enter the name of some person, and then, when a theft or some other crime occurs in the village, they will put up the man whose house is broken into just

[Mr. Fakir Chand.]

to point to that very man as a suspected person, and then a house search is made. Four or five times this man's house is searched. Then, he is brought up as a man of bad behaviour and he is challanned. There are *lambardars* and *zaildars* who come up to depose that he is not a man of good character. Ultimately, what happens is that there being the police statement there and also these witnesses, the magistrate binds the man down. As a matter of fact, there have been numerous cases of this sort that have come to the High Court. I will refer to only one or two to my Honourable friend, the Commissioner of the Ambala Division. If my memory does not fail me, they are Criminal Cases reported in the Punjab Record as Nos. 1 and 2 of 1898. They show the way in which these District Magistrates are doing their duty. The case comes up before the magistrate first of all, and he binds down the person. Then, at the time of appeal, in the majority of cases, these appeals are rejected, because they say no ground has been shown. In fact, the late Chief Justice of the Punjab High Court, Sir Shadi Lal, had to say in one case that these are no judgments at all as to say that no ground has been shown. He, therefore, warned the District Magistrates to write proper judgments. So that, the curse of the whole thing is that the police starts in a very bad way in dealing with these cases. As a matter of fact, these security sections afford a powerful engine of oppression to the police. They can extort money from persons who they think are likely to give money, and as my friend, Lala Sham Lal, explained, the District Magistrate himself does not directly initiate these proceedings. What happens is like this. The sub-inspector goes to the Superintendent of Police and reports that such and such persons are *budmashes*. The same report is made to the District Magistrate, and naturally the District Magistrate says that the *budmashes* should be challanned. And then these persons

Captain Rao Bahadur Chaudhri Lal Chand (Nominated: Non-Official): How does the Honourable Member know that they are not really *budmashes*?

Mr. Fakir Chand: I know much more than my Honourable friend. I have been practising in the Bar for the last 38 years and I am an Advocate of 18 years' standing. I may inform my Honourable friend that, though I am not a Nominated Member, I know much more of these cases than he does. My point is that the sinister way, in which the police start, is first of all to enter a man's name in the register of *budmashes*, then to have his house searched four or five times and then to put up a case before the magistrate and giving evidence of official witnesses. These *lambardars* and *zaildars* are always after certificates and they are always at the beck and call of the police. Then, the man is bound down and the appeal is rejected on the ground of no ground being shown.

Captain Rao Bahadur Chaudhri Lal Chand: Will my Honourable friend point out one single case

Mr. Fakir Chand: I have given two cases, and if my Honourable friend will look them up

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better not take any notice of such interruptions.

Mr. Fakir Chand: I could give one particular case, if my Honourable friend wanted it, of a man having large landed properties and being bound down. His appeal was rejected, and the matter had to be rectified by the High Court on the revisional side by saying that this man was not proved to be a bad character. What happened was, all the evidence that was adduced by the police was that his house was searched four or five times. The question came up, would that man be called a habitual thief in the words of section 110 if his house was merely searched on suspicion? The police puts up a man saying that this man is a suspected person and the man whose house is burgled would naturally say that this man's house should be searched. The mere fact that a man's house is searched does not lead to the conviction that a man is a habitual thief or offender. And, in fact, the High Court had to lay down, in the cases that I have referred to, that a man's reputation is best judged by respectable persons of his own locality rather than by official witnesses. These *zaildars*, *inamdars* and *lambardars* have been termed as official witnesses and the High Court of the Punjab had to lay it down strongly that, as a matter of fact, these persons, who are official witnesses, shall not be relied upon as compared with the persons of the locality. If these latter come in overwhelming numbers and say that this man bears a good character the Courts should not rely on the official witnesses who may say that his reputation is bad, although they cannot rely on particular instances to prove that. That is the way in which the security sections are used. Of course, my immediate predecessor may say that District Magistrates are not bad people, but who says they are bad? It is only human nature to be influenced to a certain extent by the persons who are around him and who are always talking about peace and law and order. My Honourable friend says, they do a great deal because they preserve law and order. Nobody blames them for doing that, but all that we want is a separation of executive and judicial functions.

I am an old member of the Congress which I joined in 1893. I was a member of the all-India Congress Committee for a great many years, but I know we have been striking our heads against a stone wall. We have been asking for the separation of judicial and executive functions, and the usual plea of the Government of the day was that there is financial stringency. The question was one of expenditure; that was the one reason given by the Commissioner of the Ambala Division. You do not think of this financial stringency when you want to build bungalows for European officials, but when the question of this important reform comes in, you enter the plea of financial stringency. I may inform my Honourable friend, the Commissioner of the Ambala Division, that in the Punjab we have District Judges and also Assistant Sessions Judges. The Assistant Sessions Judges exercise very nearly all the powers of District Judges and they can very well be given these cases. These cases of appeal under the security sections can easily be handed over to the Assistant Sessions Judges. All that we want is that these appeals should be heard by those Judges who are free from all taint of executive influence. Those people who know something of the executive administration of the district will only be anxious to see that there is peace and order; and the Superintendent of Police and the sub-inspectors of police will come up every day and say that peace will not be secured unless the persons of a particular territory are bound down as *budmashes*. So there will be no justice done. All that we want is that these appeals should be heard, not by the agency which is supposed to initiate these proceedings, not by the police agency

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[Mr. Fakir Chand.]

or by the executive head of the district who is the head of the police as well, but by other Judges who have had nothing to do with the executive administration of the district. I submit, there is nothing sinister in that, and I support the motion.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. Lalchand Navalrai: Sir, this Bill aims at the amendment of section 406 of the Criminal Procedure Code. That section has got a proviso which is causing mischief and that is why the Honourable the Mover of this Bill has asked for its elimination.

Now, section 406 says that all appeals from orders under section 118 of the Criminal Procedure Code would lie to the Sessions Court; but it makes one exception, that the Local Government may apply the proviso to certain parts of the country and make the appeals heard by a District Magistrate. Before this section was enacted in 1923, it is well-known that orders under section 118 were appealable to the District Magistrate alone. It was pointed out in 1923, that the change was absolutely necessary and the change was made; but a proviso was inserted to this effect, that the Local Government may have power to apply—it was understood only sometimes,—to certain parts of the country where they thought it necessary. But you have heard today from my Honourable friends from the Punjab that this proviso was not considered to be applied in exceptional cases, but they at once applied it to the Punjab, and, at present, appeals there are being heard by a District Magistrate. Now, what is this section 118—appeals against orders passed under which have to be heard by the Sessions Judge? Section 118 appears in Chapter VIII of the Code—it is called commonly the *budmash* chapter—not because the persons that are sent under that Chapter are necessarily *budmashes*, but perhaps because the manner in which it is being worked is a *budmash* method, and, therefore, it is popularly known as the *budmash* chapter. I shall explain how that chapter has been causing mischief and how it is necessary that appeals must be heard by the Sessions Judges. Instances have been given in this House today—my Honourable friend, Mr. Fakir Chand, also gave certain instances—of how this chapter is being worked. We have, on the other side, heard now a District Magistrate and a Commissioner who have been dealing with this chapter. But I can also claim some experience on this point, and I should like to put it to them what I am describing as a fact—and ask them if they themselves have been employing the same method or not; and then the question will arise whether the District Magistrates and sub-divisional magistrates can do justice in these Chapter VIII cases or whether it is the Sessions Court that can do better justice.

At the outset, I must say that I consider my Honourable friend the District Magistrate from Nainital, Mr. Owen, to be quite innocent in this

matter: I do not say he is ignorant, but I say he is innocent because he asserted it boldly and said: "What would be the result if the appeals are heard by a Sessions Judge? The result would be the same." I submit, not. I wish the Honourable Member had been in the chair of a Sessions Judge, where he would have to divorce all those rumours and reports that come to them as District Magistrates and he will have to sit, if he is so minded, with a mentality absolutely different, to do justice and nothing but justice, and not as it is being done now. I know that the procedure now being used is this: My Honourable friend from the Punjab said that the police officers keep a diary and they have certain persons entered there as bad characters to be eventually sent up,—this used to be the method some time before, and then it was solely in the hands of the police to brand a man as a bad character. But, after that, the executive thought of some better procedure and it is this—though it is also not doing any good either. The police are told not to send up *budmashes* and the District Magistrates and sub-divisional magistrates give instructions that the crop of *budmash* cases should come before them during the time they stay in their district headquarters in the summer season. What they do during the winter time is this. The District Magistrate and the sub-divisional magistrate keep diaries. When they are at their table and hear reports from zamindars and some of their enemies and others who come and give long yarns and tall talks, often rumours and reports, to brand one man or other as a bad character they enter all in these diaries. They thus collect names like this, and, during the winter time, when they are out on circuit, they go about inquiring. They meet people in the village—there are some enemies and some friends of the men whose names they have already recorded. They thus get some information—I do not say they are a party to the false information. They secure it honestly; but what is the consequence? If they come to know from one or two men that such is a bad character and they happen to find the name in their diary, then they are quite satisfied and the man is doomed. The sub-divisional magistrate next gives orders for the man to be sent up. That man is sent up by the police, to whom? To the same sub-divisional magistrate. The sub-divisional magistrate goes on with the case—generally these sub-divisional magistrates conduct these *budmash* cases—they come to a certain conclusion and the question of appeal arises. In the like manner, if certain information has been given to the District Magistrate, because these people who visit the sub-divisional magistrate also have access to the District Magistrate, then the case comes up before the sub-divisional magistrate and he convicts the man.

Now, my point is, should the appeal go to the District Magistrate? Should he have any voice in this matter at all? Is it fair when the situation becomes that of the prosecutor and the Judge in himself? More or less, he orders the prosecution and he comes to a conclusion, and the so determined *budmash* must be sent to jail for 12 months.

All these circumstances were considered by the Legislature in 1923, when it asked for the transfer of appeal from the hands of the District Magistrate to the Sessions Judge. Now, Sir, it is well-known that the country has declared and recognised the fact that the executive cannot be a prosecutor and a Judge combined; there ought to be a separation of the judicial from the executive. But if the Government are not going to do that, then the little that we can do is also being upset. Has it not been upset, I ask? The Legislature decided that the original practice of sending

[Mr. Lalchand Navalrai.]

cases to District Magistrates should cease and the appeals should be heard by the Sessions Judges, but how have the executive whittled down that proposal? You know it yourself, because, in the same breath, the Government applied the proviso to the Punjab. Fortunately, I must say that this notification is not applied to Sind

An Honourable Member: It is part of the Bombay Presidency.

Mr. Lalchand Navalrai: I am thus disinterested in this matter, and I merely offer my own opinion. I say that on principle the notification should not apply to any part of the country, and everywhere the Sessions Judges should hear such appeals. Now, I think, it will be admitted that the law was changed to do justice, and it must be maintained. How was this proviso enacted? We have heard today that the Assembly had no share in introducing this proviso. The matter went to the Council of State, and there the elders, who I should say consider themselves wiser than ourselves, put in this proviso. The proceedings will show that the Government were very strong on the point, and the elders gave it away. Then, how was it that this House accepted it? I would say that here also the Government were very strong in those days; but, because a certain law was made at a certain time when the Government wished it and put forward a pretext that the expenditure would be great, is that a ground for not eliminating the proviso which is a right thing to do? I feel, Sir, that, in the interest of justice, this proviso should be eliminated.

Now, Sir, coming to the reasons set forth that the adoption of this suggestion would involve additional expenditure, and, as said by some speakers that Sessions Judges are overworked and cannot hear appeals it has not been stated how many appeals they have to hear and decide. I would ask the Treasury Benches and those District Magistrates who are sitting on that side,—I hope there are some Sessions Judges also there who might give their own experiences,—I ask all these gentlemen to say how their work can increase. At present there are first class Sub-Judges who are helping the District Judges. The Sessions Judge and the District Judge is one man. His civil side work has more or less been entrusted to a First Class Judge. Formerly, all cases of over Rs. 10,000 used to be decided by the District Judges, but now First Class Judges have unlimited power, and, therefore, all the original cases go to them. The Sessions Judges generally deal with land acquisition cases and also with Sessions cases. Then, I ask, what would be the additional expenditure? If for the dispensing of justice there is going to be some additional expenditure, I think it must be incurred. Reason, common sense and justice demand that such additional expenditure should not be grudged. But, apart from that, it was stated that only two Sessions Judges would be enough to dispose of this work in the Punjab. If that is so, then can't the Government afford to have even two Sessions Judges to sit and dispose of these appeals to mete out justice to the people instead of leaving the matter to the prosecutor? I, therefore, submit that that argument does not hold good.

Then, Sir, with regard to the assistance that the Sessions Judges get, at several places Sessions Judges have got Additional Sessions Judges and also Assistant Sessions Judges. The Sessions Judges also can, under the Criminal Procedure Code, distribute the work and give it to Additional

Sessions Judges or to Assistant Sessions Judges. I, therefore, say that the argument that Sessions Judges are overworked is not correct, and the demand that is made that this proviso should be eliminated is a perfectly just demand and it should be met by this House.

Then, Sir, a point was raised that there may be certain revisional points in breach of peace cases going to the Sessions Judges and they will not be in a position to decide them properly. I really cannot understand that argument, unless it is meant that the Sessions Judges also should decide revisional matters on reports and rumours, otherwise the case will be presented to them and they will decide whether interlocutory orders should be given or not. Then, again, it is well-known how public prosecutors represent the case of the Government, and the public prosecutors generally represent nobody's side except that of the police, and, therefore, the circumstances will all be laid bare before the Sessions Judge. Therefore, taking into consideration all these points and without taking any more time of the House, I submit that this is a very necessary demand, and I support the motion.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, I rise to support the motion moved by my Honourable friend, Sardar Sant Singh, but, Sir, before I say anything in support of the motion, I must thank the Chair for giving me this opportunity, at long last, to say a few words in this House. I am not a man who believes in speaking in season and out of season, but I felt that a sort of suspicion was growing in the minds of some people against me that possibly when I took my oath of Membership in this House, which I did quite audibly, I had silently taken a vow of silence. (Laughter.) I know how detrimental to my reputation such an impression would be, and, therefore, Sir, I was anxious to seize the earliest opportunity of removing that suspicion.

As regards the motion which I want to support, I have heard two very informing speeches from the side of the Government, the speech of my Honourable friend, Mr. Abdul Aziz, the Commissioner of Ambala, and another speech, I believe, by the District Magistrate of Nainital. I feel bound to say that the views expressed by them deserve every deference and carry a lot of weight, especially the views expressed by my Honourable friend, Mr. Abdul Aziz, who supported them by quotations from the report of the Civil Justice Committee and by certain figures. But I happen to belong to the honourable profession of the law and happen to have practised in the Courts for about 35 years, and I have thus acquired some experience of the way in which the security sections of the Criminal Procedure Code are worked. My Honourable friend, Mr. Sham Lal, was audibly whispering that I had also been a Public Prosecutor. Well, of course, I was, but I did not intentionally mention it, because it might be taken as evidence of the reverse kind of experience. Anyhow, there are any number of instances that can be given in which District Magistrates do take the initiative in starting proceedings under the security sections. (Mr. M. S. Aney: "Hear, hear.") My Honourable friend, Mr. Fakir Chand, gave some instances. My Honourable friend, Mr. Sham Lal, who is another practising lawyer, gave certain instances. If all the instances were going to be cited in this House, every speech might become too long, but I will give only one instance of the way in which District Magistrates are mixed up, inextricably mixed up, with proceedings under the security sections, and show to the

[Syed Ghulam Bhik Nairang.]

House how their connection with such proceedings leads to absolute injustice. There was a case last year, I will not mention the place or the parties, but the case related to a village in the tahsil of Ambala, and it is a very recent affair. The majority of the village proprietors in a certain village, who were not only in a numerical majority, but also owned by far the major portion of the village, made an arrangement to settle a certain class of tenants in their village, the reason for that being that they were dissatisfied with the persons who were before that time their tenants and who were also living in the village. This class of tenants who apprehended that they would be dislodged by the incoming tenants thought of a device of approaching the Deputy Commissioner of the district by submitting a petition over 86 signatures, saying that so and so, owners of village so and so, had decided to import into the village a class of very undesirable people, and that, if this was allowed, there would be any amount of mischief done and even bloodshed might result. Making such wild allegations, they submitted their petition to the Deputy Commissioner. I may explain that in the Punjab the head of the district is officially designated as Deputy Commissioner. On the revenue side, he is called the Collector, and as a Magistrate he is the District Magistrate. Of course, it is now admitted that he is also the head of the police in a certain sense; in whatever sense he may be, he is the head of the police in the district. That was the Deputy Commissioner. I wanted to explain this to those who do not belong to the Punjab, so that they might understand what I mean. In certain other provinces, I believe his designation is the Collector of the district or something else. Well, this petition was submitted to the Deputy Commissioner, and somehow, the Deputy Commissioner, in spite of a report by a very experienced subordinate officer of his to the effect that nothing could legally be done on such a petition, passed an order that such and such people should not be allowed to settle in the village, and if they were allowed to settle there, so and so would be responsible. This order was duly served on the proprietors of the village through the tahsildar and those proprietors took the order to their legal adviser and asked him what his legal opinion was. He naturally said that the Deputy Commissioner had no authority to pass any such order. The proprietors of a village may allow any tenants to cultivate their lands, may give them sites to build their houses, may allow them to settle in the village. The Deputy Commissioner cannot, by an executive order like this, prevent any incoming tenants from coming and settling in the village. The proprietors thought that they were safe and they decided to ignore the order. But the mighty Deputy Commissioner could not, of course, tolerate it. Very shortly after, we found the Deputy Superintendent of Police trying to persuade the proprietors to agree not to settle those people in the village. The proprietors did not accept that position, and, a few days later, they were hauled up before a magistrate under section 107. What was this proceeding under section 107 but a lever applied to enforce the illegal, whimsical and arbitrary order of the Deputy Commissioner? Rather than admit with his experienced subordinate officer that he had no legal right to pass any order in the matter, he took his stand on his sense of dignity and tried to get his order enforced through the agency of the police. I will leave it to the Honourable Members to imagine what would have happened if, in that case, the magistrate had ordered security bonds to be executed by the persons concerned, and, if against that order, an appeal had been preferred to the District Magistrate

who happened to be the same Deputy Commissioner? The result would be foregone conclusion. So, I submit there are ways and ways in which these gentlemen, the District Magistrates,—who, of course, are a very estimable class of people, who in other ways are very good, but they are human beings after all,—act. They happen to possess various kinds of powers: exercising one kind of power in one sphere, they seek to support it by exercising another kind of power in another sphere.

Therefore, I submit to the House that the Bill which has been introduced by Sardar Sant Singh, seeking to repeal the proviso at present added to section 406, is a measure of very great importance and should not be brushed aside, simply because certain figures go to show that an enormous number of cases will be added to the files of the Sessions Judges. As has been remarked by some of my Honourable friends who preceded me, that matter too is not clarified by the figures which have been quoted by Mr. Abdul Aziz. As a matter of fact, a very pertinent question was asked by Mr. Jinnah whether he could give figures relating to the appeals which were preferred under the security sections—what the number of appeals was, so that this House might be in a position to judge how many appeals are likely to be added to the files of the Sessions Judges. The figures on that point are lacking. So really the apprehension that the work of the Sessions Judges will be inordinately increased has no foundation at present, and I think that according to the maxim—where there is a will there is a way—certainly ways and means can be found to see that while these cases go to the Sessions Judge, if any additions to the posts of Sessions Judges are necessary, which I hope will not be many, money, can be found to meet the expenses of the arrangements that may be necessary. I may, in passing, submit that really the most important and strongest argument in favour of the Bill came from the Government Benches. The learned District Magistrate of Nainital unconsciously supplied the strongest argument in favour of the Bill. I speak subject to correction, but I gathered from his speech that he saw that only vagabonds and robbers and men of that type were concerned in cases under these security sections and he wondered why so much solicitude should be shown for people of that class. Now, if he, as a District Magistrate, has got that impression, I think other District Magistrates may have got similar impressions, and, whenever an appeal in a security case comes before them, they may think “this is an appeal by a *budmash*, therefore, reject it,” and there it goes. Unless I have misunderstood his speech, I think that is the strongest argument in favour of the Bill which has been brought forward by Sardar Sant Singh which I very heartily support.

Dr. Bhagwan Das (Cities of the United Provinces: Non-Muhammadan Urban): With your permission, Sir, I will bring before the House one point which it seems to me has not been sufficiently brought

3 P.M. out in the discussion so far. The Bill is based on a vital principle of all good government. Even the Member for the Government who opposed the Bill admitted that the principle of it was all right. He said that he would welcome the Bill if financial difficulties were not involved therein.

The principle of the separation of judicial and executive functions has been, if I am not very much mistaken, repeatedly recognised by this Government. It has been conceded more than once in theory. But it has been withheld in practice all along on the usual flimsy excuse of practical

[Dr. Bhagwan Das.]

difficulties. I wish to submit to the House that no real financial difficulty is involved. The total amount of work will not be increased. Indeed I believe that it will be diminished, because when the police and the magistrates, who are concerned primarily with the working of these sections know that appeals will be considered carefully, they will take good care not to initiate false cases. (Applause.) But even if we do not allow that the total amount of work will be diminished, it is sure that in any case it will not be increased, and all that will be needed will be a redistribution of the total amount of work between the same total number of officials. The number of magistrates and the number of Sessions Judges taken together need not be increased at all. If the work of the Sessions Judges will be increased, correspondingly the work of the District Magistrates will be diminished. It will probably be objected that practical difficulties will be involved and the number of magistrates could not be reduced while that of the Sessions Judges would have to be increased. Even if this be so, the objection is not sufficient to avoid the needed change. We see, every year almost, that the areas of divisions are being realigned and the numbers of districts and tahsils being changed within the same province; and the numbers and areas of even the provinces are reconstituted from time to time. All these things are very much heavier and far more expensive pieces of work than the redistribution of executive and judicial work between the same number of officials in any given province. Really the alleged financial difficulties are non-existent. I need not go into the merits of the fundamental principle which is involved. That, as I have said, has been already conceded by the Government over and over again. The best thought on the subject of political science and of the integrity of governments now clearly and indubitably recognises that these two functions ought to be separated, and it is a crying shame that they have not yet been separated in this country. Therefore, I submit for the consideration of this House that even if financial difficulties were involved, they should be met and overcome. Large numbers of officials are being retrenched. Even police officers, so dear to the Government, are being retrenched. Not long ago, I heard from a sub-inspector of police that 30 places of sub-inspectors had been reduced in the United Provinces. When all these retrenchments can be made, if necessary, a couple of District Magistrates might well be retrenched to make room for the two additional Judges who, the Member for the Government said, would be needed in the Punjab. But District Magistrates are too firmly entrenched in the love of the Government to fear retrenchment. And, I say, none need be really retrenched at all. A few would, at most, have to be converted into Judges. What is wanted is only a redistribution of work, and that is not so very difficult to carry out when all these far heavier matters of redistribution are being tackled every now and then. Even if a few lakhs of rupees of additional expenses were necessary, they would be well worth spending for the sake of the rehabilitation of this very vital and fundamental principle of good government in this country. I would say that even if one additional Sessions Judge had to be appointed throughout India to every one of the districts, it would be worth while to do so for the sake of the principle, even at the cost of 20 to 30 lakhs more per year, which is certainly a very exaggerated figure. We have spent 20 crores of rupees on building these largely useless palaces and are perpetually indulging in all kinds of extravagant waste, but are denying a primary

elementary feature of honest government and simple justice to the people, under cover of paltry subterfuges. It is a crying shame, I repeat. No pretence of financial difficulty ought to be allowed to stand in the way of this motion being adopted.

Dr. F. X. DeSouza (Nominated: Non-Official): Mr. President, the principle underlying this Bill seems to be that as in all these cases the proceedings are being initiated by the police and the District Magistrate is the head of the police and responsible in the final resort for the peace and security of the district, it would not be fair to invest him with appellate powers, because it would place him in the invidious position of prosecutor and judge. My own experience extending over a quarter of a century as judicial officer has been that in no case, whenever officially or unofficially brought to my notice, did the District Magistrate fail to administer impartial justice. My Honourable friend questioned that, and he may be excused; because, there is no doubt a suspicion lurks in the popular mind that the District Magistrate is bound to have a bias towards the prosecution in such a class of cases.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): We know it to our cost.

Dr. F. X. DeSouza: Have a little patience. Sir, there is one principle of British jurisprudence which is of the highest importance and that is that not only should the tribunal seized of a case be absolutely impartial, but it should be like Caesar's wife—above suspicion. (Hear, hear.) This principle, to my own knowledge, has been carried sometimes to quixotic lengths. In the early days, when I was a junior magistrate, I tried a theft case brought by Messrs. Treacher & Co., a firm of grocers, well-known in those days. That case went in revision to the Honourable the High Court and was posted before a Bench of two Judges, one of whom had two shares of Rs. 100 each in Treacher and Co. and he declined to hear it, because, he said, there might be a suspicion of partiality if the public knew that he tried a matter in which he was interested, however remotely. If that, Sir, is the position which British Judges have taken up in this country, why this hesitancy about transferring such appeals from the District Magistrate to the Sessions Judges?

Sardar Sant Singh: Times have changed entirely.

Dr. F. X. DeSouza: Sir, the reason why this suspicion lingers in the mind of the public is that Indian policemen of today have not yet outlived the traditions of the Mughal *rai*. They have not yet begun to think of themselves as the servants of the people. Very, very different, Sir, is the case of policemen in self-governing countries. Sir, one of my first experiences, when I went to London as a student, was a popular song which everyone sang in the streets, the refrain of which ran—"if you want to know the time, ask the policeman". It really showed, Sir, that the London policeman—Bobby as he is called—is the darling of the public. Now, can you say the same thing of the Indian policeman? (Voices: "No, no.") When, Sir, will that time come when the Indian policeman will be regarded in the same light by the Indian public as the London Bobby is regarded by the London public?

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[27TH FEB. 1935.]

Mr. M. S. Aney: That depends upon the development of a proper sense of duty in the police.

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Dr. F. X. DeSouza: This state of public feeling towards the police force can only be created when the police force is not an agent of autocracy as it is today, but when the head of the police, responsible for law and order, will be a Minister responsible to a Legislature elected by the people. Nothing, to my mind, shows a more brilliant stroke of imagination on the part of the framers of the Report of the Statutory Commission and of the Joint Parliamentary Committee's Report than their decision to transfer law and order in the future Constitution to a Minister responsible to a popularly-elected Legislature. The fault today of the British system is simply this that the British officer today has more or less to live on the prestige of the Government. Rightly so, Sir, the prestige of the Government has to be maintained. But the prestige of the Government may mean harassment to the people. Cases have come within my own experience, when police officers have been censured in the open Court by the Judges, but no action of any kind was taken against them by their superiors. (Hear, hear.) Their position was facetiously compared the other day by a correspondent of one of the Indian papers who said that they were very much like the occupants of the Treasury Benches today in face of the Opposition—an irremovable executive in face of a judiciary considered to be irresponsible. That being the position, so long as this is the public sentiment with regard to the police, I think that the reputation of British justice in this country demands, that appeals under section 406, Criminal Procedure Code, should be heard by the Sessions Judge and not by the District Magistrate. What is the objection urged on behalf of the Government by my Honourable friend, Khan Bahadur Abdul Aziz? He agreed in principle that this is a very sound concession to the popular demand, but he urged certain financial and administrative difficulties. What were the financial considerations? He said it is just possible that more Judges may have to be added to the cadre of Judges in the Punjab. He gave no facts, he gave no figures, but let us assume that two more Sessions Judges have to be added to the Punjab. But, as my Honourable friend, Dr. Bhagavan Das, pointed out, is it not the case that to that extent the District Magistrates will be relieved? And would it not be a correct solution to reduce the number of District Magistrates if the number of Sessions Judges has to be added to? (Laughter.) Sir, to my mind, there is no justification for maintaining this attitude. The glory of British justice is: *Fiat justitia ruat cælum*:

“Let justice be done,

Though the Heavens fall.”

And, if there is no other difficulty except that two more additional Judges might have to be provided, I say that is a very insignificant ground for refusing to accept the motion. With these words, Sir, I support the motion. (Loud Applause.)

Mr. M. Asaf Ali (Delhi: General): I move that the question be now put.

The Honourable Sir Henry Craik: Sir, I am bound to confess that I have found this debate a little bit dull, perhaps because the subject is not a

very new or exciting one and partly because the speeches made have mostly followed very closely the arguments brought forward in their predecessors. I think it is desirable to remind the House that the operation of this Bill—the omission of the proviso to section 406—will actually only have effect in three provinces—the Punjab, Burma, the North-West Frontier Province and also in one part of Bihar. Elsewhere in India the proviso is not used at all, so far as I have been able to discover, and the Bill will have no effect whatever.

Now, we have heard a good deal from the point of view of the Punjab. I am sorry we have heard nothing from the point of view of Burma where the Bill will make a considerable change. But, as regards the Punjab, a part of India with which I happen to have considerable acquaintance, I would like to remind the House that the change which is proposed to be made by the Bill is one that is going to cause considerable dislocation of work and impose a considerable burden on the finances of the Province. A good deal has been made of the fact that we have been able to give no exact figures of the number of appeals presented under the security sections. It is perfectly true that in the very elaborate statistics compiled regarding the administration of criminal justice these kinds of appeals are not separately shown. But the figures for the number of persons bound over in the Punjab, which is of course one of the more criminal provinces in India, in the year 1933 for keeping the peace and for good behaviour was 16,205. Now, if you assume—and I think it is a moderate assumption—that one in five only of those persons appealed, that means that the number of appeals presented would be 3,241. It has been calculated that one Sessions Judge doing nothing else but hearing appeals against such orders could dispose of 1,000 appeals a year. Therefore, the effect of this enactment would be to make it necessary for the Punjab Government—who, mind you, have never been consulted—to propose and for the Punjab Legislative Council—who equally have never been consulted—to pass a financial provision for at least three new Sessions Judges. Now, Sir, I have been a Member of the Punjab Legislative Council continuously for over 12 years, and never once have I even heard the slightest suggestion, though we had every kind of suggestion for amending the Criminal Procedure Code, that this particular proviso should be eliminated.

Mr. M. S. Aney: How could any suggestion be made there?

The Honourable Sir Henry Craik: Of course, it could be made there—for instance in the general debate on the Budget. That is exactly the time when such suggestions could be made, or by means of a private Member's Bill.

Mr. M. S. Aney: It will be *ultra vires* of the Punjab Council to make any such suggestion.

The Honourable Sir Henry Craik: It is perfectly open to the Punjab Council to make such a suggestion. A private Member could introduce a Bill to this effect. Nor I have ever seen any suggestion in any Punjab newspaper that this proviso should be eliminated, and I am perfectly certain that I am right in saying that this is not a matter which has in any way seriously agitated public opinion in the province. No, Sir, there is no popular feeling behind this Bill so far as the Punjab is concerned.

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and I do not believe for a moment that it is generally felt, as my Honourable friend the Mover of the Bill said, that justice is not done by District Magistrates, and, therefore, the people do not appeal to them. I cannot accept that statement for a moment. At any rate the figures do not bear it out. I have examined the number of appeals—not in these security cases but appeals of all kinds—presented to District Magistrates' Courts in the last three years, and I find that they show a steady increase year by year, while the number of applications for revision presented to District Magistrates shows in the same way a steady increase.

Sir, my Honourable friend, Mr. Owen, was told that, because he has never been a Sessions Judge, he was incapable of taking an impartial view in such matters. Now, I have the advantage that for a considerable time I have been a Sessions Judge. I have also been a District Magistrate but I have been a Sessions Judge for a longer time than I have been a District Magistrate and I can assure the House that my attitude, in whichever capacity I was sitting as an appellate Court, was exactly the same. There was not a shade of difference. I would give the appellant just as much rope and just as fair and impartial a hearing as a District Magistrate as I did when I was a Sessions Judge.

Mr. M. A. Jinnah: There are exceptions to the rule.

An Honourable Member: You are an honourable exception.

The Honourable Sir Henry Craik: But I do not believe for a moment that I was an exception to the rule. It has been said that the Punjab can easily afford to pay for two or three more Sessions Judges. Well, if that is the honest opinion of the Mover of the Bill and of the House generally, why not consult public opinion in the Punjab? Why not move to have this Bill circulated? Why refer it straightaway to a Select Committee when you have not taken the trouble to ascertain public opinion on it in the province most closely concerned.

I should like the House to take it from me that if you are going to provide for three Assistant Sessions Judges to do nothing but try these appeals—and I am speaking with a very long experience of the province and with an intimate knowledge of the personnel of its judicial and executive services—you will not be able to find men with nearly so great legal experience or judicial training or experience of the country as you have at present as District Magistrates.

Some Honourable Members: Question.

The Honourable Sir Henry Craik: The District Magistrate at the present moment is more judicially-minded, far more experienced and knows more law than your Assistant Sessions Judge.

Mr. Lalchand Navalrai: He is also an executive officer.

Mr. President (The Honourable Sir Abdur Rahim): The Chair hopes Honourable Members will not go on interrupting the Honourable the Home Member.

The Honourable Sir Henry Craik: Thank you, Sir. Now, Sir, it is not enough for the Honourable the Mover of this Bill to say airily: "Oh, yes, the Punjab can easily afford to pay for two or three Additional Sessions Judges required". The Punjab cannot afford it and I am certain that any proposal of that sort would be turned down by the Legislative Council. As I have said, even if it were able to afford it, the necessary personnel is not available and I am convinced that the change would, in practice, be a change for the worse.

My friend, the Honourable Member from Rohtak, took the line that you may keep this proviso, but you are not justified in using it or in referring appeals to the District Magistrate until you have found by experience whether they cannot be disposed of by the Sessions Judge. He said that you ought not to make use of the proviso till experience shows that the system of appeal to the Sessions Court is not practicable. That, I understand, is my Honourable friend's point.

Mr. Sham Lal: Yes.

The Honourable Sir Henry Craik: But that is not what the Bill proposes to do. Let me remind my Honourable friend that the Bill proposes to eliminate the proviso altogether. So, however much experience may show that these appeals cannot be disposed of by Sessions Judges, nevertheless, if the Bill is carried, you will never be able to refer them to District Magistrates. That, Sir, is the point that my Honourable friend appears to have overlooked.

Sir, most of the speeches on this Bill have been speeches from members of the legal profession and I sometimes think, when I hear members of that great profession expounding their views on the question of the administration of criminal justice, their minds are unconsciously biased by the fact that they seem to be generally fancying themselves in the role of counsel for the defence. To that type of mind, every criminal is an innocent man, every policeman is a tyrannical scoundrel, every District Magistrate is

An Honourable Member: A criminal.

The Honourable Sir Henry Craik: I will not say a criminal, but every District Magistrate has a distinct "executive bias" and is always the prosecutor and the judge as well, and no Judge can be impartial unless he is a Member of a High Court or sitting on a Sessions Bench. My experience is that things are not always as black in this particular respect as they are painted. As I have said, I have been myself a District Magistrate and I have been a Sessions Judge—I make no claim to be an exception, but I do claim that I was a good Sessions Judge, not for very long, but still I received the compliments of the High Court on my performances as a Judge. But the greater part of my life has been spent on the executive side and I would not admit for a moment that I had thereby acquired an "executive bias". I do not admit for a moment that because it happened to be my duty to sanction the institution of proceedings against certain men, a duty which is a mere formality and by no means a regular stage of the procedure, if that had been my duty, I do not admit for a moment that I would not hear the appeal of those

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men with as complete impartiality as if I had never heard of the case before, as if it was coming before me for the first time. I believe I am right in saying that the belief is shared by a great majority of the people in the Punjab, that justice in the District Magistrate's Court is administered with an even hand and with an impartial mind.

Some Honourable Members: No, no.

The Honourable Sir Henry Craik: I repeat my belief that there is no demand in the Punjab for this change. I cannot speak for Burma. I only regret that none of the Honourable Members from Burma have enlightened the House today as to the state of feeling in that province, but in the Punjab, I am certain that there is no general demand for this change, and if it is imposed from above by the Central Legislature, without consultation, without any attempt to ascertain the views of the local Legislature, or the Local Government or the local public, I am sure that that measure would be deeply resented. I ask the House to reject this motion. (Applause.)

Mr. S. Satyamurti: Sir, I must congratulate the Honourable the Home Member on having found his voice this afternoon. After all, he can speak well, and he can speak so that every word may be heard and I do suggest that when he answers questions in the mornings, he may be as loud as he has been just now.

The Honourable Sir Henry Craik: If my answers are inaudible to the Honourable Member, his series of supplementary questions, generally far more numerous than the original questions themselves, are equally inaudible to me.

Mr. S. Satyamurti: I am sorry to hear that. I thought that my defect was that I was too loud, but I will take care to be louder hereafter in the mornings.

The Honourable Sir Henry Craik: Shrill but not loud.

Mr. S. Satyamurti: Sir, I must express my surprise at the Honourable the Home Member's great solicitude for public opinion this afternoon. Have any Punjab interests asked for this? Has the Punjab Legislative Council asked for this? Has any Punjab Association asked for this? It seemed to me, Mr. President, as if the Government of India had suddenly become very responsive to public opinion. It is very curious that whenever all sections of opinion in this country want a thing, the Government turn a deaf ear to that, but whenever they find a suitable opportunity when they can say something about some province not having asked this or that, they suddenly put on an attitude of righteousness, and say that public opinion has not asked for it. Now, Sir, I see some Honourable elected Members of this House from the Punjab have already spoken and all of them have supported this Bill. I should like to know if there is a single elected Member from the Punjab in this House, who is against the Bill.

Mr. M. Ghiasuddin (Punjab: Landholders): There is one. (Applause.)

Mr. S. Satyamurti: Sir, I accept that correction of one elected Member from the Punjab being against this Bill.

Mr. H. M. Abdullah (West Central Punjab: Muhammadan): There is another. (Applause.)

Mr. S. Satyamurti: All right, let there be two. I make this offer to Government that they must accept the opinion of the majority of the elected Members. (Hear, hear.) Do they believe in democratic machinery and in the public opinion of majority or do they believe that a minority is going to be the public opinion in this country? I was suggesting that the Honourable the Home Member cannot put off this motion on the ground that public opinion is not in favour of it.

Then, Sir, he tried to prove too much really. If really the District Magistrates are more competent and more judicially minded, and the Punjab people have got more faith in them than even in the Sessions Judges, I suggest to the Honourable the Home Member to bring in a Bill to amend this section altogether. I want to bring to the notice of the House the scheme contained in this section:

"Any person who has been ordered under section 118 to give security for keeping the peace or for good behaviour may appeal against such order, if made by a Presidency Magistrate to the High Court, if made by any other Magistrate to the Court of Sessions."

That is the normal law for the Provinces and throughout India. There is only the proviso, Mr. President:

"Provided that the Local Government may, by notification in the local official gazette, direct that in any district specified in the notification appeals from such orders made by a Magistrate other than the District Magistrate or a Presidency Magistrate shall lie to the District Magistrate and not to the Court of Sessions."

Therefore, the authors of this Code contemplate, that in all Provinces including the Punjab, appeals shall normally lie to Sessions Judges. It is only this—power is given to the Local Government, in certain districts, and not in provinces, to provide for such appeals lying to District Magistrates. I suggest, Mr. President, that the burden of proof is on those who want to show that appeals should lie to District Magistrates, and not to Courts of Sessions. Is it contended that in the Punjab alone, the Sessions Judges are peculiarly incompetent to try and hear appeals from these orders? If Sessions Judges are good enough for every Province, excepting the Punjab and excepting Burma, is it suggested that there are certain considerations as to why the Sessions Judges ought not to hear these appeals?

One argument which has been put forward by the Honourable the Home Member and by the official speakers before me is the question of extra cost. The Honourable the Home Member made a calculation and said that we would require about three extra Sessions Judges to hear these appeals. Now, Sir, I wonder how these calculations were made. I take it that these appeals are now being heard by District Magistrates. Therefore, if these appeals are to be transferred from District Magistrates to Sessions Judges, there will be so much saving of work on the part of the District Magistrates. The work on the whole is not going to increase. That is not contended. On the other hand, as my Honourable friend,

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Dr. Bhagavan Das, said very rightly, it is quite possible, it is quite on the cards, that if appeals lie to Sessions Judges, the number of initial orders will decrease, because magistrates may be very much more careful in initiating these orders. Therefore, it seems to me that the argument for an increase of Sessions Judges is over-worked. It may be but one or more than one, say two. After all what will be the total cost of these Sessions Judges? I take it they are paid about Rs. 1,000 or Rs. 1,200 a month. It will mean about 30 or 40 thousand a year. Is it seriously contended that the Punjab, one of the richest provinces in India, which is growing richer, cannot afford this extra trifling sum of Rs. 30 or 40 thousand a year?

There is also one matter on which I should like to address the House, specially those Honourable friends who enthusiastically supported this differential treatment against the Punjab. At an earlier stage of the discussions in the Round Table Conferences, and the Committees which followed, it was seriously suggested that certain provinces should be treated differently from others, that while in certain provinces there might be full provincial autonomy, in other provinces there ought to be less of provincial autonomy; for example, law and order ought not to be transferred. At that time, there was a hue and cry throughout the country, that we should not have any difference between one province and another, and that all provinces ought to be treated together. Now I put it to my Honourable friends from the Punjab whether it is right that what is considered right and proper and good for all other provinces should be considered bad for the Punjab alone. What is there in the manhood or womanhood of the Punjab which makes it necessary that not Sessions Judges but District Magistrates should try these cases?

On the merits of the case, I think the best case for this Bill was made by my Honourable friend, Dr. DeSouza, from behind the Government Benches. He said that it is not only necessary that justice ought to be administered fairly and impartially but that those who seek justice must have the absolute consciousness that justice is being meted out fairly and impartially. Can it be said, Sir, that when appeals come to the District Magistrate from orders of subordinate magistrates asking for security, that sense of justice and consciousness of proper justice being meted out exist in the minds of all people?

Then, Sir, both the District Magistrate who spoke and the Honourable Member who referred facetiously to the legal profession, suggested that to the legal profession every criminal is innocent, and the District Magistrate also said that this chapter deals with vagabonds and *budmashes*. That is exactly the point of view which this Bill wants to destroy, and to substitute for it the proper British point of view, the proper judicial point of view, that is to say, that every man must be presumed to be innocent, until he is proved to be guilty. The District Magistrate hears appeals. If he represents the class to which my Honourable friend belongs, the moment the appeal comes before him, he starts with the presumption that he is a *budmash* and a vagabond.

The Honourable Sir Henry Craik: The lower Court has found him so.

Mr. S. Satyamurti: Exactly; My Honourable friend is still primitive in his judicial conceptions, in spite of his boast that he was a very good

Sessions Judge. It does not matter a bit whether a Court has found the man to be a vagabond. The Appellate Court must hear the entire case, presume he is innocent, and come to a conclusion on the evidence before it and after hearing the arguments.

The Honourable Sir Henry Craik: Does my Honourable friend seriously advance the legal proposition that an Appellate Court must presume a man to be innocent who has been found guilty by the lower Court?

Mr. S. Satyamurti: Undoubtedly.

Mr. M. A. Jinnah: Undoubtedly.

Mr. S. Satyamurti: It seems to me that that is why we get such Honourable Home Members who do not understand the a, b, c of criminal justice, who presume a man to be guilty when he has got a perfect right to re-open the whole matter in appeal, to make the Appellate Court go through the whole evidence, and go into the records and hear arguments and then say whether the man has been rightly convicted or not. On the other hand, the Honourable the Home Member gets up and asks me whether he is to presume a man to be innocent when he has been convicted. Therefore, you are unfit to hear these appeals; you have not got a judicial temperament and a judicial mind. And I put it to my Honourable friends from the Punjab who are enthusiastic on having such District Magistrates whether they still want them to try these security cases.

It seems to me these security cases are very important, more important even than ordinary trials. In ordinary trials after all, there is a far more formal procedure in the lower Court and far more care taken on all sides, whereas in these security proceedings, although the law provides for a proper trial, there is always a tendency to treat them as more or less summary cases. When these trials are held like that, and we get these District Magistrates, God help these unfortunate people! I, therefore, appeal to my Honourable friends from the Punjab, unless they have any conscientious objections, to vote for this Bill, as there can be no objection to Sessions Judges.

Then, Sir, my Honourable friend, the Home Member, referred to Burma. I sincerely hope the Honourable Members from Burma will see the need for this Bill. They are as self-respecting and as enthusiastic about their province having the same status as every other province in India. I am sure, therefore, they will support this Bill.

Then, Sir, the Honourable Member made a statement about the Punjab Legislative Council on which I must contradict him. The Punjab Legislative Council cannot alter this law. It is an all-India piece of legislation, and, therefore, it is only in this House that we can take it up.

Several Honourable Members: The Punjab Council can alter the law.

Mr. S. Satyamurti: Yes, with the leave of the Governor General. But it seems to me that the proper place to agitate this is this place, and, as a matter of fact, it was passed by this Assembly. It is, therefore, this place which has got the right and the duty to give this relief to the Punjab people.

[Mr. S. Satyamurti.]

Now, Sir, apart from the arguments, apart from the figures, let us look at this as a mere human question. Do or do not District Magistrates function as representatives of Government in respect of the districts? I want a straight answer to a straight question. And, are they not really factual heads of the police, although there is a District Superintendent of Police? Are there not confidential documents passing between the police and the magistrate day in and day out? Do they not really stand there in order to strengthen the police and represent them in their dealings with the citizens? Therefore, it seems to me, it is asking too much of human nature to expect that District Magistrates will have the same strict impartiality, the same strict judicial temperament, the same freedom from prejudice that we expect the Sessions Judges normally to have. That is the one solid ground on which this Bill is based.

And I will conclude as I began. The scope of this Bill is not to confer something special on the Punjab or on Burma or on the North-West Frontier Province. On the other hand, the scope of the Bill is to place the Punjab, the North-West Frontier Province, and Burma exactly in the same position as every other province in British India today; and the representatives of the Punjab and of the Government will have to make out a very much stronger case, than they have so far made, in order to justify this perpetual insult to these provinces, under which District Magistrates are given the power to decide in appeal, orders under these security sections. Even in the Punjab, Sir, when District Magistrates make these orders, appeals lie to Sessions Judges, and it seems to me that the motion of the Honourable the Mover today to refer this Bill to Select Committees is an eminently reasonable one and deserves the support of all sections of this House including, may I add, all the elected Members from the Punjab.

U Ba Si (Burma: Non-European): Sir, as reference has been made to Burma, I feel I ought to say something on this subject. I am sure, Burma will welcome this amendment of the law. The sub-divisional magistrate and the District Magistrate are two executive officers just like the hand and the glove in the interest of peace and order in the district; how can, therefore, one hope to get an order passed by a sub-divisional magistrate under the sections in discussion set aside by his immediate superior executive officer, the District Magistrate? In my experience of 20 years, I do not remember a case of this nature where I could have got a conviction by a sub-divisional magistrate set aside before the District Magistrate. Therefore, I submit that in a case of this kind the appeal should lie to the Sessions Judge or to the Assistant Sessions Judge and not to the District Magistrate. Just one word more: it is not necessary to have more Sessions Judges or Assistant Sessions Judges for this purpose: the present number is quite sufficient for this purpose.

With these few words, I support the Bill.

Mr. M. A. Jinnah: Sir, but for the few observations that fell from the Honourable the Home Member, I really would not have intervened in this debate. I have not the slightest doubt as to the nobility of mind of the Honourable the Home Member: From what little opportunities I have had for a short time, I am more than convinced of his sincerity and of his belief in what he says: but if the Government really and seriously wanted this House to consider the question whether this Bill should be circulated for further opinions, may I not tell the Government that they

ought to have been in possession of those facts and they ought to have placed those facts before the House?

The Honourable Sir Henry Craik: What facts?

Mr. M. A. Jinnah: I will tell you in a minute. We have been discussing certain general principles, and I do not think it is really open to the Government to challenge those principles that, in the ordinary normal course, there should not be a departure from the provisions of section 406 which lays down that normally an appeal should be heard by a Sessions Judge: then, this proviso was inserted there: it was inserted, because, in certain eventualities, it may become necessary for the Provincial Government, for very cogent reasons, by notification in the Gazette to direct that the appeal should be filed or heard before a District Magistrate. The first statement that the Honourable Member from Rohtak made, made it perfectly clear that so far as the Punjab Government is concerned, they never gave a chance to the people of the Punjab, but straightaway, as soon as the Act came into being, by notification directed that the appeal should lie to the District Magistrate and not to the Sessions Judge. What was the reason for that? Was it going to dislocate the administration? Did they find at once that they will have to engage four or five Sessions Judges? No answer has been given to that. No explanation has been given on that point. Why did they do it? You have done it. Now, you come before this House and you tell this House that is the reason. I had no evil designs on the impressive speech that the Honourable Member, Mian Abdul Aziz, was making—I certainly never intended that I should embarrass him in any way when I put that question; but I was so attracted by his wonderful figures and there were so many figures that I really thought that the time had come when I should ask him to give me some really pertinent figures; and so I could not restrain myself and I asked him the question: and what was the answer? No answer. The Honourable the Home Member came to his rescue. I was waiting for the Honourable the Home Member to tell me what are the figures. Before you can command our respect and our confidence in what you are saying, however sincere you may be, you must place the materials before us to persuade us to take the line that you think is the right line to take. We have had absolutely no materials. The Honourable the Home Member prepared what we call a provisional menu for us, and that was this: he said there are so many cases, so many convictions, and, therefore, there would be so many appeals. I for one am not prepared to accept that provisional menu and digest it. Government ought to have been ready to give us actual figures: Government ought to have been ready to give us figures as to the financial liability which the province will have to bear, and, then, if the Government had said: "The situation is serious and we want now that the Bill should be circulated for the opinion of the Punjab, because, after all, it is the Punjab that will have to bear the burden", I certainly would have supported the Government in their desire for circulation.

As regards the other matters, really we have wasted our time altogether. But for these two reasons, that is, that there would be serious dislocation of administrative machinery and that the financial burden would be so heavy that the Punjab cannot afford it, the Government have no answer to this Bill. I am not satisfied on these two questions, and I cannot, therefore, support the Government. I must support the Bill.

Mr. K. L. Gauba (East Central Punjab: Muhammadan): Mr. President, it is with considerable reluctance that I have decided to intervene in this debate; and, particularly after my leader has supported the Bill, I regret that I should have to stand on the other side of the House.

In regard to this Bill, I think there has been a little misunderstanding. Most of the Members have tried to judge conditions in the Punjab by conditions prevailing in other parts of the country. Mr. Satyamurti asked whether the people of the Punjab lacked self-respect or were different in manhood or womanhood not to support this measure. As a Punjabi, I do not yield in self-respect to any other Member of this House; in manhood or womanhood, I do not think the Punjab will yield to anybody anywhere else in the world: but, after all these are not the questions which are before us. Here we have to see whether a case has been made out for a modification of the law as it stands. The law, as it stands, permits notifications in cases where the particular circumstances of a province call for notification. Mr. Jinnah asked whether in Punjab there was a case made out for a notification to have issued, or, whether the Punjab Government issued a notification merely for the sake of getting a particular type of cases disposed of by a particular class of officers.

Well, Sir, I hold no brief for the Punjab Government, but, as a practising lawyer of Lahore, all I can say is this, that, in the year 1922, 1923 or 1924 when this notification was issued the congestion of work in the High Court and in the District Judges' Courts was so colossal that Government were compelled to issue this notification. Civil cases in the High Court were four years in arrears; civil cases in District Judges' Courts were two years in arrears. At the present moment the new administration in the High Court has cleared off some of those arrears in the High Court, but everybody who practises before a District or Sessions Judge's Court knows, that even today you cannot get civil appeals heard under six months to a year. The congestion is great, and if these five or six thousand new cases annually are brought in, well, the congestion will be infinitely greater. There is also another circumstance, and it is this. I will merely mention an incident that occurred in the High Court Bar Room only a few days ago. The Chief Justice visited the members of the High Court Bar and discussed with them various matters. One of those matters related to the delay of cases in the lower Courts, and another matter was the new practice,—I do not know how it has arisen,—of appointing comparatively junior members of the Civil Service as District and Sessions Judges. These people after four or five years have the power of sentencing persons to the maximum penalty provided by the law. Now, the High Court has definitely found that the work turned out by these District and Sessions Judges is not up to the required standard. How can you, therefore, burden these Courts with further work when they are already overburdened with work which is not discharged entirely satisfactorily? I agree with the Honourable the Home Member that in many cases there are persons of much longer judicial experience carrying on and working as District Magistrates. I do not know what the position in the rest of India is, but so far as the Punjab is concerned, the position does not call for any change at the moment.

An Honourable Member: Question.

Mr. K. L. Gauba: My suggestion, Sir, is this. When the arrears are cleared off,—and efforts are being made to clear off the arrears,—the position in the Punjab can be modified at once by a notification. I think the Honourable the Home Member should give an assurance to this effect. I fully agree that appeals shall, as far as possible, be heard by the most superior tribunal that can hear such appeals. I am entirely at one with the other Honourable Members who have spoken in support of this proposition, but as soon as the administrative and financial difficulties are over, and these arrears are cleared off, these notifications, so far as the Punjab is concerned, should be withdrawn. I think that will serve the purpose of Honourable Members. What we have to see today is this,—whether this provision is to remain as a part of the section, or, whether a case has been made out for the deletion of the provision from the section as it stands. I submit, Sir, from the case so far made out, no case has been established for the deletion of the proviso, even in the case of the Punjab; and, if a case has been established at all, it is for the modification of the notification, and not for the modification of the section as it stands. I, therefore, oppose the Bill.

An Honourable Member: Sir, I move that the question be now put.

Mr. M. S. Aney: I have risen, Sir, only to give a reply to one point which has been repeatedly emphasised in this debate by my friends on the Treasury Benches and by those who sit behind them. Their main objection to the acceptance of this Bill was on the ground of the financial inability of the Punjab Government to maintain the necessary staff of Judges for carrying on the judicial work that will have to be performed in case the Bill is accepted. I want to bring to their notice the fact that section 406 of the Criminal Procedure Code was enacted in the year 1923 for the whole of British India, including the Punjab, and the proviso was added to it with a purpose which may be anything, but entirely not one contemplating the financial difficulties of any province. One has only to read the proviso carefully to understand what I say:

“Provided that the Local Government may, by notification in the local official Gazette, direct that in any district specified in the notification appeals from such orders made by a magistrate other than the District Magistrate or a Presidency Magistrate shall lie to the District Magistrate and not to the Court of Session.”

The Local Government is given the power to restrict the appeals to the District Magistrate in a particular district, and not at all in the province as a whole. So it evidently contemplates the existence of certain circumstances other than the financial position of the province in this matter. By enacting section 406 in the form in which it stands today, this Legislature has created a responsibility which the Provincial Government has to discharge, and, therefore, an argument based upon financial position is, in my opinion, entirely beside the object with which section 406 was enacted. That argument seems to be somehow an excuse which is put forward, and, on the strength of it, the Government succeeded in misleading the Members of the other House on the last occasion.

Now, the other argument which my friend, Mr. Gauba, advanced is this. He said that if the situation improved, the Local Government would modify the notification. Now, the notification, I am told, was issued as soon as the Act was passed, and no chance was given to anybody to see whether it was not possible for the Sessions Judges to cope

[Mr. M. S. Aney.]

with the amount of work that would be thrown on them in case the law was allowed to work in the normal order. 12 years' period has passed, and, even after this period of 12 years, there appears to be no inclination whatsoever on the part of the Punjab Government to bring that province on the level of other provinces in this matter. Therefore, there is no case hereafter for anybody to ask this House to wait for the generosity or good sense of the Punjab Government. It may not develop. Even the little that is imported here from the Punjab shows that the tendency is to stick to their own decision rather than to entertain more logical and saner proposals.

Then, there was another argument, and I was a bit surprised to hear it. We were told that the Assistant Sessions Judges, who were recruited in the Punjab, were not discharging their duties properly or that their work did not come quite up to the required standard. Does it require a greater legal acumen for a Sessions Judge to decide an appeal against security proceedings than what is required to decide other appeals? If they can be entrusted with the work of appellate work in more serious criminal cases, if they can be expected to decide many other intricate points of law in civil cases, where is the difficulty in entrusting Sessions Judges or their Assistants with the duty of hearing appeals in cases arising out of security proceedings? Their legal acumen can very well be trusted in this matter as well. Therefore, Sir, it seems to me that all the arguments advanced in opposition to the motion made by my friend are not at all valid, and I would, therefore, ask this House to support the motion before the House.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): I move, Sir, that the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is that the question be now put.

The motion was adopted.

Sardar Sant Singh: I am very thankful to the Honourable Members who have extended their hearty support to my motion. As it is already a quarter past four, I do not want to move my other motions in order to give room to about 14 other Bills that are to be introduced today. I do not think I shall be justified in acting in a way which may be prejudicial to other Honourable Members who may want to move their motions. So, I will be very brief in my reply.

My Honourable friend, Khan Bahadur Mian Abdul Aziz, Commissioner of Ambala Division, has very kindly, by implication, accepted that there can be no objection to the principle of this Bill. My Honourable friend's objection was that the number of appeals would be so many that it would be difficult for the Sessions Judge to dispose of them, and he gave very interesting figures as to the number of cases that were disposed of by the magistrates in the Punjab, and, that number, according to him, was much more than the number to be found in any other province. The reason for this large number of cases is that the police know that every case brought before a magistrate will be decided in their favour and the man will be bound thereby. If you take along with it the mentality,—

I must say with very great regret—that has been given expression to by the Honourable the Home Member in this House that the Punjab is a criminal province—you can see that it is not the merits of the case that bind the people down to give security for a number of years, but this is the mentality behind those cases. When I brought this measure in 1933 before the last Assembly, I expected that the common courtesy would be shown to me by sending the speeches made in this House to those who were in charge of the Punjab Government and that they would be circulated among the members of the judiciary and then some sort of opinion would be invited, though my Bill did not succeed that time. But, instead of doing that, I know, and I think I am right when I say that the speeches were not transmitted even to the Honourable Judges of the High Court. If the Government are bent upon treating the opinions expressed in this House by the elected representatives of the people with such contempt, we are bound to come over and over again to express those opinions on the floor of this House, through the press and the platform and to see that we are heard.

Now, the complaint is that I should have moved for the circulation of this Bill. May I ask when I gave notice of this Bill? In the month of December last. The Government knew that this Bill would come up for discussion in this House, and if I mistake not, my Bills were the only Bills of which earliest notice was given. They knew that, and still why did they not circulate and get the opinions from the Local Governments by this time? They should have been ready with those opinions. Therefore, this point is not such as should appeal to the Honourable Members of this House.

Then, my Honourable friend, Khan Bahadur Mian Abdul Aziz, said that the Civil Justice Committee appreciated the work of the High Court, and through the High Court the work of the Civil Judges in the Punjab. If any appreciation is necessary, I am willing to extend that appreciation so far as the Civil Judges of the Punjab are concerned. They are more independent, more honest and more up to date in their knowledge of the law than I can say about the magistracy of the Punjab. The most honest magistrate in the Punjab openly confesses in private conversation that he has to carry out the behests of the police; otherwise he would not be there. I am talking of those exceptional magistrates whose honesty I can swear in any place, in any temple even. Can it be contended that, with such a magistracy in the Punjab, the Punjab Government can expect less crime than they are getting now? The idea of the Government seems to be that the stricter the magistrate, the more willing agent he is to carry out the behests of the police, and the more corrupt the way in which justice is administered the greater will be his influence upon the people. I beg to differ from that. I tell the Government that if they want to reform the Punjab, if they want to get the Punjab out of this criminality, they should provide for better justice. Let the Punjabis feel that justice is being done to them, and there will be less of crime than it is at present. We are thinking in diametrically opposite ways. I certainly feel humiliated when on the floor of this House such a noble man—I do give willingly the praise due to our Home Member, Sir Henry Craik,—he has been very long in the Punjab and his impartiality is known there,—has openly on the floor of this House stated that the Punjab is a criminal province. Is it not humiliation for all Punjabis who are sitting here?

The Honourable Sir Henry Craik: I must with regret interrupt my Honourable friend. If he is making any suggestion that I said that the Punjab Members here are criminals, he is quite wrong. What I said was that the Punjab, as compared with most other provinces of India, is a criminal province. Nobody can deny that; it has been proved over and over again by statistics. There is only one province which has more crime than the Punjab, and that is the North-West Frontier Province.

Mr. M. A. Jinnah: You mean more crimes are committed in the Punjab.

The Honourable Sir Henry Craik: There is no implication of humiliation in making that statement. It is common knowledge. The Honourable Member is certainly not entitled to say that what I said is humiliating. I am merely repeating a fact which is common knowledge in India.

Sardar Sant Singh: I am glad that my Honourable friend has come forward with a better explanation. I do mean what I say when I still say that the Punjab feels humiliated when it is said that there is a large number of crimes in the Punjab. May I ask my Honourable friend what justification he had to get the aid of the troops in Bengal if it were not for the fact that there were more crimes in Bengal than in the Punjab?

A Few Honourable Members: No, no.

(There were also other interruptions.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Let the Honourable Member go on with his speech.

Sardar Sant Singh: I maintain that if you begin to use more repression even in a good province, you will find an increase in the crime in that province, whether it is the Punjab or Bengal or any other province. That is not only my experience. When the occasion arises, I will quote from the greatest jurists of other countries that they support my view.

[At this stage, Major Nawab Ahmad Nawaz Khan rose in his seat.]

Sardar Sant Singh: I refuse to give way.

I was saying that some of the Honourable Members from the Punjab got up in reply to a question put by my Honourable friend, Mr. Satyamurti, that they were opposed to this Bill. One of them, my friend, Mr. K. L. Gauba, has explained the position as a lawyer. He is against my Bill, not because it is inherently bad, but because I should have moved for the amendment of the notification. I do not think that was a feasible course, but supposing that he honestly believes what he has said, this point could be discussed in the Select Committee. After all, this Bill is not going to be passed today. I ask for its reference to Select Committee only.

I shall now come to the two main questions that were raised by the Honourable the Home Member. He says he has two objections to this Bill. There will be a considerable dislocation of work and financial burden upon the province. When I moved my motion, I referred to this matter and said that where the question of administration of justice was concerned, financial burdens did not matter much. If we can find 17 crores of rupees to build these huge buildings on account of the change of Capital, a few lakhs do not matter. Then, much was made of one

fact, that the Punjab Council never asked for it. I may remind my Honourable friend—and I think he will remember it if I remind him, that a Committee under the chairmanship of Mr. Justice Le Resignol was appointed for the separation of judicial and executive functions in the Punjab, and if I don't remember wrongly, I think that Committee recommended that judicial and executive functions should be separated.

Now, Sir, I will deal only with one point and leave the motion in the hands of the House. I think my Honourable friend will agree with me when I tell him that the District Magistrates are so much worked that they are transferring the ordinary appeal from convictions from second class and third class magistrates to Additional District Magistrates. Is it or is it not a fact in the Punjab? Why burden them with these appeals? Why not change the course of the appeal and send it to the Sessions Judges. With these words, I leave the motion in the hands of the House.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 406*), be referred to a Select Committee consisting of the Honourable Sir Henry Craik, Sir Lancelot Graham, Mr. M. Asaf Ali, Mr. Sham Lal, Mr. M. Ananthasayanam Ayyangar, Mr. Satya Narayan Sinha, Syed Ghulam Bhik Nairang, U Thein Maung, Mr. Fakir Chand and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The Assembly divided:

AYES 66.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U
Badi-uz-Zaman, Maulvi.
Banerjee, Dr. P. N.
Baqui, Mr. M. A.
Bardaloi, Srijut N. C.
Bhagavan Das, Dr.
Chattopadhyaya, Mr. Amarendra Nath
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
DeSouza, Dr. F. X.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Gadgil, Mr. N. V.
Ghulam Bhik Nairang, Syed.
Giri, Mr. V. V.
Hidayatallah, Sir Ghulam Hussain.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.
Jinnah, Mr. M. A.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.

Khan Sahib, Dr.
Khare, Dr. N. B.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi
Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Sham Lal, Mr.
Sherwani, Mr. T. A. K.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U.
Umar Aly Shah, Mr.
Varma, Mr. B. B.

NOES 55.

Abdul Aziz, Khan Bahadur Mian.
 Abdullah, Mr. H. M.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Anwar-ul-Azim, Mr. Muhammad.
 Ayyar, Rao Bahadur A. A.
 Venkatarama.
 Bajoria, Babu Baijnath.
 Bajpai, Mr. G. S.
 Bhagchand Soni, Rai Bahadur Seth.
 Bhoire, The Honourable Sir Joseph.
 Buss, Mr. L. C.
 Chatarji, Mr. J. M.
 Clow, Mr. A. G.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Drake, Mr. D. H. C.
 Ebrahim Haroon Jaffer, Mr. Ahmed.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Ghiasuddin, Mr. M.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel Sir Henry.
 Graham, Sir Lancelot.
 Grigg, The Honourable Sir James.
 Hockenbult, Mr. F. W.
 Hossack, Mr. W. B.
 Hudson, Sir Leslie.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kirpalani, Mr. Hiranand Khushiram.

Lal Chand, Captain Rao Bahadur
 Chaudhri.
 Mehr Shah, Nawab Sahibzada Sir
 Sayad Muhammad.
 Metcalfe, Mr. H. A. F.
 Milligan, Mr. J. A.
 Monteath, Mr. J.
 Muhammad Nauman, Mr.
 Mukerje, Mr. N. R.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Nayar, Mr. C. Govindan.
 Noyce, The Honourable Sir Frank.
 Owen, Mr. L.
 Raisman, Mr. A. J.
 Rajah, Raja Sir Vasudeva.
 Rau, Mr. P. R.
 Richards, Mr. W. J. C.
 Row, Mr. K. Sanjiva.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Scott, Mr. W. L.
 Sher Muhammad Khan, Captain
 Sardar.
 Siddique Ali Khan, Khan Sahib
 Nawab.
 Singh, Mr. Pradyumna Prashad.
 Sinha, Raja Bahadur Harihar Prasad
 Narayan.
 Sircar, The Honourable Sir Nripendra
 Sloan, Mr. T.
 Swithinbank, Mr. B. W.
 Tottenham, Mr. G. R. F.

The motion was adopted.

THE INDIAN COASTAL TRAFFIC (RESERVATION) BILL.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill to reserve the Coastal Traffic of India to Indian Vessels.

Sir, I need not mention the scope of this Bill. It has been before this House for the last nine years. It has passed through all the stages. It has been for five years before the last Assembly. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to reserve the Coastal Traffic of India to Indian Vessels."

The motion was adopted.

Dr. Ziauddin Ahmad: Sir, I introduce the Bill.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

Mr. Fakir Chand (Jullundur Division: Non-Muhammadan): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Income-tax Act, 1922.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Income-tax Act, 1922."

The motion was adopted.

Mr. Fakir Chand: Sir, I introduce the Bill.

THE REPRESSIVE LAWS REPEALING AND AMENDING BILL.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill to repeal and amend certain Repressive Laws.

I only want to say that I do not propose to make the motion No. 18* standing in my name. I gave notice of it, Sir, without knowing that the convention here is that the Government do not oppose Bills at this stage. In reciprocity for this, we do not make any further motion on the same day. I propose to respect that convention as I understand Government respect that convention also.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to repeal and amend certain Repressive Laws."

The motion was adopted.

Mr. S. Satyamurti: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 167.)

Sardar Sant Singh (West Punjab: Sikh): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 167*).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 167*)."

The motion was adopted.

Sardar Sant Singh: Sir, I introduce the Bill.

*"That the Bill to repeal and amend certain Repressive Laws be referred to a Select Committee consisting of (the names of the members to be mentioned at the time of making the motion) and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be ."

THE SPECIFIC RELIEF (AMENDMENT) BILL.

Mr. Fakir Chand (Jullundur Division: Non-Muhammadan): Sir, I beg to move for leave to introduce a Bill further to amend the Specific Relief Act, 1877.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Specific Relief Act, 1877."

The motion was adopted.

Mr. Fakir Chand: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 205.)

Sardar Sant Singh (West Punjab: Sikh): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 205*).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 205*)."

The motion was adopted.

Sardar Sant Singh: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 386.)

Sardar Sant Singh (West Punjab: Sikh): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 386*).

President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (*Amendment of section 386*)."

The motion was adopted.

Sant Singh: Sir, I introduce the Bill.

The Assembly then adjourned till Five of the Clock on Thursday, the 28th February, 1935.

LEGISLATIVE ASSEMBLY.

Thursday, the 28th February, 1935

The Assembly met in the Assembly Chamber of the Council House at Five of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

THE BUDGET FOR 1935-36.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I rise to a point of order. I find the printed speech of the Honourable the Finance Member has been distributed to the Press, but it has not been distributed to Honourable Members of this House. If it had been done, we would have been able to follow the speech and figures better.

Mr. President (The Honourable Sir Abdur Rahim): What is the point of order?

Dr. Ziauddin Ahmad: My point of order is this, that the speech ought to be supplied to Members before it is delivered.

Mr. N. M. Joshi (Nominated Non-official) It is a question of privilege.

Mr. President (The Honourable Sir Abdur Rahim): I thought it was always the practice not to distribute copies of the speech until after the statement has been made by the Honourable the Finance Member. I believe it has also been the practice not to publish the speech before the statement has been made.

Dr. Ziauddin Ahmad: If I go up just now to the Press Gallery, I could read the speech which has been delivered to the Press. I find it is the misfortune of being a Member of this House that I cannot read it now. I suggest that the speech may be supplied to us just before, and not just after, it is delivered.

The Honourable Sir James Grigg (Finance Member): Sir, it is to me somewhat confusing to find that I have to present three sets of accounts. English budget statements, which are made in April, of course only deal with the year which has just closed and the year which has just begun. In India it is necessary to give the final accounts of the year which ended eleven months earlier, a revised forecast of the outturn of the year which has still one month to run and a forecast of a year which has not yet started. I hope that I shall be able to give a clear but succinct account of all three years, and in doing so I shall avoid all attempts at economic speculation—for I do not think it would be helpful to add one to the infinitude of economic theories which are circulating in India in particular

[Sir James Grigg.]

and the world in general—and I shall confine myself to that bare minimum of prophecy which is incidental to presenting a budget statement.

FINANCIAL YEAR 1933-34.

2. I begin by setting out the final results of the year 1933-34.

When my predecessor presented his budget last February, it was anticipated that, after a provision of Rs. 3 crores had been made for debt reduction, the year 1933-34 would close with a surplus of Rs. 1.29 lakhs. The actual figure is Rs. 2.72 lakhs. The main causes of this improvement of Rs. 1.43 lakhs are four:

First, the fact that a somewhat unusual number of holders of Government securities failed to draw their interest; secondly, the fact that recoveries from commercial departments were larger than expected; thirdly, forestalling in anticipation of an increase in the salt duty; and fourthly, the fortunate non-realisation of our expectations of a reduction in receipts from Income-tax in the areas affected by the earthquake of January, 1934.

It will be remembered that my predecessor announced that the surplus would be carried to a suspense account and utilised for financial assistance in connection with the earthquake. The Government of India accordingly offered to provide the whole of the financial help required by local bodies to enable them to repair the damage done to roads, bridges, schools, hospitals and other buildings, and to carry out their current responsibilities until their income had regained its normal level. The latest estimate received from the Government of Bihar and Orissa indicates that the amount required for this purpose will be approximately Rs. 1.25 lakhs. In addition about Rs. 5 lakhs were required for the provision of country mills for the crushing of sugar-cane which could not be sent to the factories. It was further decided that the Central Government would assist the Government of Bihar and Orissa in reconstructing Government property which had been damaged by the earthquake to the extent of providing one half of the total capital expenditure involved and financing the remainder from the Provincial Loans Fund. The Local Government now anticipate that the grant required from us in this connection will amount to Rs. 51 lakhs. It was originally proposed that this should be treated as capital expenditure and should not be debited to the special suspense account, but in view of the large increase in the surplus for 1933-34 we now think it more convenient to meet this expenditure also from the suspense account. So far as Bihar is concerned, therefore, the total liability of the Central Government amounts to Rs. 1.25 lakhs plus 5 plus 51, a total of Rs. 1.81 lakhs. In addition to this we shall need about Rs. 6 lakhs for the repair of earthquake damage in Bengal and we have also certain contingent liabilities in respect of loans granted to individuals in Bihar whose property was damaged by the earthquake, since it was agreed that in certain circumstances the Central Government would meet part of any loss which may result from the failure of the Local Government to recover these loans. So far as it is possible to judge at present, this liability will not amount to a very large sum, but, in order to have a margin for unforeseen contingencies, we propose to retain in the suspense account a total sum of Rs. 2.10 lakhs.

This leaves Rs. 62 lakhs to be carried forward to fortify the balances of the current year.

FINANCIAL YEAR 1934-35.

3. I now turn to the current year 1934-35. Our revised forecast shows a material improvement over the original budget anticipations and the surplus is now expected to be Rs. 3.27 lakhs instead of 10 lakhs. The difference is made up of an improvement in revenue of Rs. 3.87 lakhs and a deterioration of Rs. 70 lakhs in expenditure.

Incidentally, I must here make an apology to my predecessor for a somewhat gloomy remark I made last August as to the prospects of realising his revenue estimates. I ought to have known better than to turn myself into a prophet on so slight an acquaintance with India. It would also be fitting that I should pay a tribute to him for the hard and unpleasant work he performed in securing budgetary equilibrium in this country and express my sympathy that the fruits of his unremitting toil should not have fallen to him before his departure.

The actual figures, excluding Railways, are as follows:

	(Lakhs.)	
	Budget 1934-35.	Revised 1934-35
Revenue	87.13	91.00
Expenditure	87.03	87.73
Surplus	10	3.27

Full details are of course given in the Financial Secretary's memorandum but I should perhaps call attention to a few of the more important variations.

Revenue.

4. *Customs, etc.*—On the Revenue side the surplus is in the main due to Customs, etc., the principal items being:

	Lakhs.
Sugar	1.38*
Cotton fabrics	90
Yarn and textile fabrics other than artificial silk	80

There have also been increases under motor cars, machinery, petrol and kerosene offset by decreases in the export duties on jute and rice and in the excise duties on matches. The actual figure for the export duty on jute—to which I shall have to return later—is Rs. 3.40 lakhs as compared with the Budget Estimate of Rs. 3.80 lakhs.

5. *Interest.*—Apart from Customs, etc., the only Revenue item I need mention specifically is Interest. Here, although the head discloses an increase of Rs. 26 lakhs only, this is made up of a considerable reduction of rupee, combined with a somewhat greater increase of sterling, receipts. The latter is due to our increased sterling balances but the former calls for more detailed comment.

*This figure is net, i.e., it covers an increase of Rs. 1.70 lakhs in the import duty yield and a decrease of Rs. 32 lakhs in the revenue from the excise duty.

[Sir James Grigg.]

The budget estimates for the current year provided for a receipt of Rs. 67 lakhs on account of interest on the loan granted to Bahawalpur State. During the year we have reconsidered the position with regard to this loan on the basis of the latest forecast supplied by the Public Works and Revenue Minister of the State. The forecast indicated that although the Sutlej Valley Project should ultimately yield a surplus which will be sufficient for the service of a loan of the existing dimensions, the surplus available for this purpose during the current and the next financial years is likely to be of negligible amount and will certainly be insufficient to pay interest at the prescribed rate, which for the greater part of the loan is $5\frac{1}{2}$ per cent. In view of the recent fall in our borrowing rates the project could now be regarded as reasonably profitable even if it should prove to be unable to pay as high a rate as $5\frac{1}{2}$ per cent, and we might with some justification have proposed an immediate reduction in this rate. As, however, the forecast is admittedly of a very provisional character, we have considered it preferable to defer a final settlement of the terms of repayment of the loan and to avoid taking any step, such as a reduction in the rate of interest, which might prejudice the provisions of that settlement. We have instead decided to charge no interest for a period of two years commencing with the payments which were due to be received during the current financial year. So far as the current year is concerned, this decision involves only a paper loss, since we should in any case have received practically nothing from the State. The final terms of repayment will be considered before the end of the period of two years, and in connection with that settlement we shall of course take into consideration the remission of interest charges which is now being granted.

Expenditure.

6. *Grant to Jute producing Provinces.*—The main part of the increase of Rs. 70 lakhs in Expenditure is due to the allocation to Bengal, Bihar and Orissa and Assam of a larger share of the proceeds of the jute duty than was originally provided for. The figures are now expected to be:

Bengal	149.3 lakhs.
Bihar and Orissa	11.2 "
Assam	8.5 "

During the debate on the Matches (Excise Duty) Bill last April my predecessor explained that, in view of the reduction in the rates originally proposed for the duty, the abnormal issues from factories during March, 1934, and the dislocation in the interval before banderols were available, we should probably only collect eight months' revenue in the first year. Our estimate of income from this source during 1934-35 was, therefore, reduced to Rs. 1.38 lakhs, and consequently we were unable to promise the jute producing provinces the full amount of assistance originally proposed. Our final estimates were accordingly based on the assumption that those Provinces would be given only one-third instead of one-half of the total receipts from the export duty on jute. At the same time it was made clear that we should be prepared to increase this proportion to one-half if the budget as a whole should turn out better than was then anticipated. This condition is clearly in process of being fulfilled. But the transfer was subject, in the case of Bengal, to the further condition that the Government of that province must satisfy us

that they are doing everything possible on their side to restore equilibrium. I have twice discussed this question with the Government of Bengal, and I am satisfied that the Local Government cannot reasonably be expected to secure further material reductions in their present scale of expenditure. Indeed in some respects it seemed to me that retrenchment had been carried to the point where it was unremunerative. On the other side of the account, however, the Government of Bengal have, of their own accord, introduced five new taxation Bills which are expected to produce a total additional revenue of about Rs. 24½ lakhs in a full year. For my part I am bound to regard this action as conclusive evidence of the determination of the Local Government to do whatever they can to put their own affairs in order.

7. *Interest.*—On the Expenditure side too it is necessary to mention the Interest leads. Again they show little variation as a whole but there is an excess on "Other Obligations" because of Provident Fund and Post Office Savings Bank deposits being higher than anticipated and of an increase in the amount of accrued bonus on cash certificates; and there is a saving on "Ordinary Debt" owing to the non-payment of the 58 lakhs due to the United Kingdom on the 1st December 1934 on account of the outstanding War Loan liability. Incidentally the United Kingdom has agreed that this non-payment should continue for the year 1935-36.

8. *Posts and Telegraphs.*—Finally I should say a word about Posts and Telegraphs.

The position is as follows:

	(Lakhs.)	
	Budget 1934-35.	Revised 1934-35.
Gross receipts	10.71	11.05
Working expenses	10.01	10.07
Net receipts	70	98
Interest charges	84	84
Balance	—14	+14

We thus estimate that the year will close with a net surplus of Rs. 14 lakhs as compared with the deficit of Rs. 14 lakhs which was anticipated. The improvement is mainly due to increased sales of stamps, and it is satisfactory that this Department which since 1927-28 has been working at a loss is this year expected to show a small profit. But it is unfortunately not quite so satisfactory as it looks, for it will be remembered that it was decided to draw on the Depreciation Fund to the extent of Rs. 27 lakhs and to that extent, therefore, the accounts do not show a true picture.

Position as at 31st March 1935.

9. On the figures, which I have so far explained to the House, we shall, at the end of March next, have in hand two surpluses, one for 1933-34 of Rs. 62 lakhs and one for 1934-35 of Rs. 3.27 lakhs making Rs. 3.89 lakhs in all. I shall return to the disposal of this amount later, but in the meantime I turn to the estimates for the coming year 1935-36.

[Sir James Grigg.]

FINANCIAL YEAR 1935-36.

Revenue.

10. The total revenue, excluding Railways, may be put at Rs. 90.19 lakhs or 81 lakhs less than the revised estimate for the current year.

Customs, etc.—Here I estimate for Rs. 51.92 lakhs altogether or an increase of Rs. 75 lakhs over the revised figures for the current year. The main variations are a decline of Rs. 2 crores in the import duty on sugar combined with increases of Rs. 35 lakhs on the sugar excise, of Rs. 65 lakhs on the match excise and of Rs. 43 lakhs on kerosene and petrol. It is of course a matter of great difficulty to frame an accurate estimate of customs, etc., revenue at a time when there are so many uncertain factors at work. This uncertainty applies in a particular measure to the sugar duties. As I have already stated, our estimates for the current year have been revised to show an increase of Rs. 1.70 lakhs in the import duty and a decline of Rs. 32 lakhs in excise—the original figures being Rs. 2.05 and 1.47 lakhs respectively, and the revised Rs. 3.75 and 1.15 lakhs. We cannot, however, anticipate that the revenue from the import duty will remain at so high a figure in 1935-36 and the increased revenue to be expected from the excise duty will by no means compensate for this inevitable reduction. During the period when Indian factories were not working at their full strength, imports have been substantial, but when Indian production reaches its full level, imports of foreign sugar for ordinary consumption will almost disappear, and there will only be certain small imports of the finer varieties of sugar. This process may not, however, be completed during 1935-36 and the best forecast we can make is to assume an import revenue of Rs. 1.75 lakhs and an excise yield of Rs. 1.50 lakhs. The increase in petrol and kerosene is due to normal growth and that in the match excise merely represents a full instead of a part year's yield of the duty.

The changes in the estimates are set out in greater detail in the Financial Secretary's memorandum.

11. *Taxes on Income.*—During the current year there has been an undoubted improvement in the financial position of some of the more important industries, but this improvement will only be partially reflected in our Income-tax returns for 1935-36. I therefore estimate for an improvement of no more than Rs. 51 lakhs and of this Rs. 16 lakhs is due to the additional tax recovered from Government servants on account of the restored pay-cut. The actual figures are Rs. 17.25 lakhs for the current year and Rs. 17.76 for 1935-36.

12. *Opium.*—Our estimate under this head is Rs. 61 lakhs as compared with Rs. 71 lakhs for the current financial year. This is based on the assumption that only 257 chests of opium will be exported during 1935-36. As Honourable Members are aware, this source of income will practically cease at the end of the present calendar year in accordance with the policy which was announced some years ago by the Government of India, and in future we shall recover only the cost of opium sold for consumption in India.

13. *Interest.*—This shows a very large reduction amounting to Rs. 1.24 lakhs which is of course due to the transfer of the currency functions and therefore the reserves, of the Government of India to the Reserve Bank. It is true that as against this we shall get the surplus profits of the Bank, but in the first year, instead of getting a full year's interest on the assets in our

various reserves and balances, we shall only get a part year's dividend from the profits of the Bank. We have included Rs. 50 lakhs on this account under the head "Currency" but the receipts here still show a drop of Rs. 11 lakhs owing to the lower rates prevailing for short term money.

Expenditure.

14. Expenditure as a whole, again excluding Railways, stands at Rs. 88.69 lakhs showing an increase of Rs. 96 lakhs which is of course almost entirely due to the restoration of the pay cut. A good deal of criticism has been passed on the Government's action in this matter and it cannot be denied that the decision has had one unfortunate concomitant in that it has increased the already serious difficulties of many of the Provinces and added to the magnitude of the financial problems to be solved at the inception of Provincial Autonomy. But in this matter the Government were bound by pledges which were both categorical and repeated and in my view those pledges are conclusive.

The cost of restoration will be Rs. 55 lakhs for the Civil Departments, excluding the Railways, but including the Posts and Telegraphs Department, and Rs. 53 lakhs for the Army, a total of Rs. 1.08 lakhs, but there is, as I have said, a set off against this in the form of extra income-tax to the extent of Rs. 16 lakhs.

Apart from the pay cut, there are only minor increases, most of them on new services, e.g., the marketing scheme, grants to the handloom and sericultural industries, the new Dairy Institute and the Institute of Industrial Research. There is also a small increase on Defence and a deficit on Posts and Telegraphs, which is, however, more than explained by the abolition of the pay cut.

15. *Defence.*—The Defence Budget shows an increase, leaving out of account the pay cut, of Rs. 7 lakhs over the original estimate for this year but the partial restoration by His Majesty's Government of the pay cuts of British soldiers, which has necessarily to be applied to British soldiers on the Indian establishment, accounts for Rs. 5 lakhs of this. The purely nominal increase of Rs. 2 lakhs which remains conceals, however, a considerably increased provision for necessary services and re-equipment which had to be postponed during the financial emergency.

In his budget speech last year my predecessor again communicated to the House a warning previously given that the large reduction in Defence expenditure in recent years had been secured to some extent by emergency measures of a temporary character and that the figure of Rs. 44.38 crores could not be regarded as representing a new permanent level of Defence expenditure. The contingency then foreseen has become a fact and new or rather postponed services amounting to Rs. 67 lakhs have had to be provided for. This sum has been found as to Rs. 20 lakhs by closer estimating for grains and other food stuffs and as to the remainder by economies in other directions.

My predecessor also stated that His Excellency the Commander-in-Chief had undertaken that he would not relax his search for further economies and I think it will be agreed that the figures I have given demonstrate that this undertaking has been amply fulfilled.

16. *Posts and Telegraphs.*—Honourable Members will remember that I said we now expected a surplus on the Posts and Telegraphs accounts for 1934-35 amounting to Rs. 14 lakhs but that this result was only achieved in consequence of a raid of about Rs. 27 lakhs on the Depreciation Fund. At

WAYS AND MEANS.

[Sir James Grigg.]

the time of this raid my predecessor explained that this could not be repeated *in toto* but that the whole question of the amount of the annual contribution to the Fund was under review. The final results of this review are not yet available but it is clear that the amount to be provided need not be so high as under the old rules by something like Rs. 10 lakhs. There is here, therefore, a deterioration in the estimates for 1935-36 as compared with 1934-35 and it is one of Rs. 19 lakhs and not one of Rs. 27 lakhs. When we add to this the cost of restoring the pay cut for the Posts and Telegraphs Department, *viz.*, Rs. 27 lakhs, we get an initial disadvantage of Rs. 46 lakhs to be made up. We are, however, estimating for a deficit not of Rs. 32 lakhs but of Rs. 13 lakhs which means that comparing like with like we reckon on a net improvement of Rs. 19 lakhs.

17. *Reduction of Debt.*—There is only one other item which I wish specifically to mention at this stage and that is the provision for the reduction and avoidance of debt. As Honourable Members are aware, our revised estimates for 1933-34 and those for the current financial year included only Rs. 3 crores for this purpose. It is of course a matter of common knowledge that 60 per cent. of the Government of India debt is attributable to the Railways and it seems to me that it would be imposing too heavy a burden on the general Budget to revert to the Sinking Fund arrangements in force prior to 1933-34 before the Railways have resumed the practice of making a contribution to the General Revenues. I, therefore, accept as reasonable for the time being the provision of Rs. 3 crores now prevailing but I should like to make it clear that, in my view, an increased provision for debt reduction ought to be a first charge on any contribution from the Railways in the future.

18. It is interesting here to compare the budget expenditure, actual or estimated as the case may be, for the years 1931-32 onwards and in order to get a fair basis of comparison, I deduct in every case the provision for debt reduction and avoidance and take net figures for Interest, Posts and Telegraphs and Defence :

1931-32	1932-33	1933-34	1934-35	1934-35	1935-36
Actual.	Actual.	Actual.	Budget.	Revised.	Budget.
88,78	80,59	75,97*	78,12	78,53	80,06

The lowest year was 1933-34. The estimate for 1935-36 shows a net increase from this low level of Rs. 4,09 lakhs. Of this, Rs. 1,79 lakhs is due to the grant of a share of the jute duty to Bengal, Bihar and Orissa and Assam, Rs. 1,30 lakhs is due to the increased provision for bonus on Cash Certificates and Rs. 1,08 lakhs represents the cost of restoring the second half of the pay cut. Apart from these changes the remarkable economies made in Defence and other charges have not only been maintained but extended.

Summary of the position for 1935-36.

19. The final position for 1935-36 is thus as follows :

Revenue	90,19 lakhs.
Expenditure	88,69 „
Surplus	1,50 lakhs.

*Excludes Rs. 2,72 lakhs transferred to the Earthquake Fund.

20. Before explaining our proposals for dealing with the surplus of Rs. 1,50 lakhs which we anticipate in the year 1935-36 and with the accrued balance of Rs. 3,89 lakhs left over from previous years, I shall turn aside to deal briefly with the ways and means position.

21. *Reserve Bank.*—First of all let me refer to the changes due to the inauguration of the Reserve Bank. As has already been announced, the assets of the Currency Department will be transferred to the Bank with effect from the 1st of April 1935. From that date the Reserve Bank will be responsible for the maintenance of the currency, for the investment of the currency reserves in rupees and sterling and for supplying the Secretary of State with sterling for his London requirements. The effect of this on our ways and means estimates will be twofold. In the first place, once the new system is in full operation the Secretary of State will not maintain a larger balance in London than is necessary for his day to day transactions with the Bank of England. He will not, as he does at present, hold surplus funds for temporary investment until he requires them. For this reason you will see that at the end of the next year we have provided for the reduction of his balance to a nominal amount of £500,000. To begin with, as it is not contemplated that the Reserve Bank will assume its full banking business until about the beginning of July, it seemed desirable, in order to avoid the necessity of his coming to the Bank for his sterling requirements during that period, to provide him with a sufficiently large opening balance to meet his requirements up to July.

The second change is consequent on the creation of a Silver Redemption Reserve. A memorandum on this subject was submitted to the Joint Select Committee on the Reserve Bank Bill, but the Committee recommended that the Government proposals should be further studied by the Legislature. In accordance with their recommendation the memorandum was submitted to the Standing Finance Committee at a meeting held on the 20th of March, 1934, and the Committee expressed their general approval of the arrangements suggested. The proposal which was placed before the Committee was in brief that after the inauguration of the Reserve Bank the proceeds of any sales of silver should be credited to a separate Fund on the lines of the present Gold Standard Reserve which would be called the Silver Redemption Reserve and would be invested by Government in its entirety in gold or sterling securities. This Reserve is required mainly to meet the liability imposed by Section 36 of the Reserve Bank Act under which Government are under an obligation to pay full value for surplus rupees which may be transferred by the Bank up to a maximum of five crores a year. It was originally intended that the Reserve should be gradually built up to a maximum of Rs. 10 crores which would be sufficient to meet a return of 25 crores of rupees by the Bank. Owing to the large remittances which it has been possible to make during the current financial year, the balances at the disposal of the Secretary of State will now be sufficient to enable the Fund to be constituted with the full amount of Rs. 10 crores with effect from the 1st of April 1935.

22. *Remittance.*—The ways and means forecast for the current financial year provided for the purchase of sterling to the extent of £26.7 millions. According to our latest estimate the total should reach about £39 millions, but this figure is of course liable to modification. If the estimate is realised, we should be able not only to set aside the Rs. 10 crores required for the Silver Redemption Reserve but also to increase by about Rs. 14 crores the external assets held as security for the note issue.

[Sir James Grigg.]

23. *Gold exports.*—The increase in our estimate for remittance is, needless to say, largely accounted for by the strength which the continuance of gold exports has given to the exchange. For the 10 months ending on the 31st January 1935 the exports of gold were approximately Rs. 41 crores as compared with Rs. 42½ crores during the corresponding period of the previous year.

I do not propose to discuss at length the arguments which have been advanced in favour of restricting these exports, but I take this opportunity of saying that I cannot share the views which attribute to them some abstruse monetary significance nor do I find in them an indication that India is being driven by distress to part with her last reserves. Indeed I can see no sufficient reason for placing them in a different category from exports of any other commodity of which India has a surplus, and I, therefore, find no cause for regret or alarm in the fact that India is still able to obtain so handsome a profit from the reserves of gold which had been accumulated in previous years.

24. *Post Office Cash Certificates and Savings Bank deposits.*—It will be observed from the ways and means statement which is printed with the Financial Secretary's memorandum, that the figure for net receipts from Post Office Cash Certificates has been reduced in the revised estimate for the current year from Rs. 5.50 lakhs to Rs. 2.78 lakhs, and that we have included Rs. 2.75 lakhs under this head in our forecast for next year. This is of course due to the reductions in the rate of interest on these certificates which took place in April and December 1934, the actual rate being now 3 per cent. Post Office Savings Bank deposits, on the other hand, show a net increase from Rs. 6.00 lakhs in the original estimates for the current year to Rs. 7.10 lakhs in the revised and Rs. 8.75 lakhs in the forecast for 1935-36. The rate of interest on these deposits has been 2½ per cent. since the end of 1933, and this is clearly becoming increasingly attractive with the general decline in security yields.

25. *Provincial requirements.*—The revised estimate here shows a reduction from Rs. 6.25 lakhs to Rs. 4.40 lakhs, but we have provided in our forecast for 1935-36 for an increase to Rs. 10.82 lakhs, owing to the fact that we have decided to finance the repayment of the Bombay Development Loan, 1935.

26. *Treasury Bills.*—Last year my predecessor estimated that at the end of the financial year the amount of treasury bills outstanding with the general public would be about Rs. 30 crores. The actual figure on the 1st of April 1934 was Rs. 33.31 crores. In addition treasury bills held in the Paper Currency Reserve amounted to Rs. 25.93 crores. The figures for the 31st March 1935 are expected to be Rs. 22 and Rs. 27½ crores respectively. After the transfer on the 1st of April 1935 of the assets in the Paper Currency Reserve to the Reserve Bank, all treasury bills will be shown under one head. On this basis the figures for the beginning and end of the year 1934-35 are Rs. 59.24 and Rs. 49½ crores respectively and in our forecast for the coming year we have anticipated a further reduction to Rs. 46 crores.

27. *Borrowing programme.*—We have issued two loans in India during the current year. The first was a re-issue of 3½ per cent loan 1947-50 at 98 per cent and the amount subscribed was approximately Rs. 25.13 lakhs. A few months later owing to the continued improvement in our credit we were able to issue a rupee loan at a nominal rate of 3 per cent for the first time since 1896. The 3 per cent bonds 1941 were issued at 99 per cent, and the amount subscribed was Rs. 10.67 lakhs. As a result of these new loans

have been able to repay Rs. 19.48 lakhs of 4 per cent loan 1934-37 and Rs. 12.94 lakhs of 4½ per cent bonds 1934. Both of the new issues stand well above their original price. Next year we shall have to provide for the repayment of Rs. 16 crores of 6½ per cent Treasury Bonds, 1935, and Rs. 11.4 crores of 5 per cent Bonds, 1935. We have also the option of repaying £11.9 millions of 6 per cent Sterling Bonds 1935-37 and £3½ millions of East Indian Railway 4½ per cent debenture stock 1935-55. The total amount of loans which we can repay or convert is thus approximately Rs. 48 crores. In addition to this, we are, as I have just said, providing for the repayment of the Bombay Development Loan, 1935, and we expect to reduce the total amount of treasury bills outstanding by a further Rs. 3½ crores. Allowing for a remittance of £26 millions, we anticipate that we could meet all these liabilities without raising more than Rs. 25 crores by fresh borrowing, but of course the amount, time and manner of our borrowing will depend entirely on market conditions during the year.

PROPOSALS FOR 1935-36.

28. I now come to our proposals both in regard to the balance of Rs. 3.89 lakhs which we expect to have at 31st March next and to the surplus of Rs. 1.50 lakhs which we estimate for 1935-36. The former is, of course, non-recurrent and is only available for non-recurring purposes. The latter represents the maximum limit of the sums which can be devoted to tax-reduction during the year 1935-36.

29. *Grants to provinces for schemes in rural areas.*—To take the non-recurrent balance of Rs. 3.89 lakhs first we consider that the needs of the rural areas should have the first claim on this and we have decided to set aside a sum of Rs. 1.00 lakhs for distribution to the provinces to be spent on schemes for the economic development and improvement of such areas. I recognise that it may be contended that schemes for rural development are primarily the function of Provincial Governments, whether those schemes take the form of the introduction of improved methods of agriculture, the establishment of industries to give employment to, and increase the income of, the cultivators, or measures designed to effect a general improvement in the condition of village life. It is a problem to which all Local Governments are fully alive and to which Provincial Ministers in particular have devoted much attention, since these matters were entrusted to them. Schemes have been examined and worked out but unfortunately many of them are still merely paper schemes, for even before the financial stringency of recent years some Local Governments could only devote very inadequate funds to those purposes and in the recent years of crisis and retrenchment it has been impossible for any Local Government to find money for new projects however likely they were to contribute to the prosperity of the province. We feel therefore that now when the Central Government fortunately happens to have balances on which it can draw, we cannot do better than make some share of it available to the provinces to carry out schemes which have been held up and thereby show that the Government of India have a very deep concern with the welfare and prosperity of the cultivators and are prepared to help Local Governments to carry out schemes for their benefit.

I have used the expression economic development and improvement of rural areas and I have indicated that I use that expression in a wide sense to cover any measure which will conduce to the amelioration of the conditions of the cultivators and rural classes. One such measure is the Co-operative Movement and we have for the last seven or eight months had an expert on duty

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under the Central Government to examine how the movement stands. Mr. Darling who has acquired great experience of the movement in the Punjab has been touring round the provinces discussing the question with Local Governments and Provincial Registrars. We propose to earmark a sum of Rs. 10 to 15 lakhs out of the crore which I have mentioned and this, we hope, will enable governments to develop the movement on sound financial foundations. Details of the measures and the conditions on which the grants will be given will be settled after we have considered Mr. Darling's Report.

As regards the remaining Rs. 85 to 90 lakhs I do not propose at present to define very closely the terms on which it will be distributed to the Provinces or the purposes for which it will be used. I may, however, say that we shall probably adopt the basis of rural population for distribution and we shall certainly impose the two following conditions :

- (1) that the grant should be spent on schemes approved by the Government of India which will improve the economic position of the people, and
- (2) that it will be devoted only to schemes which the Local Government would not otherwise have been able to undertake in the immediate future.

We shall give preference to schemes which can be put quickly into operation but the money need not all be spent immediately or during the year 1935-36. Some provinces may not have schemes in final shape ; in others the Local Government may prefer to spread the expenditure over more than one year. It will of course rest primarily with the Local Government to decide what schemes can most profitably be undertaken. What may be suitable in one province will not necessarily be suitable to another, but Provincial Ministers are fully acquainted with local conditions and the needs of the rural population and will know what is most suited to those needs. We shall keep the public fully informed of what is done in each province. Having regard to the huge population of rural India I recognise that the sums we are allotting will not go very far, but they will at least do something to help the cultivator.

30. *Roads.*—We also propose to make a special contribution of Rs. 40 lakhs to the Government of India's reserve in the Road Development Fund. There is obviously great scope for expenditure on road development, and I am very glad to be in a position to supplement the somewhat exiguous resources of the Road Development Fund reserve, which was designed, as Honourable Members are aware, for the purpose of making grants towards works of special importance or to specially necessitous parts of India. The Government have drawn up a programme for the expenditure of the additional sum now available and in this prime consideration is being given to the needs of the Province of Assam, which seems to me to be about the most necessitous of all the provinces.

31. *North-West Frontier Roads.*—A further sum of Rs. 25 lakhs we propose to set aside for schemes of development in the North-West Frontier Province. Most of this will be spent on the construction of roads in the tribal areas, and the remainder will be devoted to schemes of economic development in that area. I wish to make it clear that we have no intention of implementing this policy by force or without the consent of the tribes in whose territory the roads will be constructed. A petition has already been received from the Afridis asking that a road may be

constructed through a small area in Tirah and it is hoped that this development may lead to a fuller recognition, not only by this important tribe but also by others, of how their true interests are served by improvement of their communications with British India. It is considered that from the point of view of Government this expenditure, which will probably be spread over several years, is fully justified both on financial and political grounds. As the House is aware the relations between the frontier tribes and Government have not always been peaceful and very large sums have been expended from time to time upon military operations of a punitive and wholly unproductive nature. We hope that by improving communications and by assisting the tribes to become economically self-supporting we shall not only avoid the necessity for such operations in future but shall transform in course of time a potential danger into a source of strength to India.

32. *Broadcasting.*—The last item of special expenditure which I have to mention in this connection is a provision of Rs. 20 lakhs for the development of Broadcasting. As has already been announced, it is proposed shortly to construct a large transmitting station in Delhi, and we hope later to undertake the construction of a similar new station at Madras. The existing stations at Calcutta and Bombay are also in urgent need of improvement and extension. Broadcasting is of course an immensely important factor in the intellectual and cultural development of a country and India cannot afford to fall too far behind in this matter.

33. After these special grants have been made there should remain a balance of Rs. 2.04 lakhs. A large part of this sum I propose to put aside for two schemes which it was provisionally decided to finance from capital. These are the civil aviation programme, which is expected to cost Rs. 93 lakhs, and the transfer of the Pusa Institute to Delhi which will cost about Rs. 36 lakhs. I was not myself very happy about the decision to charge to capital these two schemes, which are certainly not in any strict sense of the word remunerative. And now that we have an accrued revenue surplus it seems to me sound policy to use part of it for these purposes and to avoid the creation of what might have become an awkward precedent. The remainder of the surplus amounting to Rs. 75 lakhs will now go as an additional allotment for the reduction of debt and this concludes the disposal of the sums which we expect to have in hand on the 31st March next.

DISPOSAL OF SURPLUS FOR 1935-36.

34. We can now turn to next year and the surplus of Rs. 1.50 lakhs available for tax reduction. But I must first mention three items which though they do not appreciably affect the financial position are nevertheless of some importance.

35. *Additional Import Duty on Salt.*—The first of these is the additional import duty on salt. Personally I am very doubtful whether this duty can ever achieve the purpose for which it was designed. I have moreover a good deal of sympathy with the views which have in the past been expressed by Honourable Members from Bengal that an impost which has the effect of helping the producers of Aden at the expense of the consumers of Bengal is fundamentally unfair. In any case the duty will require reconsideration in view of the impending separation of Aden and Burma. Taking all these things into consideration I was disposed to think that the duty ought to be abolished at once but that would perhaps have been a little harsh to the vested interests which have grown up and I shall, therefore, propose to the House that the duty

[Sir James Grigg.]

shall be extended for one year, without prejudice to any action which Government may see fit to take at the end of that year. I hope that this extension will be accepted by the House though I should perhaps make it clear that, if it should prefer to remove the duty at once, in this matter at any rate we should accept its decision. Incidentally we do not propose to make any change in the arrangements for the distribution of the proceeds of the duty.

36. *Silver*.—The next is silver and here we propose to reduce the duty to two annas an ounce. This action is dictated by no theory as to the place to be taken by silver in the monetary economy of the world nor has it any connection with the view sometimes expressed that India should be encouraged to build up her hoards of the metal. It is simply a matter of business. There is no doubt that at the present level the duty is encouraging smuggling, there is no doubt that this smuggling is extremely difficult to prevent and there is no doubt that the honest trader is being injured by the illicit trade which is being carried on. At the lower level which we now propose smuggling should become unprofitable and the honest trader will come into his own. I propose to assume that we shall get the same yield from the two annas as would have been obtained from the five anna duty which is, I think, fully justified by the circumstances in which the reduction is taking place. The reduction will take place immediately by notification.

37. *Export Duty on Skins*.—The third change of a minor order is the abolition of the export duty on raw skins. During the eight months ending 30th November 1934 the export trade in raw skins declined in volume, as compared with the corresponding period of the previous year, from 13,133 tons to 8,938 tons and in value from Rs. 2,24 lakhs to Rs. 1,19 lakhs. We all believe of course that the most necessary factor in India's economic recovery is a revival of her export trade. Many of us feel angry and humiliated at our inability to suggest any positive action designed to promote that end apart from international action of a kind which is not at present likely to be taken, namely, a general agreement to reduce tariffs and quotas. But here is one case, though unfortunately only a small one, where some action is possible within the bounds of our available resources and I think that it should be taken. The change will take place as from the 1st April and the loss of revenue will be Rs. 8 lakhs.

MAIN PROPOSAL FOR 1935-36.

38. *Reduction of Taxes on Income*.—We still have Rs. 1,42 lakhs left to dispose of and I propose to do this in accordance with the pledge of my predecessor in which he said "Relief must come first in restoring the emergency cuts in pay and secondly in taking off the surcharge on the income-tax now to be imposed."

Although the tax on smaller incomes was not strictly a surcharge, it does, I think, come within the spirit of the pledge and I propose to deal with it and the surcharges on income-tax and super-tax together. The removal of the surcharges altogether would cost Rs. 3,34 lakhs a year while the removal of the tax on incomes between Rs. 1,000 and Rs. 2,000 would cost a further Rs. 75 lakhs. Clearly with a surplus of Rs. 1,42 lakhs only we cannot remove the whole of the two surcharges and the *quasi*-surcharge but what we can do is to reduce them all by one-third and this is what I in fact propose. The cost will be Rs. 1,36 lakhs leaving us with a purely nominal surplus of Rs. 6 lakhs.

CONCLUSION.

39. Clearly this Budget will completely satisfy very few people. It certainly does not satisfy me. There are many who will bitterly complain that it has not been possible to remove the whole of the emergency taxes on income, I myself am extremely disappointed that it has not been possible to take the first steps in the revision of our revenue tariff in a downward direction. Certainly that tariff is too high, certainly it is far too complicated and on both counts it is a restraint on trade and recovery. No doubt I shall be told that if only I had exercised a little more imagination, both of these desirable objects could have been achieved but do not let us forget that imaginative financiers usually end up in gaol. In any case we have before us the task of financing the inception of Provincial Autonomy. This cannot be performed by any effort of pure imagination, but if we continue in the path of prudence we shall, I believe, find that we can fulfil it triumphantly and, what is more, from time to time provide further alleviations to taxpayers. (Cheers.)

THE INDIAN FINANCE BILL.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move for leave to introduce the Indian Finance Bill, 1935.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce the Indian Finance Bill, 1935."

The motion was adopted.

The Honourable Sir James Grigg: Sir, I introduce the Bill.

THE SALT ADDITIONAL IMPORT DUTY (EXTENDING) BILL.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move for leave to introduce a Bill further to extend the operation of the Salt (Additional Import Duty) Act, 1931.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to extend the operation of the Salt (Additional Import Duty) Act, 1931."

The motion was adopted.

The Honourable Sir James Grigg: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 5th March, 1935.

LEGISLATIVE ASSEMBLY.

Tuesday, 5th March, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. Gurunath Venkatesh Bewoor, C.I.E., M.L.A. (Director General of Posts and Telegraphs).

QUESTIONS AND ANSWERS.

CONSTRUCTION OF AN AERODROME AT CUDDAPAH AND AIR MAIL CRASH IN THE KURNOOL DISTRICT IN THE MADRAS PRESIDENCY.

636. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government be pleased to state whether they contemplate constructing an aerodrome at Cuddapah in the Madras Presidency, and if so, at what cost?

(b) Has any land been acquired for that purpose, and if so, at what cost?

(c) Do Government propose to make it an emergency landing ground alone or to make it a regular landing place?

(d) Are Government aware of the recent air mail crash in Kurnool district? If so, is it a fact that a woman and a child were the victims of the crash?

(e) Have Government enquired into it, and if so, will they be pleased to place a copy of their results of enquiry on the table of this House?

(f) Do Government propose to give any compensation to the relatives of the deceased?

(g) In view of the recent crash and the mountainous region between Secunderabad and Madras, do Government propose to make arrangements to make Cuddapah a regular and permanent landing ground for aeroplanes flying between Secunderabad and Madras?

The Honourable Sir Frank Noyce: (a) Yes. The estimated cost is Rs. 8,500, inclusive of cost of acquisition of land.

(b) Yes. Rs. 764.

(c) It will be an emergency landing ground, available for use by all types of aircraft.

(d) Yes.

(e) Government have made the necessary investigation and consider the pilot responsible for this regrettable accident in that he failed to take sufficient precautions to ensure that the crowd did not encroach on the

take-off path of the aeroplane. A copy of the report of the Sub-Divisional Magistrate, Markapur, who was advised by the Assistant Aircraft Inspector in the Directorate of Civil Aviation, is laid on the table of the House. The licence of the pilot is being suspended for a period of one year.

(f) The aeroplane was not the property of Government and the question of compensation by Government does not arise.

(g) The ground will be a permanent landing ground and maintained in a fit condition all the year round.

Report.

Aircraft Regulation—Y. T. ADN.

Locality—Ganjivaripalle hamlet of Veerabhadrapuram, Markapur taluk (Kurnool District).

Date—29th January, 1935.

Accident Investigation.

Report No. 1.

1. Particulars:

Aircraft type	De Havilland—80 A.
Owners	Messrs. Tata & Sons.
Address	Bombay House, Bruce Street, Bombay.
Name of crew	Mr. J. D. Mody.
Duty	Pilot.
Licence No.	121.
Injuries	Nil.
Passengers' names	Nil.
Injuries	Nil.
Passengers' names.	Nil.
Injuries	Nil.
Place of accident	In a field (Survey Number 104/2) of Ganjivaripalle, hamlet of Veerabhadrapuram.
Date and time of accident	19th January, 1935, at 8 A.M.
Date and time scene of accident first visited.	At 5 A.M. on 20th January, 1935, by the Deputy Superintendent of Police, Markapur. At 11 A.M. on 21st January, 1935, by me (Sub-Divisional 1st Class Magistrate, Markapur).

2. Names of witnesses:

1. S. Govindayya, Forest Guard, Ganjivaripalle beat.
2. Mr. Majim Sahib, Range Clerk, Ganjivaripalle.
3. Shaik Dastagir Peeran, Venkatadripalem.
4. Palutla Narayanayya, Ganjivaripalle.
5. Boda Chennamallayya, Venkatadripalem.
6. Boda Chenna Veerayya, Village Magistrate, Venkatadripalem.
7. Mr. E. J. Earle, Assistant Aircraft Inspector to the Government of India, Dum Dum.
8. Mr. P. Dhanarajulu Naidu, Deputy Superintendent of Police, Markapur.

Place, date and time of inquest (if any) and findings. The plane struck and killed a woman of the village by name Lakshmakka aged 25 years and a boy she had in her arms aged 5 years by name Avulayya. An inquest was held over the dead bodies by the Deputy Superintendent of Police, Markapur, at the scene of offence at 8 A.M. on 20th January, 1935.

Finding—Death due to accident.

Investigated by V. Natesa Nayakar.

Designation—Sub-Divisional 1st Class Magistrate, Markapur.

Date—23rd January 1935.

Brief description (particulars of flight, outline of accident, extent of damage, interference with wreckage)—

The pilot after starting from Hyderabad at 6-15 A.M. on 19th January 1935, was flying at a height of 7,000 feet above the clouds for 1½ hours before he saw a break in the clouds. So breaking clouds he landed in a field near Ganjivaripalle village hamlet of Veerabhadrapuram to ascertain where he was. On learning where he was he turned round and started his take off run and while still on the ground, he knocked down dead a woman and a boy as mentioned against the heading "inquest" and carried on about 25 yards and struck a hedge about eight feet high with the right wing, swung round through 180 degrees and crashed facing the direction from which he came.

Extent of Damage—

1. Propellor bent over at tips—One tip chipped off—Unserviceable.
2. Both Engine cowling—nose cowling—Unserviceable.
3. Both Radius rods—Unserviceable.
4. Compression legs—Unserviceable.
5. Axles—Unserviceable.
6. One tyre burst—wheels appear to be serviceable.
7. Engine appears serviceable on external inspection—Bocker covers—Unserviceable.
8. Exhaust manifold and tail pipe—Unserviceable.
9. Fuselage complete structure—Unserviceable.
10. Seats and certain components in Control box—O. K. and Instrument O. K.
11. Elevators—Unserviceable.
12. Rudder—Bottom rib damaged—Can be repaired.
13. Fin and tail plane appear to be serviceable.
14. Star-board wing—Unserviceable.
15. V. Struts appear to be O. K.
16. S. Fort wing Aileron—Unserviceable resting on the ground and does not show any damage—would require complete stripping to establish this.
17. Petrol tanks and pipe lines—O. K.

Interference with wreckage—

There was no interference with the wreckage, the villagers were merely looking on until the police came and took charge of the crashed plane. Immediately police men were posted to guard the plane and marks left on the field.

3. Facts established—From consideration of the evidence, the following facts are regarded as established:

- | | |
|--|--|
| (a) Weather and light | The day was cloudy at the time. |
| (b) Relevant matter picked up away from wreckage. | Nil. |
| (c) Marks on the ground, condition of ground, etc. | It was loose earth in the field from which he took off as it was ploughed up and left waste. |
| (d) Position of wreckage | Crashed plane was lying with its head towards South East (i.e.) facing the direction from which it took off. 56 feet from the west of the field in which the plane landed. |

(e) Evidence

1. The statements of five eye-witnesses.
2. The statement of pilot, Mr. Mody.
3. The wheel tracks found on the scene of offence.
4. The damaged condition of the bushes on the hedge towards the west of the field.
5. The position of the wreckage.
6. The statement of the Deputy Superintendent of Police, Markapur, the 1st Police Officer, who inspected the scene of offence.

4. Opinion As to the cause of the accident.

The Aircraft Assistant Inspector, deputed by the Director of Civil Aviation, Simla, is of opinion, that the pilot (Mr. J. D. Mody) by an error of judgment did not estimate correctly the take off run which was (in his opinion) insufficient in view of the adverse condition of the ground to enable him to unstick and clear the bushes five feet high in his line of take off (*vide* detailed statement attached). The evidence of eye-witnesses also discloses that the pilot did not take precautions to the extent to which it was necessary to keep off the crowd at a sufficient distance away from the course of the plane until he actually took off from ground. He no doubt asked the crowd in the first instance to move aside to make room for his plane but he failed to inform the crowd that after going farther east of the field he would come back and take off from about the place where from he started. The pilot himself admits that he did not tell the crowd about this. Naturally the crowd (200 to 250) was under the impression that the pilot was going away towards the East once for all, but unfortunately the pilot took them by surprise by returning at a very high speed raising a huge dust right through and this resulted in the death of two persons. The witnesses say that the dust raised was so enormous that they were not able to see the plane coming back except that they heard the noise and felt that the plane went past them. One witness (Forest guard) says that the plane went past him within a range of six feet and two other witnesses were also with him at that point. From the evidence of witness Palutla Narayana it is clear that there were a number of persons standing with him at a distance of 20 yards from the place where the two persons were knocked down dead. Even the pilot admits that the crowd spread out on either side but did not actually recede to the farthest end of the field on the North and South. All these clearly show that the pilot did not take the required precautions to gain for him a clear ground for a take-off and he was extremely negligent of his duties in this respect with the result that he knocked down two persons dead.

Signature of the Investigating Officer.

(Sd.) V. NATESA NAYAKAR,

Sub-Divisional 1st Class Magistrate, Markapur.

The opinion of the Assistant Aircraft Inspector, Dum Dum, giving a descriptive account of the accident.

J. D. Mody, the pilot of the machine V. T. ADN, having lost his way due to bad weather conditions, landed in a field near the village of Ganjivaripalle. He landed in a direction giving the longest run getting his wind direction namely approx. West to East according to his own statement from the movement of leaves on trees before taking off. This he later verified by kicking up the dust and noticing the direction it was blown. He estimated the wind—strength between 5-10 miles an hour. He admits in his statement that he was eight to nine miles West off his course due to drift caused by an easterly wind. I interviewed villagers through the help of the Deputy Collector who state that the seasonal wind is East to West and that it was blowing from East to West on that day (day of accident). I have found myself that the wind on three successive days was blowing from an Easterly direction. It is possible that in view of the unusual weather condition prevailing on that day and the proximity of hills there may have been a Westerly ground wind.

The point of wind direction is, however, debatable.

2. The pilot (J. D. Mody) after ascertaining his position asked the crowd which he estimated between 200-250 people to stand clear. According to witnesses some moved to the sides. Others remained where they were being under the impression when he taxied down to the east side of the field that he had gone away and was not returning. Considerable dust was raised some of the witnesses maintaining that they could not see the machine when it taxied down to the eastern side of the field and some did not see it approach in its take off run due to the dust. The pilot however maintains that he could see clearly and that he had a clear run between the crowd which had gathered near the North and South hedges within the field. The pilot appears to have started his take off run at point 87 feet from the East boundary of the field heading his machine for the South-West corner of the field which would normally have given him the longest take off run. For some reason about half way down the field he veered slightly to the right making straight for the set of scattered bushes about five feet high. On examination he could not explain this curved take off run. At about eight yards from these bushes he felt a bump presumably the point at which he struck the woman and child. On feeling this first bump, he realised that he could not take off in the remaining distance before he struck the bushes. He states that he throttled down and applied rudder. He also admits that the machine soared into the air at this point. In my opinion on throttling down and realising his predicament he panicked and pulled the stick back sending the machine which had considerable speed (almost flying speed) soaring into the air. His next bump was when he struck a bush eight feet on the West boundary of the field 25 yards ahead with his right wing tip, when he was still in the air, causing the machine to skid round, on this tip, which struck the ground again in its forward motion completely swinging the machine round causing the under-carriage to collapse and the machine then skided on the bottom side of the fuselage finally coming to rest in this position tilted over to port with its port wing tip touching the ground.

3. Opinion as to the cause of the accident to V.T.ADN at Ganjivaripalle.

That the pilot (M. J. Mody) by an error of judgment did not estimate correctly the take-off run (which in my opinion was insufficient in view of the adverse condition of the ground) to enable him to unstick and clear the bushes five feet long in his line to take off. In addition to this it appears from the statements of witnesses that he had not impressed sufficiently on the crowd the necessity of leaving the way clear for his take off run, thus further impairing his chances of getting off, which resulted in his striking a woman and child.

(Sd.) E. J. EARLE,—29-1-35.

Prof. N. G. Ranga: Are Government aware of the fact that in their latest communiqué the Government of Madras have admitted the fact that there is serious dearth of the supply of fodder in the ceded Districts?

The Honourable Sir Frank Noyce: Is the Honourable Member referring to the growth of grass on this landing ground? (Laughter.)

APPLICABILITY OF THE REVISED SCALES OF PAY TO CERTAIN SUBORDINATES ON THE NORTH WESTERN RAILWAY.

637. ***Bhai Parma Nand:** (a) Will Government be pleased to state whether it is a fact that orders regarding the enforcement of the revised scales of pay for subordinates appointed on the North Western Railway after the 15th July, 1931, but before the introduction of the new scales of pay were circulated in the Agent's letter No. 561-E./67 of the 17th September, 1934?

(b) Is there certain staff who were temporarily appointed on the North Western Railway after the 15th July, 1931, but before the date of introduction of the new scales of pay, i.e., the 1st August, 1934, by a letter of appointment in which the Railway agreed to pay them a specific scale of pay and did not provide for a revision thereof?

(c) Is it also a fact that no specific warning was given to the staff mentioned in part (b) any time subsequently, not even at the time of the filling of the agreement form WW. 87 (revised)?

(d) Is it a fact that the form WW. 87 (revised) provides for revision of leave rules if proposed to be introduced at any time later and that no mention is made about the revision of the scales of pay?

(e) Is it also a fact that there is certain staff who were temporarily appointed before the 15th July, 1931, under similar conditions mentioned in parts (b), (c) and (d)?

(f) If the reply to part (e) be in the affirmative, is it a fact that such staff mentioned in part (e) has been given the benefit of the old scales of pay, while the staff mentioned in part (b) have been placed in new scales?

(g) If the reply to parts (b) to (f) be in the affirmative, will Government please state the reason for the different policy towards similar staff appointed under similar conditions?

(h) Is it a fact that there is certain staff who were appointed after the 15th July, 1931, but before the introduction of the new scales of pay, but were distinguished from the first, inasmuch as the former were specifically warned at the time of their appointment that they would be brought under the revised scales of pay?

(i) If the reply to part (h) be in the affirmative, will Government please state whether the staff referred to in part (b) have been brought under the new scales of pay and thus have been bracketed with those who were given a definite warning to the effect that they shall be brought under the new scales of pay contrary to the intentions and instructions of the Railway Board, as expressed in exception (a), paragraph 1 of the letter mentioned in part (a) above?

(j) If the reply to parts (h) and (i) be in the affirmative, what is the reason for Government's reducing the salaries of the staff mentioned in part (b) without a definite warning?

(k) Do Government propose to issue clear instructions to the Agent, North Western Railway, to allow such staff, as was not warned at the time of the appointment that they shall be brought under the new scales of pay, the benefit of the old scales of pay? If so when? If not, why not?

Mr. P. R. Rau: As I explained in my reply to question No. 489, asked by Mr. Fakir Chand on the 23rd February, 1935, Government will make inquiries and see whether any further instructions are necessary.

PROTECTION TO THE SILK INDUSTRY IN INDIA.

638. *Mr. S. Satyamurti: Will the Honourable the Commerce Member be pleased to state:

(a) whether his attention has been drawn to the leading article entitled "Menace to Indian Silk Industry" in the *National Call*, of the 12th February, 1935;

(b) whether the facts stated therein are correct; and

(c) whether Government have any proposals to give immediate protection to the silk industry in India?

The Honourable Sir Joseph Bhoré: (a) Yes, Sir.

(b) The statistical information in the article is substantially correct.

(c) Representations have recently been received from certain concerned interests and these are under examination.

Mr. S. Satyamurti: When were these representations received?

The Honourable Sir Joseph Bhoré: I cannot tell my Honourable friend the exact date, but they were received within comparatively recent times.

Mr. S. Satyamurti: When do the Government hope to come to a conclusion on this matter, in view of the very serious nature of the menace to the silk industry in India?

The Honourable Sir Joseph Bhoré: As soon as they have completed their examination.

Mr. S. Satyamurti: How long will it take?

The Honourable Sir Joseph Bhoré: I cannot tell my Honourable friend.

Mr. S. Satyamurti: Will it be in time to save the silk industry, or after it has been destroyed?

The Honourable Sir Joseph Bhoré: Let us hope that it will be in time, as my Honourable friend describes it, to save the industry.

Mr. B. Das: Will Government exercise the power they have taken under the Indian Tariff Act as it was amended through the Steel Protection Act, 1934, or will they go again to the Tariff Board or come to this House for any further protection?

The Honourable Sir Joseph Bhoré: I cannot commit myself to anything. I do not know what action will be found necessary after the examination of the facts.

Maulvi Muhammad Shafi Daudi: May I, Sir, put these questions on behalf of Dr. Ziauddin Ahmad?

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member been authorised to do so by the Honourable Member (Dr. Ziauddin Ahmad)?

Pandit Lakshmi Kanta Maitra: Sir, I was myself going to give notice of this question, but as Dr. Ziauddin Ahmad gave notice of it, I did not do it. May I put this question on his behalf?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can put the question.

CONTRACTORS AT RAILWAY STATIONS IN THE DINAPORE AND HOWRAH DIVISIONS.

639. *Pandit Lakshmi Kanta Maitra (on behalf of Dr. Ziauddin Ahmad):

(a) Are Government aware that the Divisional Superintendents of Dinapore

and Howrah have removed all the petty contractors from all stations in their divisions?

(b) Are Government aware that the contracts for all these stations have been given to four persons who are subletting contracts to different persons?

(c) Is not this principle contrary to the assurances given by Government in the Central Advisory Committee and at other places?

Mr. P. R. Rau: (a) On the Howrah Division there is one contract for stations Bandel to Ruaiya, Burdwan to Jamalpur, including the Barharwa Bandel Loop and branches. Vendors at other stations on that Division have not been removed. On the Dinapore Division the introduction of the area contract system has resulted in the displacement of petty vendors.

(b) On the Dinapore Division four contractors have been appointed; one of them has a contract for stations on the Howrah Division to which I have just referred. The Agent, East Indian Railway, states that he is not aware of any contracts having been sub-let.

(c) I am not quite sure what assurances my Honourable friend refers to.

Mr. Lalchand Navalrai: Does the agreement prohibit them from subletting it?

Mr. P. R. Rau: The general principle of these contracts is that they should not be sub-let.

Pandit Lakshmi Kanta Maitra: As a matter of fact, these contracts are sub-let?

Mr. P. R. Rau: I have been informed by the Agent of the East Indian Railway that he is not aware of any such contract.

Mr. D. K. Lahiri Chaudhury: Will the Honourable Member inquire into this matter?

Mr. P. R. Rau: I have inquired.

Mr. N. M. Joshi: May I ask, Sir, whether the Agent inquired whether these contracts are sub-let or not?

Mr. P. R. Rau: The Agent has told me that he is not aware of any such contracts.

Mr. N. M. Joshi: Did he inquire?

Mr. P. R. Rau: He must have inquired before he gave me the reply.

Mr. N. M. Joshi: Did the Honourable Member ask the Agent whether he had made the inquiry?

Mr. P. R. Rau: It does not seem necessary at all, but if the Honourable Member wants to make assurance doubly sure, I shall do so.

Maulvi Muhammad Shafi Daudi: In a matter like this, will not Government undertake to make independent inquiries?

Mr. P. R. Rau: Government see no reason to do so.

Sir Cowasji Jehangir: Will the Honourable Member state why he is not prepared to make further inquiries when he is asked a supplementary question which clearly doubts the correctness of his original answer?

Mr. P. R. Rau: I am not prepared to make an independent inquiry but I have already told my Honourable friend that I was quite prepared to ask the Agent whether he himself made the inquiry before giving the assurance that he was not aware of any contracts being sub-let. What my Honourable friend, Maulvi Shafi Daudi, wants is an independent inquiry apart from the Agent. Government are not prepared to do that.

Mr. Lalchand Navalrai: Why are Government not prepared to do that?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

CONTRACTORS AT RAILWAY STATIONS IN THE DINAPORE AND HOWRAH DIVISIONS.

640. ***Pandit Lakshmi Kanta Maitra** (on behalf of Dr. Ziauddin Ahmad): (a) Are Government aware that the rates of petty contractors at Railway Stations in the Dinapore and Howrah Divisions were fixed by the advice of the District Magistrate and those rates were the same as market rates of the town?

(b) Are Government aware that the rates now fixed by the Railway authorities are much higher than the market rates?

(c) Are Government aware that at Gaya station, the market rate of *puries* is six annas a seer and the rate sanctioned by the Railway Administration is eight annas per seer, which is 33 per cent. higher than the market rate; in case of milk the market rate is two annas a seer and the station rate is four annas a seer, i.e., an increase of cent. per cent.; and in case of sweets, *pera*, the market rate is eight annas a seer and station rate is ten annas a seer, i.e., an increase of 25 per cent.?

(d) Are Government prepared to transfer the administration of vendors at Railway stations from the Railway authorities to committees as advocated in a Resolution discussed in this House in August 1934?

Mr. P. R. Rau: The Agent, East Indian Railway, states as regards (a), (b) and (c) as follows:

(a) the rates were fixed in consultation with the local civil authorities and were based on the market rates.

(b) the present rates have also been fixed in consultation with the local civil authorities and are for the best quality of food-stuffs available in the market. Area contractors are expected to maintain a higher standard of cleanliness, service, etc., than the petty vendors previously employed, and to maintain a larger establishment and additional equipment. As freshness is insisted upon, the prices charged must cover loss due to stale food having to be discarded.

(c) the market rates per seer compare with those authorised by the Railway Administration as follows:

	Market rate.	Railway Station rates
Puries	6 annas.	8 annas.
Milk	3 „	4 „
Peras	10 „	12 „

(d) The question will be among those considered when Government are re-examining the general question of catering on railways.

Maulvi Muhammad Shafi Daudi: Will the last part of the question be one of the items that will be considered when Government are re-examining the general question of catering?

Mr. N. M. Joshi: May I ask why the prices at the stations are higher than those of market prices?

Mr. P. R. Rau: The Agent has explained it at some length, and when I read out that explanation, probably my Honourable friend did not hear me. I shall repeat it now:

“The present rates have also been fixed in consultation with the local civil authorities and are for the best quality of foodstuffs available in the market. Area contractors are expected to maintain a higher standard of cleanliness, service etc., than the petty vendors previously employed, and to maintain a larger establishment and additional equipment. As freshness is insisted upon, the prices charged must cover loss due to stale food having to be discarded.”

Pandit Lakshmi Kanta Maitra: With reference to part (d), will Government say when they propose to make enquiries about catering?

Mr. P. R. Rau: I have already explained at some length here that, as a result of the Resolution moved in the House sometime last year, Government have asked all Railway Administrations to let us have a report on the system obtaining in their railways after consultation with their local advisory committees. Seven or eight reports have already been received, and as soon as other reports are received, Government hope to go into the matter at length.

Pandit Lakshmi Kanta Maitra: Can the Honourable Member give any idea of the time required?

Mr. P. R. Rau: I am afraid not.

Maulvi Muhammad Shafi Daudi: Did the Central Advisory Committee report that the rates should be 25 per cent. higher than the market rate in cases in which these monopolists are allowed to cater?

Mr. P. R. Rau: I am not aware of any recommendation of the Central Advisory Committee on that point. My Honourable friend must remember that these rates have been fixed in consultation with the local civil authorities.

Maulvi Muhammad Shafi Daudi: Does the Honourable Member mean that the higher rates have been fixed in consultation with civil authorities?

Mr. P. R. Rau: Yes, Sir.

Prof. N. G. Ranga: On what principle has this higher rate been fixed?

Mr. P. R. Rau: The quality of food supplied.

Mr. President (The Honourable Sir Abdur Rahim): The other questions, Nos. 641 to 647, stand in the name of Dr. Ziauddin Ahmad, but neither he nor Syed Ghulam Bhik Nairang whom he authorised to put these questions is present.

CONTRACTORS AT RAILWAY STATIONS IN THE DINAPORE AND HOWRAH DIVISIONS.

641. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that the agreements given to the contractors at Railway stations in the Dinapore and Howrah Divisions were terminable at one month's notice but the contracts given to the bigger contractors are terminable at six months' notice?

(b) Were their agreements sanctioned by the Agent or by the Railway Board?

Mr. P. R. Rau: (a) Yes. The Agent states that area contractors would not have accepted the contract owing to the amount of preliminary expenses involved, unless they had a guarantee of the duration of the contract for a reasonable period.

(b) By the Divisional Superintendent concerned.

PASSES GIVEN TO CONTRACTORS AT RAILWAY STATIONS IN THE DINAPORE AND HOWRAH DIVISIONS.

642. ***Dr. Ziauddin Ahmad:** (a) Will Government be pleased to state the number of first class, second class, intermediate class and third class passes which are given to the contractors at Railway stations in the Dinapore and Howrah Divisions?

(b) Are Government aware that these contractors carry goods in the Railway compartments from one station to another and avoid payment of freight?

Mr. P. R. Rau: (a) First class 3, Second class 6, Intermediate class 8 and Third class 19.

(b) No. They have been given passes for the carriage of provisions within certain specified weight limits.

FOOD-STUFF SOLD BY VENDORS ON THE EAST INDIAN RAILWAY.

643. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that the District Medical Officer of the East Indian Railway, in his report, dated the 28th August, 1934, said: "I personally examined the stuff and found it unfit for human consumption". Again "some *puries* were sent by the P.A. on duty for my examination. They were examined by me and found to be unfit for use. As this is a bad season and cholera cases are occurring at certain places, it is imperative that the foodstuff sold by vendors be fresh and of good quality"?

(b) Is it a fact that later on, the District Medical Officer examined milk and reported in his letter, dated the 7th September, 1934, that "the milk was examined by me and found to be not pure, probably it is skimmed milk, diluted with water"?

(c) Is it a fact that Mr. B. Sanyal, a member of the Advisory Committee, in his letter, dated the 22nd November, 1934, drew the attention of the Agent to the unwholesomeness of food supplied by the contractors, and demanded a statement on the matter at the meeting of the Advisory Committee?

(d) Was the statement ever given to the Advisory Committee of Howrah?

(e) Are Government prepared to send for a copy of all the complaints received by the Divisional Superintendents of Dinapore and Howrah and the Agent, East Indian Railway, and place the same on the table of this House?

Mr. P. R. Rau: (a) and (b). I am sending a copy of the Honourable Member's question to the Agent, East Indian Railway, for such action as he may consider necessary if the matter has not already been brought to his notice, and will lay a reply on the table in due course.

(c) and (d). Government understand that Mr. Sanyal desired that his letter should be considered and a reply given to the points raised at the next meeting. A copy of the letter and of the reply given was circulated to the members of the Committee for their opinion.

(e) No.

BAD QUALITY OF *PURIES* AT THE KUIL STATION.

644. ***Dr. Ziauddin Ahmad:** Will Government be pleased to state the action taken by the Agent, East Indian Railway, as promised in his letter dated the 11th January, 1935, addressed to the Chamber of Commerce of Bihar and Orissa, about the bad quality of *puries* at Kuil station?

Mr. P. R. Rau: The Agent, East Indian Railway, states that the contractor was fined.

CONTRACT OF FOOD VENDORS ON THE EAST INDIAN RAILWAY.

645. ***Dr. Ziauddin Ahmad:** (a) Have Government seen the letter written by Mr. R. C. Pundit, a member of the Advisory Committee of the East Indian Railway, Calcutta, to the Agent, East Indian Railway, on the 1st December, 1934, regarding the contract of food vendors?

(b) What action has been taken on that letter?

Mr. P. R. Rau: With your permission, Sir, I propose to reply to this and to question No. 646 together:

As regards part (a) of both questions Government have seen the letters, copies of which were kindly sent by the Honourable Member. Mr. Pandit's letter is dated 1st October, 1934.

As regards part (b) I understand that copies of these letters were circulated to the members of the Advisory Committee and the suggestions contained therein were discussed at a meeting of the Committee in connection with the general question of catering on the East Indian Railway.

LETTER WRITTEN BY MR. M. ABUL QASIM, A MEMBER OF THE ADVISORY BOARD, TO THE SECRETARY TO THE AGENT, EAST INDIAN RAILWAY.

† 646. ***Dr. Ziauddin Ahmad:** (a) Have the Railway Board seen the letter written by Mr. M. Abul Qasim, a member of the Advisory Board, to the Secretary to the Agent, East Indian Railway, Calcutta, on the 22nd November, 1934?

(b) What action did the Agent take on this letter?

LOSS TO RAILWAYS ON ACCOUNT OF THE ARRANGEMENT OF CONTRACTS IN THE DINAPORE AND HOWRAH DIVISIONS.

647. ***Dr. Ziauddin Ahmad:** (a) Are Government prepared to calculate the net loss to the Railways on account of the arrangement of contracts in the Dinapore and Howrah Divisions by which petty contractors have been replaced by four big contractors?

(b) Are Government prepared to calculate the loss to the travelling public on account of the high prices which the Railway authorities force them to pay to these contractors?

Mr. P. R. Rau: (a) The Agent, East Indian Railway, states that fees charged for hawking are purely nominal. The question of a loss to the Railway does not, therefore, arise.

(b) The prices charged by contractors are those which are accepted by the local civil authorities as being reasonable.

CERTAIN POSTS OF THE POSTAL INSPECTORS AND HEAD CLERKS TO SUPERINTENDENTS IN THE ASSAM PROVINCE.

648. ***Mr. Basanta Kumar Das:** Will Government be pleased to state whether all the nine posts of Inspectors of Post Offices and the three posts of Head Clerks to the Superintendents of Post Offices of the province of Assam are held by the natives of the province of Assam, or whether the proportionate number of such appointments is held by the natives of Assam in different parts of the Bengal and Assam Postal circle? If not, do Government propose to take immediate steps to nominate the proportionate number of the natives of the province to fill up such appointments?

† For answer to this question, see answer to question No. 645.

The Honourable Sir Frank Noyce: With your permission, Sir, I will reply to questions Nos. 648 to 651 together.

Government have no information, but, as regards the first three of these questions, I would inform the Honourable Members that the posts referred to are filled by selection, either as the result of a competitive examination or on merits, and not on consideration of the relative representation in such posts of the local areas comprised in a postal circle.

As regards the fourth question the reply to the first part is in the affirmative. As regards the number of Assamese employed in the office in question, and the proportion of posts held by them, Government regret that they have no information, but as the rules of the Department already provide for the recruitment of candidates ordinarily from within the revenue division, and, in the case of the Postmaster-General's Office, from any revenue division within the Bengal and Assam Postal Circle, Government consider that these orders are adequate to ensure the proper representation of local candidates and do not, therefore, propose to take any further steps in the matter.

Mr. Lalchand Navalrai: May I know if this circular with regard to recruitment from the revenue circles is being acted upon?

The Honourable Sir Frank Noyce: I hope so, Sir. If my Honourable friend can bring to my notice any case in which he has reason to believe that it has not been acted upon, I shall be very glad to enquire into the matter.

APPOINTMENTS OF THE POSTAL SUPERINTENDENTS IN THE ASSAM PROVINCE.

†649. ***Mr. Basanta Kumar Das:** Will Government be pleased to state whether all the three appointments of the Superintendents of Post Offices in the province of Assam are held by the natives of Assam province, and if not, whether the proportionate number of such appointments are held by natives of Assam in different parts of the Bengal and Assam Postal Circle? If not, do Government propose to take steps to nominate the proportionate number of the natives of both the valleys of the province of Assam to fill up such proportionate number of posts?

POSTS OF CERTAIN HEAD, DEPUTY AND SUB-POSTMASTERS IN THE ASSAM PROVINCE.

†650. ***Mr. Basanta Kumar Das:** Will Government be pleased to state whether all the 13 posts of the Head, Deputy and Sub-Postmasters in the grade of Rs. 160—250 of the province of Assam are held by the natives of Assam, or whether the proportionate number of such appointments are held by the natives of Assam in different parts of the Bengal and Assam Postal Circle? If not, do Government propose to take steps to fill up all these appointments or the proportionate number of such appointments by the natives of the province of Assam?

†For answer to this question, see answer to question No. 648.

ASSAMESE IN THE OFFICE OF THE POSTMASTER GENERAL, BENGAL AND ASSAM CIRCLE.

† 651. ***Mr. Basanta Kumar Das:** Is it a fact that the postal administration of the province of Assam is under the control of the Postmaster General, Bengal and Assam Circle, Calcutta, and will Government be pleased to state if the proportionate number of appointments in the office of the Postmaster General is held by the natives of the province of Assam? If not, will Government please state what the present number of Assamese is and whether they propose to take steps to make room for a sufficient number of clerks who are natives of the province of Assam so that the province may be properly represented?

ASSAMESE IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, AND IN THE POSTAL AUDIT OFFICE, CALCUTTA.

652. ***Mr. Basanta Kumar Das:** Will Government be pleased to state if a proportionate number of appointments in the office of the Deputy Accountant General, Posts and Telegraphs, Calcutta, the Audit Office of the Bengal and Assam Circle, has been filled up by natives of the province of Assam? If not, do Government propose to take steps to recruit in future an adequate number of clerks who are natives of the province of Assam?

The Honourable Sir James Grigg: The reply to both parts of the question is in the negative. It is not the policy of Government to reserve any particular percentage of places in the services for residents of any particular Province.

SCALES OF PAY OF THE SPECIAL TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

653. ***Sardar Sant Singh:** (a) Will Government please state if the instructions of the Governor General in Council conveyed in Railway Board letter No. 822-E./G., dated the 16th August, 1933, regarding giving old or new scales of pay to the Special Ticket Examiners were given effect to?

(b) If the reply to part (a) be in the affirmative, will Government please state how many of the Special Ticket Examiners (old Travelling Ticket Examiners) accepted the new scales of pay and how many old?

(c) If the reply to part (a) be in the negative, what special circumstances led the authorities to not giving effect to these instructions?

(d) Is it a fact that the North Western Railway authorities made some addition in the letter in the way of asking the Special Ticket Examiners to sign a declaration form, which would deprive them of the "rights", or of getting the mileage allowance?

(e) Was the said declaration in accordance with the instructions of the Railway Board? If so, why was similar staff on other State Railways not ordered to sign such declaration? If not, why did the Agent, North Western Railway do so?

†For answer to this question, see answer to question No. 648.

(f) Are Government prepared to take up with the Agent, North Western Railway the question of his asking them to sign the declaration which was not imposed by the Railway Board?

(g) Will Government please state when the options allowed will be given effect to on the North Western Railway? Are Government aware that the other State-managed Railways have been liberal on this point?

Mr. P. R. Rau: (a) Yes.

(b) and (g). The Agent reports that four of the old Travelling Ticket Examiners have exercised their option of reverting to the old scales of pay. It appears that no date was specified by the Administration within which the option should be exercised. This omission is being rectified.

(c) Does not arise.

(d) and (e). The North Western Railway Administration prescribed a form in which the option was to be exercised and made it quite clear that the grant of the option did not entitle the staff to claim mileage allowance. This was according to the intention of the Railway Board.

(f) No. The Railway Board are satisfied that the Agent's action was justified.

RECRUITMENT OF INDIANS IN THE INDIAN NAVY.

654. *Munshi Iswar Saran: (a) Will Government please state the total number of officers in the Indian Navy at the end of 1934? How many of them were Indians?

(b) In view of the existing rule of recruitment of two Europeans to one Indian, in what period of time is the Indian Navy expected to be completely Indianised?

(c) Has the attention of Government been drawn to the statement of Commander Baynder who happens to be in Bombay that "the Persian Navy is both officered and manned by Persians themselves"?

(d) Are Government aware that until two years ago Persia had to employ foreign officers in the Navy?

Mr. G. R. F. Tottenham: (a) The authorised strength of officers in the Royal Indian Navy at the end of 1934 was 117 of whom five were Indians. There are in addition nine Indian cadets now under training in England and four more were selected for training as a result of examination held last October.

(b) The commissioned ranks of the Royal Indian Navy would never be completely Indianised if the present, or, indeed, any proportion of British recruitment were to be retained, but as I informed the House in my speech on the 27th February, 1934, in connection with the Indian Navy (Discipline) Bill that proportion is not unalterable.

(c) Government have seen a statement in the Press to this effect.

(d) Government have no information.

Mr. T. S. Avinashilingam Chettiar: May I know the answer to part (b)?

Mr. G. R. F. Tottenham: The answer is:

"The commissioned ranks of the Royal Indian Navy would never be completely Indianised if the present, or indeed, any proportion of British recruitment were to be retained, but as I informed the House in my speech on the 27th February, 1934, in connection with the Indian Navy (Discipline) Bill that proportion is not unalterable."

Mr. S. Satyamurti: Are Government considering any proposals to alter this proportion, and to make the proportion of Indians higher?

Mr. G. R. F. Tottenham: Yes, Sir.

Mr. S. Satyamurti: When do they expect to come to a decision on this matter?

Mr. G. R. F. Tottenham: I hope before very long.

Mr. S. Satyamurti: May I know if the Government have considered the possibility of so increasing this proportion as to Indianise the Commissioned ranks of the Indian Navy within a period of 20 or 25 years?

Mr. G. R. F. Tottenham: We have not considered any definite programme of that kind. What we are considering now is whether we can increase the proportion of Indians to British officers.

Mr. S. Satyamurti: Are there any difficulties which the Government are now aware of, in increasing the proportion of Indians?

Mr. G. R. F. Tottenham: It is a fact that until the Royal Indian Marine was converted into the Royal Indian Navy, there was a strange dearth of candidates coming up for the open examination for this service. But since it has been converted, the number of Indian candidates has increased.

Mr. S. Satyamurti: There are no other difficulties; and therefore, I am asking whether, now that the supply is increasing, I take it both in numbers and in quality, there are any other difficulties which the Government are aware of, for not rapidly increasing the ratio of Indians?

Mr. G. R. F. Tottenham: We must in this case, as also in the case of the Indianisation of the army, regard the recruitment of Indian officers as an experiment for some years. Provided the experiment is successful, there would be no difficulties.

Mr. S. Satyamurti: In view of the fact that India has defended herself before one hundred years or more, why do Government consider the Indian officers

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of argument.

Mr. S. Satyamurti: The Honourable Member was saying that he must regard the recruitment of Indians as an experimental measure. I am asking why he should say so.

Mr. G. R. F. Tottenham: Because it has never been done before.

Mr. S. Satyamurti: Did not India defend herself before?

Mr. G. R. F. Tottenham: Not that I am aware of.

Mr. S. Satyamurti: Oh! Oh!

PUBLIC DEBTS OF INDIA.

655. ***Mr. Mohan Lal Saksena:** (a) Will Government please state the total amount of public debts of India on the 31st March, 1934, giving separate figures for funded and unfunded portions?

(b) Will Government please state the percentages of funded debts (both issued in rupee and sterling) held by Indians and non-Indians, respectively?

(c) If the information asked for in the preceding question is not available, are Government prepared to collect such information now and also to issue instructions that in future such information be maintained and published?

The Honourable Sir James Grigg: (a) I would refer the Honourable Member to the relevant sections (sections N and following) of the Finance and Revenue Accounts for 1933-34. A copy of this volume is now available in the Library of the House.

(b) and (c). The information desired by the Honourable Member is not obtainable.

Mr. S. Satyamurti: Will Government collect the information?

The Honourable Sir James Grigg: The information is not obtainable; not that I will not obtain it, but it is not obtainable.

Prof. N. G. Ranga: Will Government please try and see if separate figures could be given for future loans that may be raised, as regards funded and unfunded portions?

The Honourable Sir James Grigg: If you keep separate figures, they would be quite useless, because the banks hold large blocks of securities on behalf of their clients.

Prof. N. G. Ranga: In view of the fact that Honourable Members on this side of the House find such separation would be useful, will Government consider the advisability of devising a scheme whereby the figures could be separately given of funded and unfunded portions?

The Honourable Sir James Grigg: I cannot achieve the impossible.

ACTION PROPOSED TO BE TAKEN ON THE RESOLUTIONS AND MOTIONS PASSED BY THE LEGISLATIVE ASSEMBLY.

656. ***Mr. Mohan Lal Saksena:** Will Government be pleased to state what action they have taken, or propose to take, on the resolutions and motions passed by the present Legislative Assembly?

The Honourable Sir Nripendra Sircar: The information is being collected and will be laid on the table in due course.

Mr. S. Satyamurti: What is the information that is being collected?

The Honourable Sir Nripendra Sircar: The information asked for in the question.

Mr. S. Satyamurti: From whom is the information being collected, and what is the nature of the information that is being collected?

The Honourable Sir Nripendra Sircar: From the various departments and from the relevant persons.

Mr. S. Satyamurti: With regard to the removal of the ban on the Red Shirts, for example, what is the information that is being collected?

The Honourable Sir Nripendra Sircar: That is not the sole object of the question. The question wants Government to state what action they have taken or propose to take on the Resolutions and motions passed by the present Assembly.

Mr. S. Satyamurti: This is one of the Resolutions and motions passed by the present Assembly. I am asking, in respect of this recommended removal of the ban on the Red-Shirts, what is the information which Government are collecting and from whom are they collecting them?

The Honourable Sir Nripendra Sircar: The information is being collected from the locality and from the proper Government officials.

Mr. T. S. Avinashilingam Chettiar: When do they hope to supply the information?

The Honourable Sir Nripendra Sircar: As soon as it is received.

Mr. T. S. Avinashilingam Chettiar: Will it be laid on the table?

Mr. M. Ananthasayanam Ayyangar: Have Government taken action on any single Resolution passed up till now?

LAYING OF PRINTED COPIES OF ANSWERS TO QUESTIONS ON THE TABLE OF THE LEGISLATIVE ASSEMBLY.

657. ***Mr. Mohan Lal Saksena:** (a) Are Government aware of the practice obtaining in the United Provinces Legislative Council that printed copies of answers to questions tabled for the day are laid on the tables of the members?

(b) If so, are Government prepared to consider the feasibility of introducing the same practice in the Legislative Assembly, as it facilitates the putting of supplementary questions a great deal?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) Government have no jurisdiction over the practice to be followed in regard to the answering of questions, but I may refer the Honourable Member to my predecessor's reply to Rai Bahadur Sukhraj Roy's starred question No. 1191 asked on the 10th April, 1933.

Mr. S. Satyamurti: What is that reply, Sir?

The Honourable Sir Nripendra Sircar: Being aware of the amount of curiosity shown here, I have got the reply here:

"(a) and (b). The procedure contemplated by the Honourable Member is not authorized by the Standing Orders and in the opinion of Government would be wholly at variance with the elementary implications of the system of oral interpellation."

METHODS OF RECORDING VOTES DURING THE LEGISLATIVE ASSEMBLY AND COUNCIL ELECTIONS.

658. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that different methods are followed in different provinces for recording of votes during Legislative Assembly and Council elections?

(b) Are Government aware that the system of ballot obtaining in the United Provinces does not insure the same degree of secrecy of ballot as that of Bihar?

(c) Are Government prepared to consider the feasibility of introducing the system of ballot obtaining in Bihar, in the United Provinces and also such other provinces wherein the same degree of secrecy is not secured under the existing system as in Bihar?

The Honourable Sir Nripendra Sircar: (a) The Honourable Member is referred to Rule 15 of the Council of State and Legislative Assembly Electoral Rules from which he will observe that the regulations for the Assembly and Council of State embody, with modifications and adaptations, the regulations in force for the purpose of elections to the Legislative Council of the province concerned. Since, therefore, the provincial regulations differ from province to province, it is to be expected that similar differences will occur in the regulations, as modified and adapted, for the Council of State and the Legislative Assembly.

(b) Government find nothing in the regulations for the United Provinces which leads them to believe that this is the case.

(c) Does not arise.

Pandit Govind Ballabh Pant: Are Government aware of the practice that obtains in the United Provinces in accordance with which a voter, if he is illiterate, has to declare the name of the candidate for whom he votes, in the presence of all the candidates?

The Honourable Sir Nripendra Sircar: No, Sir.

Pandit Govind Ballabh Pant: Do Government consider such a practice desirable?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion.

APPOINTMENT OF THE MECHANICAL ENGINEER IN THE MILITARY FARMS DEPARTMENT.

659. ***Sardar Sant Singh:** (a) Will Government be pleased to state whether there is an appointment of a Mechanical Engineer in the Military Farms Department?

(b) If the reply to the preceding part be in the affirmative, will Government be pleased to state the functions of the Mechanical Engineer, and whether the appointment is held by a European or an Indian?

(c) Will Government be pleased to state the pay of the appointment, and the pay of its present holder?

(d) If the present holder is a European, will Government please state his academic and technical qualifications, and whether he is in receipt of any overseas allowance and is eligible for passage concessions?

(e) Will Government be pleased to state the usual age at which the holder of such an appointment is required to be retired from service?

(f) Will Government be pleased to state the age of the present holder of the appointment? If he is above the age of retirement from service, will Government be pleased to state why he was not retired on acquiring that age?

(g) Will Government please state the amount of daily and travelling allowances drawn by him during the last one year?

(h) Will Government be pleased to state the last date on which the present holder of the appointment proceeded on leave in or out of India?

(i) Will Government be pleased to state the total period of leave at present to his credit?

(j) Will Government be pleased to state whether they have ever considered that the appointment can be held by a fully qualified Indian on much less pay? If not, why not?

(k) Will Government be pleased to state whether they are prepared to ask the present incumbent of the appointment to proceed on leave pending retirement, and fill the post by a qualified Indian, thus causing considerable saving to public funds? If not, why not?

Mr. G. R. F. Tottenham: (a) to (k). The present incumbent of the appointment of Mechanical Engineer in the Military Farms Department proceeded on four months' leave with effect from 25th February, 1935, pending termination of his agreement, after which the appointment will be abolished.

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LEGISLATIVE ASSEMBLY.

[5TH MARCH 1935.]

CORRESPONDENCE BETWEEN SIR GEORGE SCHUSTER AND MR. GANDHI
RELATING TO THE SALT CONCESSION.

660. *Dr. T. S. S. Rajan: (a) Will Government be pleased to state whether it is a fact that there has been some correspondence between Sir George Schuster and Mahatma Gandhi relating to the salt concession, as embodied in the Gandhi-Irwin Pact?

(b) Is it a fact that in the places where the concessions were given to villagers in and about the salt swamps and were withdrawn for one reason or another they shall be restored if the villagers concerned petition the authorities for such restoration?

(c) Will Government be pleased to state whether any such petition for the restoration of the privilege has been received by the authorities?

(d) If not, do Government propose to confer such privileges in the light of the correspondence mentioned above when petitions are put in by the parties concerned?

The Honourable Sir James Grigg: (a) Yes.

(b) and (d). Applications for the restoration of the concession should be made to the local officers, who will dispose of each application on its merits in consultation with the Local Government.

(c) No such petition has been reported to the Government of India.

Mr. S. Satyamurti: Have the Government of India laid down any general principles to guide the Local Governments in the disposal of these petitions?

The Honourable Sir James Grigg: No, Sir.

Prof. N. G. Ranga: Is it not a fact that petitions have been sent by the peasants there in the ceded Districts to the Government of Madras to restore these salt concessions?

The Honourable Sir James Grigg: I am not aware of that, but what I do say is that if the petitions have been sent to the Government of Madras or the local officers, they have full authority to deal with them.

Dr. T. S. S. Rajan: Are the Local Government the final authority in the disposal of such petitions?

The Honourable Sir James Grigg: There is a question down on the paper later on about that, and I would rather delay my answer to this till I can give it more fully.

Prof. N. G. Ranga: In view of the fact that some of the petitions sent by the peasants concerned in Southern India have been dismissed by the local authorities, does not the Honourable Member consider it proper that he should give a reply to Dr. Rajan's supplementary question whether any appeal lies to the Government of India against the decisions of the Madras Government?

The Honourable Sir James Grigg: I will answer that question fully when it is reached on the paper.

RATIO BETWEEN INDIANS AND EUROPEANS HOLDING PERMANENT COMMISSIONS
IN THE INDIAN MEDICAL SERVICE.

661. *Dr. T. S. S. Rajan: (a) What is the total number of:

- (i) Europeans in the Indian Medical Service,
- (ii) Indians holding temporary commissions, and
- (iii) Indians holding permanent commissions?

(b) What is the ratio between Indians and Europeans holding permanent commissions?

Mr. G. R. F. Tottenham: (a) (i) 408, (ii) 45, (iii) 210.

These were the figures on 1st January, 1935.

(b) Approximately one to two.

Lieut.-Colonel Sir Henry Gidney: Is it a fact that there are only Indians in the cadre of the temporary commissions?

Mr. G. R. F. Tottenham: Yes, Sir.

Lieut.-Colonel Sir Henry Gidney: And there are no members of other communities?

Mr. G. R. F. Tottenham: I do not think so.

Dr. T. S. S. Rajan: Is the ratio of Indian to European officers likely to be reconsidered in the near future?

Mr. G. R. F. Tottenham: I replied to that some days ago when I was answering a supplementary question on this subject.

Dr. T. S. S. Rajan: Can I have an approximate idea as to how long it will take?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member says he has already answered that question.

Dr. T. S. S. Rajan: I want to know the approximate period which it might take.

Mr. G. R. F. Tottenham: I hope it will be within a year.

Mr. Lalchand Navalrai: May I know why these Indians are being kept on temporary basis?

Mr. G. R. F. Tottenham: I explained that in answer to a number of supplementary questions a few days ago.

COMPOSITION OF THE INDIAN MEDICAL SERVICE SELECTION BOARD.

662. *Dr. T. S. S. Rajan: (a) When did the Indian Medical Service Selection Board meet last?

(b) How many medical officers, military or civil, were on the Board?

(c) Did the Director General of Medical Services attend this Board himself, or did he depute some other officer?

(d) Was the President of this Board a medical man or a military man, or was he a civilian layman?

Mr. G. R. F. Tottenham: (a) November, 1931.

(b) Three.

(c) and (d). Major-General Sir John Megaw, who was then Director-General, Indian Medical Service, himself attended and presided over the Board.

Dr. T. S. S. Rajan: Did the Director of Medical Services attend the meeting of the Selection Board?

Mr. G. R. F. Tottenham: Yes, Sir.

CANDIDATES INTERVIEWED BY THE LAST INDIAN MEDICAL SERVICE SELECTION BOARD.

663. ***Dr. T. S. S. Rajan:** (a) How many candidates were interviewed by the last Indian Medical Service Selection Board?

(b) How many temporary officers of the Indian Medical Service appeared before this Board?

(c) How many temporary officers of the Indian Medical Service were considered suitable for permanent commissions by this Board?

(d) To how many candidates, who had no foreign qualifications, has the Board given permanent commissions?

(e) When will those who were considered suitable for permanent commissions be given the commission?

(f) Was any action taken by Government to discharge from temporary service those candidates who were found unsuitable for permanent commissions by this Selection Board?

Mr. G. R. F. Tottenham: (a) 77.

(b) 37.

(c) Ten were definitely selected as suitable. Others might also have been selected if a greater number of vacancies had been anticipated.

(d) Two on that occasion.

(e) All the ten referred to in the answer to part (c) have already been given permanent Commissions.

(f) No immediate action was taken. They were allowed to complete their contracts.

Dr. T. S. S. Rajan: Will the Honourable Member inform the House as to how many temporary I.M.S. men are still available to be made permanent?

Mr. G. R. F. Tottenham: I answered that question about a week ago.

Dr. T. S. S. Rajan: Will the Honourable Member please state whether any recruitment to the permanent Commission will take place before these people are made permanent?

Mr. President (The Honourable Sir Abdur Rahim): That question has been answered before.

Dr. T. S. S. Rajan: I am not asking that question. I want a piece of information whether these temporary men will be made permanent before further recruitment for permanent vacancies takes place.

Mr. G. R. F. Tottenham: Not necessarily, Sir.

Lieut.-Colonel Sir Henry Gidney: Is the Indian Medical Service up to strength or below strength?

Mr. G. R. F. Tottenham: The permanent establishment of the Indian Medical Service is below strength.

Lieut.-Colonel Sir Henry Gidney: What action do Government intend to take to bring the service up to strength?

Mr. G. R. F. Tottenham: Recruit more officers.

Lieut.-Colonel Sir Henry Gidney: In view of the Honourable Member's reply and in view of the fact that no Selection Committee has sat since 1931, will the Honourable Member please inform this House how, in view of the Indian Medical Service being below strength, several selected Indian Medical Service officers are still awaiting appointment?

Mr. G. R. F. Tottenham: I answered that question about a week ago. I forget exactly what the numbers were, but the information is already on the records of the House.

Lieut.-Colonel Sir Henry Gidney: In view of the fact that the service is below strength, will Government state whether they intend to bring the service up to strength by recruiting from these officers who have been selected and who are awaiting appointment?

Mr. G. R. F. Tottenham: As I explained the other day, we are at present engaged in the consideration of the whole question of the strength of the Indian Medical Service Cadre: until we get final decisions on that, we cannot say whether there will be reductions or whether there will be an increase: until we reach decisions on that, it would be unwise to go further than we are going at present.

Dr. T. S. S. Rajan: Will Government state the reason as to why, when temporary men are awaiting for permanent posts, recruitment should still take place for permanent posts?

Mr. G. R. F. Tottenham: As I have explained in the previous set of question, the point is this: there is a certain ratio between Indian and British officers in the service: the British proportion is below strength, and

the Indian proportion is upto strength. During the last few years, we have been trying to get the British proportion up to strength: we have already got the full proportion of Indian officers: when we reach the prescribed ratio between the two, then normal recruitment will be revived.

Dr. T. S. S. Rajan: My question relates to the Indian portion of the service.

Mr. G. R. F. Tottenham: I said the Indian portion of the service is up to strength: no further recruitment is required at the present moment.

TEMPORARY INDIAN MEDICAL SERVICE MEN APPEARING BEFORE THE
SELECTION BOARD.

664. ***Dr. T. S. S. Rajan:** (a) Why are temporary Indian Medical Service men who are candidates for permanent commissions asked to appear before a civil Selection Board, whose President is a non-medical civil officer?

(b) Was any action taken by the Military Department to help these temporary officers to obtain permanent commissions by giving them training which would enable them to get into the permanent cadre?

(c) Were the temporary medical officers asked to take leave and travel at their own expense to appear before the Selection Board?

Mr. G. R. F. Tottenham: (a) The Selection Board is not a civil board nor is its President a non-medical Civil Officer.

(b) The training and experience which temporary commissioned officers obtain are obviously of assistance to them in the competition for permanent commissions.

(c) Yes.

Lieut.-Colonel Sir Henry Gidney: In view of the fact that these temporary I.M.S. men are still in service, will the Honourable Member inform this House whether or not it is a fact that such officers are entitled to travel free for such purposes?

Mr. G. R. F. Tottenham: Yes; when they are on Government duty they are entitled to travel free.

Lieut.-Colonel Sir Henry Gidney: Do I take it that these officers who were called for examination were in service?

Mr. G. R. F. Tottenham: They were in service; but I think the reason why they were made to pay on this occasion was because of a recommendation made by the Retrenchment Committee at the time which considered that when officers were coming up on business of this kind to improve their own prospects, they might well be called upon to pay their own expenses.

Lieut.-Colonel Sir Henry Gidney: Does that rule apply to any other service similarly situated, i.e., who desire to improve their prospects?

Mr. G. R. F. Tottenham: I do not know.

Dr. T. S. S. Rajan: When they are called for a selection examination before a selection board, at the invitation of the board, how is it they are not allowed travelling allowance?

Mr. G. R. F. Tottenham: I have just explained that to my Honourable friend, Sir Henry Gidney.

PERMANENT COMMISSIONS IN THE INDIAN MEDICAL SERVICE GIVEN TO INDIANS.

665. ***Dr. T. S. S. Rajan:** (a) Is it a fact that during the last ten years, only four Indians, who do not possess foreign qualifications, have been given permanent commissions?

(b) Were hundreds of others found incompetent or unsuitable? If so, why is the health and care of Indian troops entrusted into the hands of these incompetent doctors?

Mr. G. R. F. Tottenham: (a) The correct number is nine.

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

SELECTION BOARD FOR RECRUITMENT OF INDIAN MEDICAL SERVICE MEN.

666. ***Dr. T. S. S. Rajan:** (a) When is it proposed to hold the next Selection Board?

(b) Do Government propose to consider the advisability of appointing two members of the All-India Medical Council on this Board?

Mr. G. R. F. Tottenham: (a) As soon as there are sufficient vacancies in the Indian cadre, which is at present up to strength.

(b) No.

DESIRABILITY OF ALLOWING THE STAFF REAPPOINTED AFTER RETRENCHMENT
TO RETAIN THE FUNDAMENTAL LEAVE RULES.

667. ***Mr. N. M. Joshi:** (a) Is it a fact that in the case of employees, who were in service prior to 16th July, 1931, but were retrenched due to economy campaign, their previous service has been treated as continuous for the purposes of pay, increment, provident fund and gratuity?

(b) Is it also a fact that in the matter of leave such persons have on re-appointment been brought under the new leave rules, although some of them were before retrenchment governed by the Fundamental Rules?

(c) Is it the general policy of Government to apply new rules only to new entrants?

(d) If so, why have the re-employed staff who have been treated as having been continuously in service for all other purposes, been brought under the new leave rules?

(e) Will the grant of this concession cost Government more than the concession of old scales of pay which Government have already allowed to such staff?

(f) Are Government aware that the number of staff affected is very small?

(g) Are Government prepared to consider the desirability of allowing the staff concerned to retain the Fundamental Leave Rules?

The Honourable Sir James Grigg: (a) No. Government servants discharged as a result of the economy campaign were granted extra concessions as regards leave, gratuity and pension. If re-employed subsequently, they are subject to such conditions of service in respect of pay, leave and all other matters as would be applicable to them if they had entered Government service for the first time on the date of re-employment. In other words, they are treated as 'new entrants'.

(b) and (c). Yes.

(d) to (g). Do not arise in view of the answer to part (a).

L4 LICENCES IN THE CONNAUGHT PLACE AREA, NEW DELHI.

668. ***Captain Sardar Sher Muhammad Khan:** Will Government please state the number of persons who have been granted L4 Licences in the Connaught Place area, New Delhi?

The Honourable Sir James Grigg: Five.

ALLEGATIONS AGAINST THE PRESIDENT OF THE LAHORE CANTONMENT BOARD.

669. ***Mr. Fakir Chand:** (a) Will Government be pleased to state if in any of the Cantonments in India the official President of the Cantonment Board has delegated any powers to the elected Vice-President under section 22 (2) of the Cantonments Act, 1924? If so, what and where? If not, why not?

(b) Is it a fact that at the Lahore Cantonment Board meeting held on the 31st January, 1935, Mr. Jugal Kishore, B.A., LL.B., an elected member, moved the following resolution which was ruled out of order by the Military President?

"That in the opinion of this Committee the time has come when the non-Official Vice President should have some real power instead of being a mere figure-head, a position disgraceful for a constitutional Municipal body; resolved that this Board respectfully requests the President to delegate sufficient portion of his powers to the Vice President under section 22 sub-section 2."

If so, why?

(c) Is it also a fact that the point of order was not raised by any member and the President himself without allowing the mover or members to explain, ruled the said motion out of order and cited no reasons or authority for the same?

Mr. G. R. F. Tottenham: With your permission, Sir, I propose to answer questions Nos. 669 to 676 together.

The information has been called for and the replies will be laid on the table in due course.

ACTION TAKEN BY THE EXECUTIVE OFFICER OF THE LAHORE CANTONMENT UNDER SECTION 25 OF THE CANTONMENTS ACT.

†670. ***Mr. Fakir Chand:** (a) Will Government be pleased to state how many times the Executive Officer of the Lahore Cantonment with the previous sanction of the President has taken action under the Emergency Powers under section 25 of the Cantonment Act within the last two years?

(b) Are Government prepared to examine all these cases in order to determine how many of these really pertain to service, safety, or discipline of the troops and fall within the scope of the said section 25 of the Cantonment Act?

APPOINTMENT OF CHAIRMEN OF VARIOUS SUB-COMMITTEES OF THE LAHORE CANTONMENT BOARD.

†671. ***Mr. Fakir Chand:** Are Government aware of the fact that the President of the Lahore Cantonment Board has not appointed any elected member, other than the Vice-President, as the Chairman of any of the various sub-committees of the Cantonment Board? If so why?

PRESIDING OVER THE MEETINGS OF THE LAHORE CANTONMENT BOARD BY VICE-PRESIDENT.

†672. ***Mr. Fakir Chand:** Will Government be pleased to state how many times the Vice-President of the Lahore Cantonment Board has presided over the meetings of the Cantonment Board during the last four years?

ACTING MILITARY OFFICERS AS PRESIDENTS OF THE LAHORE CANTONMENT BOARD.

†673. ***Mr. Fakir Chand:** Will Government be pleased to state how many acting military officers have acted as Presidents of the Lahore Cantonment Board during the year 1934 in the temporary absence of Brigadier J. C. Gretton?

RESIGNATION OF THE NOMINATED MEMBERS OF THE LAHORE CANTONMENT BOARD.

†674. ***Mr. Fakir Chand:** Are Government aware of the fact that in Lahore Cantonment the Executive Officer never communicates to the Board the acceptance of the resignation of the nominated members by the Local Government, as required by section 19 (2) of the Cantonment Act in order to enable the Cantonment Board to declare the seat vacant?

† For answer to this question, see answer to question No. 669.

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LEGISLATIVE ASSEMBLY.

[5TH MARCH 1935.]

ATTENDANCE OF MEMBERS AT THE MEETINGS OF THE LAHORE CANTONMENT BOARD.

†675. ***Mr. Fakir Chand:** Is it a fact that the Executive Officer of the Lahore Cantonment sends demi-official letters to the official members to ensure their attendance at the time of every Board meeting, whereas no such effort is ever made in the case of elected members?

RESOLUTIONS PASSED OR REJECTED IN THE LAHORE CANTONMENT BOARD.

†676. ***Mr. Fakir Chand:** (a) Will Government be pleased to state the number and nature of the resolutions passed or rejected by the weight of official majority in the Lahore Cantonment in the year 1934?

(b) Is it a fact that none of these resolutions concerned the health, welfare and discipline of the troops?

(c) Is it a fact that the unanimous resolutions of the elected members of the Lahore Cantonment Board to appoint one of the elected members as the Executive Officer during the temporary absence of the Executive Officer under section 286-A of the Cantonments Act was turned down by the sheer weight of the official majority? If so, when?

OPTION GIVEN TO THE TEMPORARY STAFF OF THE OLD AUDIT AND ACCOUNTS OFFICES OF REMAINING UNDER THE LEAVE RULES LAID DOWN IN THE FUNDAMENTAL RULES.

677. ***Mr. Akhil Chandra Datta** (on behalf of Mr. Fakir Chand): (a) Is it a fact that the Railway Board have decided that the temporary staff appointed in the old combined Audit and Accounts Offices after the 1st September, 1928 (after the 1st April, 1927 on North Western Railway) and before the 1st April, 1929, and taken over by the Railway Accounts Department, should be allowed the option of remaining under the leave rules laid down in the Fundamental Rules, if they were not apprised of the fact that the new State Railway leave rules (promulgated under Railway Board's Resolution No. 8373-E., dated the 20th February, 1930), would be applicable to them?

(b) Is it a fact that this principle is observed in the case of the staff appointed on other Railways but subsequently taken over by the Director, Railway Clearing Accounts Office?

(c) Is it a fact that the staff appointed in the Railway Clearing Accounts Office within the above mentioned dates has been refused this concession?

(d) Is it a fact that the staff in the Railway Clearing Accounts Office conducts the foreign traffic work of the Railways party to this office on their behalf?

(e) Is it a fact that the staff in the Railway Clearing Accounts Office, if appointed on the various Railways, would have been eligible to the above concession?

† For answer to this question, see answer to question No. 669.

(f) Are Government prepared to reconsider the case of the staff appointed in the Railway Clearing Accounts Office within the dates mentioned in part (a) above, and grant them also the concession of remaining under the leave rules contained in the Fundamental Rules?

Mr. P. R. Rau: (a) Yes.

(b) Yes—in respect of the staff falling in the category referred to in part (a) above.

(c), (d), (e) and (f). The staff appointed directly in the Railway Clearing Accounts Office during the period were not given this concession because it had been notified to the Director, Railway Clearing Accounts Office, in September, 1928, that the staff appointed on that date or after the 1st September, 1928, would be liable to be brought under the new leave rules when promulgated. In view of this definite warning, Government are not prepared to reconsider their decision.

BUILDING OF Pucca BOUNDARY WALLS ROUND CERTAIN BUNGALOWS IN THE JULLUNDUR CANTONMENT.

678. ***Mr. Akhil Chandra Datta** (on behalf of Mr. Fakir Chand): (a) Is it a fact that the Cantonment Board of Jullundur has ordered certain proprietors of bungalows there to build pucca boundary walls round their bungalows? If so, why?

(b) Is it also a fact that almost every bungalows in Jullundur Cantonment has a cactus hedge around it ever since the Cantonment was formed?

(c) Is it not against the policy of Government to compel landlords of bungalows to incur such expenditure?

(d) Is it a fact that there are several Government buildings without such walls? Are Government providing funds for constructing pucca boundary walls around them? If not, why not?

Mr. G. R. F. Tottenham: I have called for information and will lay a reply on the table in due course.

FUTURE ADMINISTRATION OF BERAR

679. ***Mr. Akhil Chandra Datta** (on behalf of Mr. M. S. Aney): (a) Are Government aware of the fact that His Excellency the Viceroy had made an announcement on the future administration of Berar on the 29th November, 1934, in his speech at Hyderabad?

(b) Are Government prepared to publish the text of the entire arrangement between His Exalted Highness the Nizam and the British Government, to which reference was made in the above announcement of His Excellency the Viceroy?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) Yes, on the passing of the Government of India Act.

Mr. S. Satyamurti: Why not before that?

The Honourable Sir Nripendra Sircar: If I said on the passing of the Government of India Act, it means it is not before that.

Mr. S. Satyamurti: I know that: I want to know, why not before the passing of the Government of India Act?

The Honourable Sir Nripendra Sircar: Government consider it neither desirable nor necessary.

Mr. S. Satyamurti: Do Government think, therefore, that the public and this House should know nothing about this matter, until they are unable to do anything about it?

The Honourable Sir Nripendra Sircar: Government do not accept that suggestion: there may be other reasons.

Mr. S. Satyamurti: What are the other reasons?

The Honourable Sir Nripendra Sircar: The other reasons are that they do not see any necessity whatsoever for doing this thing before the passing of the Government of India Act.

Mr. N. M. Joshi: May I ask whether the people of Berars who will be affected by this announcement will be consulted as regards the point mentioned in the question?

The Honourable Sir Nripendra Sircar: I am not aware of any decision to that effect.

Mr. N. M. Joshi: May I ask whether Government propose to do so?

The Honourable Sir Nripendra Sircar: They will do so, if they decide to do so. (Laughter.)

FUTURE ADMINISTRATION OF BERAR.

680. ***Mr. Akhil Chandra Datta** (on behalf of Mr. M. S. Aney): (a) Has the attention of Government been drawn to the following passage in paragraph 83 of the Joint Parliamentary Committee Report?

"We also think that the special position of the Berars should be recognised by requiring the Governor, through his instrument of instructions, to interpret his special responsibility for the protection of the rights of any Indian state as involving *inter alia* an obligation upon him, in the administration of the Berars to have due regard to the commercial and economic interests of the State of Hyderabad?"

(b) Will Government be pleased to state whether this obligation is being imposed on the Governor of the Central Provinces and Berar in accordance with any one of the terms of the new arrangement?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) The Honourable Member will know when the complete arrangement is published.

Mr. S. Satyamurti: We want to know whether this obligation cast upon the Governor, that he should consider the economic and commercial interests of the State of Hyderabad, is being imposed upon him according to any one of the terms of the new arrangement or independent of those terms?

The Honourable Sir Nripendra Sircar: That involves disclosing the terms of the arrangement which we are not prepared to disclose.

FUTURE ADMINISTRATION OF BERAR.

681. ***Mr. Akhil Chandra Datta** (on behalf of Mr. M. S. Aney): (a) Will Government be pleased to state whether their attention is drawn to the following recommendation in paragraph 131 of the Joint Parliamentary Committee Report?

"We also recommend, as part of the arrangements which have been made with H. E. H. the Nizam in connection with Berar, that in the case of Berar Constituencies the educational qualification should include the passing of a corresponding examination in Hyderabad, and that the Military Service qualification should cover retired, pensioned or discharged officers, non-commissioned officers or soldiers of His Exalted Highness' regular forces?"

(b) Will Government be pleased to state whether the Minister of Education of the Government of the Central Provinces and Berar, as well as the University of Nagpur, were consulted before Government agreed upon the first part of this recommendation? If so, are Government prepared to publish the correspondence between the Government of India and the Government of the Central Provinces and Berar?

(c) If the Local Government and the University of Nagpur were not at all consulted, will Government please state the reasons for not doing so?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) and (c). The recommendation referred to by the Honourable Member was made by the Joint Parliamentary Committee and not by the Government of India. But I may state that the Government of India did consult the Government of the Central Provinces on these matters though they are not in a position to state what officers or other authorities that Government consulted.

Mr. S. Satyamurti: Did the Government of the Central Provinces agree to this in answer to the consultation of this Government with that Government?

The Honourable Sir Nripendra Sircar: Agree to what?

Mr. S. Satyamurti: I am talking of the paragraph referred to in the question, that, in the case of the Berar constituency, the educational qualifications should include the passing of a corresponding examination in Hyderabad, etc. I want to know whether, when this Government consulted the Central Provinces Government, they agreed to this.

The Honourable Sir Nripendra Sircar: I am not prepared to answer that question just now: but I do not mind answering it if I get notice.

Mr. S. Satyamurti: With regard to the second part of the paragraph, that military service qualification should cover retired, pensioned or discharged officers, non-commissioned officers or soldiers of His Exalted Highness' regular forces, was the Central Provinces Government consulted on this matter, and did they agree to this?

The Honourable Sir Nripendra Sircar: Well, Sir, if my Honourable friend wants information on those points as to what the Central Provinces Government did or what they agreed to, I shall have to ask for notice.

Prof. N. G. Ranga: With regard to the first part of this paragraph relating to educational qualifications, does that apply to voters who are already on the voters' list?

The Honourable Sir Nripendra Sircar: The first part of the question I have answered "Yes".

Prof. N. G. Ranga: Then what happens, Sir, to all those people who are already on the voters' list, but who unfortunately have not been able to obtain the educational qualifications by the passing of a corresponding examination in Hyderabad?

The Honourable Sir Nripendra Sircar: What happens to them, Sir, does not arise out of part (a) of this question.

FUTURE ADMINISTRATION OF BERAR.

682. ***Mr. Akhil Chandra Datta** (on behalf of Mr. M. S. Aney): (a) Has the attention of Government been drawn to section 47 of the Government of India Bill now pending before the Parliament?

(b) Will Government please state any reasons why the Bill refers to the arrangement regarding the future administration of Berar as an agreement in contemplation and not as an accomplished fact?

(c) Will Government be pleased to state whether they had submitted any proposals for the consideration of His Majesty's Government regarding the future administration of Berar, if the two high contracting parties failed to arrive at any agreement or if any agreement arrived at be rescinded by any one of them?

(d) If so, will Government be pleased to inform this House whether they have pressed His Majesty's Government to incorporate the same in the Government of India Bill, just in the same way as they have made provisions for alternative proposals for the Government of the Central Provinces in section 47 (2) in the case of a similar contingency?

(e) If so, will Government please state the grounds on which His Majesty's Government declined to embody in the Bill any alternative scheme for the future administration of Berar?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) As the Honourable Member is aware the arrangement will have to be approved by Parliament and hence the Bill can only refer to the arrangement as an arrangement in contemplation.

(c), (d) and (e). The Government of India have not submitted to His Majesty's Government any alternative arrangements for the future administration of Berar because no such proposals were necessary in view of the provisional understanding arrived at with His Exalted Highness the Nizam's Government which it is hoped to embody in a formal agreement after the Constitution Act is passed. If the agreement does not come into effect, or, if after coming into effect, it subsequently ceases to have effect, then alternative arrangements for the administration of Berar would have to be the subject of further negotiation with Hyderabad and for that reason no provision relating to such alternative arrangements could be made in the Government of India Bill.

FUTURE ADMINISTRATION OF BERAR.

683. ***Mr. Akhil Chandra Datta** (on behalf of Mr. M. S. Aney): (a) Are Government aware of the fact that the public of Berar were given a pledge by the British Government more than once to the effect that no change in the status of Berar will be effected without consulting the opinion of the people of Berar?

(b) Will Government be pleased to state whether they have taken any steps to consult the public opinion in Berar on this point after the appointment of the Statutory Commission? If not, will they be pleased to state whether they propose to take any steps hereafter to ascertain the same?

The Honourable Sir Nripendra Sircar: (a) As far as I am aware the assurance given by the Government was with reference to the question of the rendition of Berar and as the Honourable Member is aware that question has been settled by His Excellency's speech at Hyderabad on the 29th November, 1933.

(b) Does not arise.

Mr. S. Satyamurti: Were the people of Berar consulted about the new arrangements proposed in the Government of India Bill apart from the status, using it in a technical sense?

The Honourable Sir Nripendra Sircar: I do not know exactly what is meant by the people who were consulted, but popular opinion was made known in various forms like writings in the press and in various other ways.

Mr. S. Satyamurti: May I request the Honourable the Law Member to be good enough to specify one or two ways, in which the Government of India ascertained the public opinion of the people of Berar?

The Honourable Sir Nripendra Sircar: I have not got the Berar papers before me now, but public opinion surely was declared in many ways, like writings in the press, interviews with officials and non-officials, Resolutions of meetings, and so on. I have not got exactly before me all the materials to say what was done to ascertain the public opinion in Berar.

Mr. S. Satyamurti: May I know, Sir, what is the impression that the Honourable the Law Member got from these interviews, statements, and various other things, whether the people of Berar approved or disapproved of the arrangement?

The Honourable Sir Nripendra Sircar: The impression of the Honourable the Law Member is not an action of the Governor General in Council.

Mr. S. Satyamurti: I am asking, out of mere politeness, what is the impression of the Honourable the Law Member, but, if he wants the question to be put in a technical form, I ask what is the impression that the Government of India gathered from these various modes of public opinion, whether the people of Berar agreed or did not agree to this arrangement.

The Honourable Sir Nripendra Sircar: The impression which the Governor General in Council or the Government of India formed surely is an inference or opinion drawn from people

Sir Muhammad Yakub: Were the people of Berar consulted when Berar was separated

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Two Honourable Members cannot put supplementary questions at the same time.

Mr. S. Satyamurti: May I know, Sir, whether the Government of India considered the public opinion in this matter, whether they came to any conclusions on the trend of that public opinion, and what their conclusions are?

The Honourable Sir Nripendra Sircar: The conclusions are that there will be no substantial change.

Sir Muhammad Yakub: May I now put the supplementary question, Sir? Will Government be pleased to state if the people of Berar were consulted when Berar was taken from His Highness the Nizam of Hyderabad by Lord Curzon?

The Honourable Sir Nripendra Sircar: That was taken shortly before my accession to this Assembly.

Sir Muhammad Yakub: I am addressing my question to the Government of India, and not to Sir Nripendra Sircar?

The Honourable Sir Nripendra Sircar: I ask for notice, Sir.

Maulana Shaukat Ali: May I put a supplementary question, Sir, if you will kindly permit me?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is too late.

FUTURE ADMINISTRATION OF BERAR.

684. ***Mr. Akhil Chandra Datta** (on behalf of Mr. M. S. Aney): (a) Did Government receive several representations from the Berar All-Parties Committee and a number of other public bodies in Berar, urging on Government the need of constituting Berar into a separate Governor's Province under the new Constitution?

(b) Will Government be pleased to state what action they have already taken, or propose to take, in the near future on these representations?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) The representations were forwarded to His Majesty's Government. Government do not propose to take any further action on those representations.

Mr. S. Satyamurti: Did Government support those representations or oppose them, and will they kindly state the reasons for the attitude they took?

The Honourable Sir Nripendra Sircar: I am not prepared to answer that question, Sir, because that does not arise out of this.

Mr. S. Satyamurti: The question is, Sir, did the Government of India receive several representations, etc., etc. And the Honourable the Law Member stated that they forwarded those representations to the Secretary of State and to His Majesty's Government. I want to know whether in forwarding those recommendations they expressed their approval or disapproval, and in either case what their reasons were.

The Honourable Sir Nripendra Sircar: Government are not prepared to give any information on that matter which was dealt with in a confidential communication to the Secretary of State.

Mr. S. Satyamurti: Sir, the Standing Orders contemplate that questions on matters of controversy between the Government of India and the Secretary of State cannot be asked, but, even then, questions may be asked on matters of fact. I am merely asking whether, as a matter of fact, in forwarding this recommendation to the Secretary of State they expressed their approval or disapproval, and in either case to state their reasons.

The Honourable Sir Nripendra Sircar: Just at present I have not got any materials before me from which I can answer that question. If that question is put to me after due notice, then I can say whether I can answer it or not, but at the present moment, with the best of my inclinations to answer it, I cannot give an answer.

Mr. S. Satyamurti: Then, I shall put down a question on that.

[5TH MARCH 1935.]

Maulana Shaukat Ali: A supplementary question, Sir. I want to know, Sir, in this connection whether there was any treaty between His Exalted Highness the Nizam and the Government of India relating to the administration of Berar?

The Honourable Sir Nripendra Sircar: My impression is that there is more than one, but if any Honourable friend will put down a question, I shall try to answer it.

STOPPING OF MAIL TRAINS AT THE KODARMA STATION.

685. ***Mr. Ram Narayan Singh:** (a) Are Government aware of the fact that the Bombay Mail formerly used to stop at the Kodarma station on the Grand Chord Line, and that at present it does not stop there?

(b) Will Government be pleased to state the reasons why the said mail does not stop there these days?

(c) Will Government be pleased to state the number of the first and second class passengers leaving and arriving at the station during the past three years?

(d) Are Government aware of the fact that Kodarma is the centre of the mica trade in this country?

(e) Are Government prepared to consider the advisability of asking the Railway authorities to stop the mail trains at this station, owing to the commercial importance thereof?

Mr. P. R. Rau: (a) Yes.

(b) and (c). The Agent, East Indian Railway, states that the stoppage was discontinued as the passenger traffic offering did not justify it, but, on account of increasing traffic recently, it has been arranged that the Up and Down Mail Trains will stop there from the 1st April, 1935.

(c) I lay a statement on the table giving the information required.

(d) Government are aware that Kodarma is one of the centres of the mica trade.

Statement.

(i) Passengers leaving Kodarma :

	1932.	1933.	1934.
First class	124	74	50
Second class	268	172	233

(ii) Passengers arriving at Kodarma :

	1932.	1933.	1934.
First class	68	41	39
Second class	213	226	241

STRENGTH OF THE INDIAN ARMY AND THE BRITISH ARMY IN INDIA.

686. ***Bhai Parma Nand:** What is the total strength of the Indian Army and the British Army in India, respectively?

Mr. G. R. F. Tottenham:

Indian Army	1,48,761.
British Army in India	57,280.

HINDUS AND MUSLIMS IN THE RANK AND FILE OF THE INDIAN ARMY.

687. ***Bhai Parma Nand:** What is the percentage, in the rank and file of the Indian Army of Hindus and of Muslims of India, excluding Hindus and Muslims of non-British territories, such as Nepal and the trans-frontier tribal country?

Mr. G. R. F. Tottenham:

Hindus	34½ per cent.
Muslims	35·8 „

Mr. S. Satyamurti: May I know why the Government keep these records in the Army, with classifications as Hindus and Mussalmans, and not as Indians once for all?

Mr. G. R. F. Tottenham: We do not keep these records, but Honourable Members ask for the information and we get it. (Laughter.)

Mr. S. Satyamurti: Thank you.

HINDUS AND MUSLIMS OF NON-BRITISH TERRITORIES IN THE RANK AND FILE OF THE INDIAN ARMY.

688. ***Bhai Parma Nand:** What is the percentage in the rank and file of the Indian Army of Hindus and Muslims of non-British territories, such as Nepal and the trans-frontier tribal country?

Mr. G. R. F. Tottenham:

Hindus	13·3 per cent.
Muslims	5 „

INDIANS HOLDING KING'S COMMISSIONS IN THE INDIAN ARMY.

689. ***Bhai Parma Nand:** What is the total number of Indians, holding King's Commissions in the Army in India? How many of them are Hindus, Sikhs and Muslims?

Mr. G. R. F. Tottenham: 196 of whom 80 are Hindus, 42 Sikhs and 60 Muslims.

(c) A statement showing the number of Hindus and Muslims wounded and killed during the years 1929-30 to 1933-34 in raids carried out by trans-border tribesmen into British territory is laid on the table.

Statement showing the number of Hindus and Muslims wounded and killed during the years 1929-30 to 1933-34 in roads current use by trans-border tribesmen into British territory.

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Mr. S. Satyamurti: With reference to the Honourable Member's reply to part (b), are all these arms smuggled or how else are they got?

Mr. H. A. F. Metcalfe: What does the Honourable Member mean exactly by "smuggled"? He is probably aware that there are certain arms factories in tribal territory in which the Arms Act does not run.

DENOUNCING OF THE INDO-TURKISH TRADE CONVENTION BY THE TURKISH GOVERNMENT.

692. ***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether the Indo-Turkish Trade Convention of 1930 has been denounced by the Turkish Government;
- (b) what the reasons for the same are; and
- (c) what action Government propose to take thereon?

The Honourable Sir Joseph Bhore. (a) Yes.

(b) In September, 1930, by an Exchange of Notes an agreement was reached between India and Turkey, which provided for reciprocal most-favoured-nation treatment of goods, the produce and manufacture of one in the territories of the other. For some time past Turkey has embarked on a policy of balancing her overseas trade exchanges and has adopted for this purpose regulations to restrict imports into Turkey and to control her foreign exchange. It is presumed that the denunciation of the agreement has been made in order to facilitate that policy.

(c) The matter is engaging the attention of Government.

Mr. S. Satyamurti: Have Government made any enquiries from the Turkish Government as to the reasons why they have denounced this trade agreement?

The Honourable Sir Joseph Bhore: I have given my Honourable friend what we take to be the reasons.

Mr. S. Satyamurti: May I know whether the Government of India have addressed the Government of Turkey on this matter to find out what are their reasons?

The Honourable Sir Joseph Bhore: We have made representations to His Majesty's Government.

MEMORIAL ABOUT THE APPOINTMENT OF A MEMBER OF DEPRESSED CLASSES AS HOME MEMBER IN THE UNITED PROVINCES.

693. ***Maulvi Muhammad Shafi Daudi:** (a) Is it a fact that a memorial has been sent to His Excellency the Viceroy and Governor General of India on behalf of the United Provinces Depressed Class Sabha (Association) through the Home Department, Government of India, in which it has been requested and prayed for that if any Hindu is going to be appointed as Home Member in the Government of the United

Provinces. the chance may be given to one belonging to the Depressed Class?

(b) Has the name of B. Jagannath Parshad, B.A., LL.B., Advocate President, Oudh Depressed Classes Federation of Lucknow and son of late B. Gokul Parshad, Vakil, High Court, caste Khatick, depressed class, been suggested for the Home Membership of the United Province in the memorial, wherein apart from the respectability and ability of the family the loyalty of the family has been described at the time of the mutiny, 1857?

(c) Will Government be pleased to inform this House what steps have been taken in connection with the said memorial?

The Honourable Sir Henry Craik: (a) and (b). Yes.

(c) The Government of India have returned the memorial with an intimation that under the memorial rules no memorial is considered by the Government of India unless it is submitted through the Local Government.

Mr. S. Satyamurti: Do Government accept the proposition that, even in Cabinets, there should be communal representation?

The Honourable Sir Henry Craik: How does that arise out of this question?

Mr. S. Satyamurti: In part (a) of this question, the memorial refers to the appointment of the Home Member from the depressed classes. I am asking the Honourable Member whether Government accept the proposition that, in appointing Members of Council who form the Cabinet—I may roughly describe them as such—they should observe the principle of communal representation.

The Honourable Sir Henry Craik: It is not a matter for the Government of India, but I notice that Home Members are apt to become a little depressed between the hours of eleven and twelve daily. (Laughter.)

Mr. S. Satyamurti: My respectful sympathies!

RECRUITMENT OF STENOGRAPHERS IN THE RAILWAY BOARD'S OFFICE.

694. ***Sardar Sant Singh:** (a) Will Government be pleased to state if any appointments of stenographers have been made in the Railway Board's office after the 1st January, 1935? If so, what are their ages and qualifications?

(b) What is the age at which a Railway servant is compulsorily made to retire?

Mr. P. R. Rau: (a) Three temporary stenographers have been appointed recently whose ages are 28, 56 and 63. The first of them was already working in the Board's Office as a clerk, and his qualifications as a stenographer made him suitable. Owing to the accumulation of urgent work, due to illness of permanent stenographers, it was found necessary, a few

days ago, to add to the strength of the staff by appointing two other men, as a purely temporary measure. It was necessary also to choose men whose qualifications were well-known. There were no stenographers with Public Service Commission qualifications available at that time and two retired stenographers were, therefore, employed for the time being. Both of them have since been discharged.

(b) The age of superannuation is generally 60 for ministerial servants and 55 for others. During retrenchment the age limit was reduced as a temporary measure in certain cases.

INTERPRETATION OF THE REVISED SCALES OF PAY RULES BY THE RAILWAY ADMINISTRATIONS.

695. ***Sardar Sant Singh:** (a) Is it a fact that the orders on revised scales of pay for subordinates were not uniformly interpreted by various Railway Administrations and Heads of Departments?

(b) Do Government propose to examine all the circular letters issued by the State Railway Administrations on the subject of the revised scales of pay and bring them into one line?

Mr. P. R. Rau: (a) and (b). I would refer the Honourable Member to the reply given to parts (h) to (j) of question No. 489 asked by Mr. Fakir Chand on the 23rd February, 1935.

REVISED SCALES OF PAY FOR SUBORDINATE STAFF OF THE RAILWAYS.

696. ***Sardar Sant Singh:** (a) Is it a fact that various Railway Administrations who are represented on the Personnel Section of the Indian Railway Conference Association, consult each other on important questions affecting the staff as a whole? If so, was the question of revised scales of pay discussed by that section?

(b) Will Government be pleased to lay on the table of this House a copy each of the discussions, if any, and the findings of this section on the subject of the revised scales of pay for subordinate staff?

Mr. P. R. Rau: (a) The Personnel Section of the Indian Railway Conference Association deals with matters referred to it by the President of the Association and relating to the staff of Railways. The question of revised scales of pay was not discussed by the Personnel Section of the Indian Railway Conference Association. The section really began to function only in 1934.

(b) In view of the reply to the second part of (a) above, this does not arise.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Ahmed Ebrahim Haroon Jaffer, Question No. 697.

Mr. Ahmed Ebrahim Haroon Jaffer: Before I put my question, in view of the fact that there is great difficulty experienced on this side of the House in hearing Members on the Government side, who are either inaudible or not understandable, may I suggest that the replies be printed

and circulated to Honourable Members ten minutes before the question time.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member knows very well that the matter is under consideration. There was a question only today.

Mr. Ahmed Ebrahim Haroon Jaffer: I refer to the Provincial Council system.

Mr. President (The Honourable Sir Abdur Rahim): Question No. 697.

APPOINTMENT OF OUTSIDERS AS COMMERCIAL INSPECTORS ON THE EASTERN BENGAL RAILWAY.

697. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware that four outsiders have recently been appointed as Commercial Inspectors on the Eastern Bengal Railway?

(b) Is it a fact that the object of these appointments was to apply a special check to the working of the checking staff on passengers travelling without tickets?

(c) Is it a fact that the D. T. S. (crew) who is a responsible officer, was not even consulted in the matter of their appointment?

(d) Is it a fact that he protested strongly against their appointments?

(e) Is it a fact that the Commercial Inspectors appointed have been given Rs. 200 per mensem to start with?

(f) Are Government aware that according to the new scales of pay, recently put in force on State Railways, the Assistant Permanent Way Inspectors, Signal Inspectors and other responsible Inspectors will start on Rs. 65 per mensem only?

(g) Will Government please state in what scale of pay the newly appointed Commercial Inspectors have been put?

(h) Is it a fact that one of the Commercial Inspectors appointed is related to a high Railway officer?

(i) Is it a fact that many deserving candidates already in service and some retrenched staff applied for these jobs and their claims were altogether ignored?

(j) Are Government aware that these appointments have caused widespread resentment amongst all sorts of employees of the Railway?

Mr. P. R. Rau: (a) to (d) and (h) to (j). Government have no information. A copy of this question has been sent to the Agent, Eastern Bengal Railway, for examining the allegations made.

(e), (f) and (g). The scale of pay of Assistant Permanent Way Inspectors is Rs. 65 to Rs. 180 and of Commercial Inspectors from Rs. 200 to Rs. 300. I am placing a copy of the revised scales of pay on the Eastern Bengal Railway in the Library.

Mr. Ahmed Ebrahim Haroon Jaffer: I want to know the reply of the Honourable Member to part (h) of the question.

Mr. P. R. Rau: I have no information. I have sent a copy of the question to the Agent of the Eastern Bengal Railway for examining the allegations made in the question.

ASSOCIATION OF NAMES OF AGENTS WITH RAILWAY INSTITUTES, DRAMATIC CLUBS, ETC., ON THE EASTERN BENGAL RAILWAY.

698. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Is it a fact that several Railway Institutes and Dramatic Clubs, built at Government cost on the Eastern Bengal Railway, are being named after the retiring Agent?

(b) Are Government aware that Railway Hospital recently built at Calcutta on Railway land and with Railway money, has already been named after the Agent?

(c) What are Government rules about the names of officials being associated with Government Institutions?

(d) Do Government propose to issue orders that the naming of Government Institutes after private persons be discouraged as far as possible?

Mr. P. R. Rau: (a) and (b). Government are aware that the Railway hospital at Sealdah has been named "B. R. Singh" Hospital. They are not aware whether Railway institutes and clubs have been so named. I may point out, however, that such a course is not unusual.

(c) There are no rules on the subject.

(d) Government have no such proposal under consideration.

Mr. Ahmed Ebrahim Haroon Jaffer: If an Agent has a building named after him, will Government consider the question of stopping such a practice?

Mr. P. R. Rau: No. They do not see any reason to do so.

CATERING DEPARTMENT ON THE EASTERN BENGAL RAILWAY.

699. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Is it a fact that the Catering Department was started on the Eastern Bengal Railway with the approval of the Railway Board in the year 1922 by Colonel Cameron, the then Agent of the Railway?

(b) Is it a fact that Food Inspectors were appointed by him to carry on regular inspection of food-stuff offered for sale at various stations?

(c) Is it a fact that the Food Inspectors carried on their work till the end of 1933, i.e., for more than ten years?

(d) Is it a fact that the vending work on this Railway improved considerably during this period and also fetched handsome income to the Railway?

(e) Is it a fact that the jobs of Food Inspectors were abolished all of a sudden at the end of 1933, without even the consultation of the District Officers under whom the Food Inspectors were working?

(f) Is it a fact that the District Officers concerned protested against this decision?

(g) Is it a fact that the main plea for the abolition of Food Inspector's posts was that they were not competent to examine the food-stuff offered for sale?

(h) Is it not a fact that the Food Inspectors carried on their duties for more than ten years and no such plea was ever advanced?

(i) Is it a fact that Food Inspectors were drawing Rs. 150 per mensem, and on the abolition of their jobs they were offered a job on Rs. 100 per mensem as guard?

(j) Has the attention of Government been drawn to the editorial headed "Food Supply on Railway" published in the *Amrita Bazar Patrika* of the 27th October, 1934?

(k) Are Government aware that with the abolition of Food Inspector's jobs on the Eastern Bengal Railway, the quality of food stuff offered for sale has greatly deteriorated and the corruption considerably increased?

(l) If the replies to the preceding parts be in the affirmative, what steps do Government now propose to take to put the matters right?

Mr. P. R. Rau: (a), (b) and (c). Yes.

(d) The reply to the first part is in the affirmative and to the second in the negative.

(e), (g) and (h). The Agent, Eastern Bengal Railway, states that it was considered that the work which the Food Inspectors were doing could be better and more economically done by the Medical Department. The posts of Food Inspectors were, therefore, abolished.

(f) No.

(i) Yes. In addition to their pay as Guards, the men get a mileage allowance usually amounting to about Rs. 75 per mensem.

(j) Government regret they have not been able to get a copy of the article referred to. If my Honourable friend will send me a copy, I shall have the matter examined.

(k) No. The Agent states that the food is regularly examined by the staff attached to the Railway's Medical Department. In his opinion the transfer of the inspecting work to the Medical Department has further improved matters.

(l) Does not arise.

Mr. Ahmed Ebrahim Haroon Jaffer: With reference to his reply to part (j) of the question, the Honourable Member says that I should supply him with a copy of the article. May I suggest that notice of this question was given fifteen days ago, and it would have been better if the Honourable Member had taken the trouble of procuring a copy, or, had he written to me, I should have supplied him with one?

Mr. P. R. Rau: I tried to get a copy of the *Amrita Bazar Patrika* and I found in the dak edition of the 27th and 28th this article had not appeared. May I remind the Honourable Member that there is a ruling by the late President of the Assembly that if Honourable Members want to ask questions about articles appearing in newspapers they should themselves send a copy of the articles to the Departments concerned.

Mr. B. Das: Then, may I know what is the department of the Director of Public Information for, if at every stage Government ask Members of this House to supply them with copies of newspaper cuttings?

Mr. President (The Honourable Sir Abdur Rahim). It is the practice to require Honourable Members who put such questions to supply a copy of the newspaper article referred to therein.

Mr. B. Das: The *Amrita Bazar Patrika* is a well-known paper.

Dr. T. S. S. Rajan: May I know the qualifications of these Food Inspectors?

Mr. P. R. Rau: The Food Inspectors are now in the past tense. The inspecting is at present done by the Medical Department.

Dr. T. S. S. Rajan: But the Food Inspectors they have got—have they any medical qualifications to do that work?

Mr. P. R. Rau: There are not any at present.

Lieut.-Colonel Sir Henry Gidney: Has the Medical Inspector got any food qualification? (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

UNSTARRED QUESTIONS AND ANSWERS.

MILEAGE OF THE BENGAL AND NORTH WESTERN AND THE BENGAL NAGPUR RAILWAYS IN BIHAR AND ORISSA.

122. **Mr. B. B. Varma:** Will Government be pleased to state the route mileage of the Bengal and North Western Railway and the Bengal Nagpur Railway, respectively, traversing the province of Bihar and Orissa?

Mr. P. R. Rau: The approximate mileage of the Bengal Nagpur and Bengal and North Western Railways in the province of Bihar and Orissa is given below:

	Miles.
Bengal Nagpur Railway	1,278
Bengal and North Western Railway (including Tirhoot Section	1,000

RECRUITMENT OF BIHARIS ON THE BENGAL AND NORTH WESTERN AND BENGAL NAGPUR RAILWAYS.

123. **Mr. B. B. Varma:** (a) Will Government be pleased to lay on the table a statement showing the number of gazetted Indian officers appointed in the place of retired European gazetted officers on the Bengal and North Western and Bengal Nagpur Railways, respectively, each year since the Lee Concessions were sanctioned?

(b) Will Government be pleased to give similar information regarding subordinates employed in the above mentioned Railways?

(c) Will Government be pleased to state the number of Biharces employed on the Bengal and North Western and Bengal Nagpur Railways in the superior gazetted ranks as administrative District or Assistant Officers in the Commercial and Transportation Departments, respectively?

(d) Will Government be pleased to state whether there are any Regulations observed by the Bengal and North Western Railway or Bengal Nagpur Railway in giving preference to Biharee candidates for posts in stations coming within Bihar Province?

Mr. P. R. Rau: (a) to (c). Such information as Government have on the subject is contained in the Administration Report of Indian Railways.

(d) Government are not aware of any such rule.

EXPIRY OF CONTRACT OF THE BENGAL AND NORTH WESTERN AND THE ROHILKUND AND KUMAON RAILWAYS.

124. **Mr. B. B. Varma:** Will Government be pleased to state when the present contract of the Bengal and North Western and Rohilkund and Kumaon Railways will expire with Government, and whether any steps are being taken for the purchase of the said Railways on the expiry of the contract?

Mr. P. R. Rau: Government has the option of terminating the contracts with the Bengal and North Western and the Rohilkund and Kumaon Railways on the 31st December, 1937, or, the 31st December, 1942, on giving twelve months' notice.

It is too early yet to consider the question of purchase of these companies lines.

PROTECTION TO THE INDIAN PLAYING CARD INDUSTRY.

125. **Mr. B. B. Varma:** (a) Will Government be pleased to state whether they have received any representation from the Indian Playing Cards Company regarding the necessity of protection of the industry against Japanese competition?

(b) The Honourable Member is referred to the Annual Statements of have been rising since 1928-29? Will Government be pleased to state the value of imports of playing cards since 1929?

(c) Is it a fact that there are only two playing card manufacturing companies in India, and are Government aware that they are unable to meet Japanese competition?

The Honourable Sir Joseph Bhow: (a) Yes, Sir.

(b) The Honourable Member is referred to the Annual Statements of the Sea-borne Trade of India, copies of which are in the Library.

(c) Government's information is that there are more than two concerns in India manufacturing playing cards. Representations have recently been received from one of these for assistance against Japanese competition, and these are under examination.

TRANSFER OF INSPECTORS OF STATION ACCOUNTS ON THE NORTH WESTERN RAILWAY.

126. **Mr. B. B. Varma:** (a) Will Government be pleased to state what procedure was in vogue in 1934 regarding the transfer from one section or station to another, of Inspectors of Station Accounts on the North Western Railway?

(b) Is it a fact that it is a general practice not to allow Accounts Inspectors to remain in the same section for more than two or three years, to minimise the possibility of corruption or collusion?

(c) Will Government be pleased to state whether it is contemplated to prescribe a definite procedure regarding the transfers of Inspectors of Station Accounts on State Railways to minimise partiality or any injustice?

(d) Are Government aware that the Chief Accounts Officer, East Indian Railway, suggested to the Railway Board that the intervals of inspection of Station Accounts which were prolonged in 1932 should no longer continue?

(e) If the reply to part (d) be in the affirmative, will Government be pleased to state what action the Railway Board propose to take on this suggestion?

Mr. P. R. Rau: (a), (b) and (c). Till September, 1934, transfers of Inspectors of Station Accounts from section to section were regulated at the discretion of Chief Accounts Officers according to exigencies, but in practice Inspectors seldom remained at one place for more than three years. Orders, however, were issued in September, 1934, asking Chief Accounts Officers not to retain Inspectors of Station Accounts in the same section for more than three years at a stretch, except in special circumstances.

(d) and (e). The Chief Accounts Officer recommended the shortening of the intervals between inspections but, later on, decided to watch the results further before making final recommendations. These final recommendations are still awaited.

NON-ADOPTION OF SHORT TIME METHOD OF SPREADING WORK IN STATE RAILWAY WORKSHOPS.

127. **Mr. B. B. Varma:** Will Government be pleased to state what State-owned Railway Workshops have not as yet adopted short-time or other methods of spreading work to absorb the unemployed and also the number of skilled, unskilled and semi-skilled labour employed in each of the State-owned Railway Workshops?

Mr. P. R. Rau: I have called for up to date information and will lay a reply on the table of the House in due course.

EXPENDITURE DUE TO LEE CONCESSIONS ON RAILWAYS.

128. **Mr. B. B. Varma:** Will Government be pleased to state the expenditure incurred every year since the Lee concessions were sanctioned on each Class I Railway under Lee concessions for gazetted officers and non-gazetted officers, respectively?

Mr. P. R. Rau: Government regret that the information required is not readily available and its collection will involve a considerable amount of labour. The following information, regarding officers of non-Asiatic domicile in Class I Railways (excluding the Jodhpur Railway and H. E. H. the Nizam's State Railway), was, however, collected for the year 1931-32 for the Railway Retrenchment Committee and may be taken as approximately correct for that year:

	In lakhs. Rs.
Cost of sterling overseas pay for officers of non-Asiatic domicile	41
Passages for officers of non-Asiatic domicile	7
Passages for subordinates of non-Asiatic domicile	1
(Overseas pay is not admissible to subordinates).	

ESTABLISHMENT BRANCH OF THE RAILWAY BOARD.

129. **Mr. B. B. Varma:** (a) Will Government be pleased to state the number of staff employed in the Establishment Branch of the Railway Board under important categories?

(b) Will Government be pleased to state the number of questions referred to the Establishment Branch of the Railway Board and the number of rulings, orders and resolutions arrived at by the Railway Board on Establishment matters in 1933 and 1934?

(c) Will Government be pleased to lay on the table a statement showing a summary of each ruling, order or decision issued on Establishment matters by the Railway Board in 1933 and 1934?

Mr. P. R. Rau: (a) One Superintendent,
nine Assistants,
nine clerks,
two temporary clerks.

(b) They are innumerable.

(c) This is, I regret, impossible by reason of its bulk.

RETENTION OF OFFICERS IN THE RAILWAY BOARD.

130. **Mr. B. B. Varma:** Will Government be pleased to lay on the table a statement showing the justification for retaining the existing number of officers in each Branch of the Railway Board?

Mr. P. R. Rau: In the opinion of Government the amount of work done in the office of the Railway Board cannot be done with a smaller staff.

It is for the Honourable Member to show in what respects he considers the existing organisation excessive.

MAHABODHI TEMPLE AND ITS PREMISES AT BODH-GAYA.

131. **U Thein Maung:** (a) Will Government please state how much money they have spent on (i) the excavation of the Mahabodhi Temple and its premises at Bodh-Gaya; (ii) the repairs thereto; and (iii) the maintenance thereof?

(b) Will Government please state whether the said temple and its premises have been brought under the Ancient Monuments Preservation Act? If not, will Government please state the reason for the omission?

Mr. G. S. Bajpai: (a) No expenditure has been incurred on the excavation, repairs or maintenance of the temple during the last thirty years.

(b) I would invite the Honourable Member's attention to the reply given by me to part (c) of U Ba Maung's starred question No. 1073 in this House on the 21st November, 1933.

REDUCTION IN THE RAILWAY FREIGHT ON SUGAR EXPORTED FROM CERTAIN PROVINCES TO KARACHI.

132. **Sir Ghulam Hussain Hidayatallah:** Will Government be pleased to state:

- (a) if they have received a representation from the Pioneer Sind Sugar Mills Company, regarding the proposed reduction in the railway freight on sugar exported from Bihar, the United Provinces and the Punjab to Karachi;
- (b) if it is a fact that Government propose to reduce the railway freight on sugar exported from Bihar, the United Provinces and the Punjab to Karachi;
- (c) if it is a fact that Government propose to retain the railway freight on sugar transported from Nawabshah, Khadro and other stations in Sind to Karachi at the existing rates;
- (d) if the replies to parts (b) and (c) be in the affirmative, whether Government are aware that the proposed reduced railway freight on sugar exported from Bihar, the United Provinces and the Punjab to Karachi will be altogether disproportionately lower in comparison with the existing railway freight on sugar transported from Nawabshah, Khadro and other stations in Sind to Karachi;
- (e) if it is a fact that the cost of cane production in Bihar, the United Provinces and the Punjab is much lower than in Sind;
- (f) if so, whether Government are aware that sugar exported from Bihar, the United Provinces and the Punjab to Karachi will obtain an advantage over the sugar produced in Sind owing to the lower cost of cane production and the reduced railway freight in the former case; and
- (g) if so, whether Government propose to take necessary action to ensure that no prejudice is caused to the sugar industry and cane production in Sind?

Mr. P. R. Rau: (a) Yes.

(b) and (c). No orders have been issued by Government, but I understand that the Railway Administrations concerned have recently made certain reductions in the freight rates on sugar from Bihar, United Provinces and the Punjab to Karachi. The Agent, North Western Railway, states that the question of a reduction from stations in Sind to Karachi is under examination.

(d) and (f). Statements to this effect have been made by the Pioneer Sind Sugar Mills Company.

(e) No adequate data of the cost of sugar-cane cultivation are available.

(g) As I have informed the House already the rates for sugar from stations in Sind to Karachi are being re-examined by the Agent, North Western Railway, and I am sending him this question and my reply for information.

LETTERS WHICH MR. ARUN CHANDRA GUHA, A STATE PRISONER, IS PRIVILEGED TO WRITE.

133. **Mr. Suryya Kumar Som:** (a) Will Government be pleased to state:

- (i) how many letters Mr. Arun Chandra Guha a State Prisoner under Regulation III of 1818 is now privileged to write in a week?
- (ii) whether is it a fact that he invariably wrote three letters every week up to August 1934?
- (iii) whether is it a fact that he has not written any letter since September, 1934?

(b) Are Government aware of any reason for his not writing any letter since September 1934?

The Honourable Sir Henry Craik: (a) (i). In accordance with the rules a State Prisoner is allowed to write three letters a week.

(a). (ii), (iii) and (b). I would invite the attention of the Honourable Member to the reply given by me to Mr. Basanta Kumar Das' starred question No. 385 on the 21st February, 1935.

I have since been informed that he has resumed correspondence with his relatives.

REPRESENTATION MADE BY MR. ARUN CHANDRA GUHA, A STATE PRISONER.

134. **Mr. Suryya Kumar Som:** Will Government be pleased to state if Babu Arun Chandra Guha, a State Prisoner under Regulation III of 1818 has made any representation to Government? If so, on what points, and with what result?

The Honourable Sir Henry Craik: Several representations have been received from Arun Chandra Guha since his detention as a State Prisoner and orders have been passed on them. If the Honourable Member will intimate the point or points on which he requires information I will endeavour to supply it.

PRESENT MENTAL AND PHYSICAL CONDITION OF MR. ARUN CHANDRA GUHA,
A STATE PRISONER.

135. Mr. Suryya Kumar Som: Will Government be pleased to state the present mental and physical condition of Babu Arun Chandra Guha, a State Prisoner under Regulation III of 1818?

The Honourable Sir Henry Craik: The State Prisoner is in good health. Though he complains of sleeplessness, he eats well, is said to look well and to have gained in weight.

RESTRICTIONS ON INDIAN KING'S COMMISSIONED OFFICERS SERVING IN
BALUCHISTAN FOR COMBINED LEAVE IN INDIA.

136. Mr. M. Asaf Ali: (a) Is it a fact that combined leave in India, for Indian King's Commissioned Officers, serving in Units in Baluchistan District, has been restricted to a period not exceeding three months except in special circumstances?

(b) Is it a fact that Regulations for the Army in India provide for combined leave up to a period not exceeding eight months in India and twelve months *ex-India*?

(c) Is it a fact that no such restriction has been imposed on the British Officers?

Mr. G. R. F. Tottenham: (a) and (c). I am making enquiries and will lay the result on the table in due course.

(b) Yes.

CADETS ADMITTED TO THE INDIAN MILITARY ACADEMY.

137. Mr. M. Asaf Ali: (a) How many cadets out of the ranks of the Indian Army have been admitted to the Military Academy through nomination by the Commander-in-Chief?

(b) How many of these have been turned out or reverted as unsuitable?

Mr. G. R. F. Tottenham: (a) 101.

(b) 10.

TELEGRAMS RECEIVED IN NEW DELHI CENTRAL TELEGRAPH OFFICE.

138. Mr. M. Asaf Ali: Is it a fact that since the conversion of the Delhi Government Telegraph Office into a combined office, all telegrams for Delhi are received in New Delhi Central Telegraph Office, whence after one or two hours' delay they are sent by hand to Delhi General Post Office in open covers?

The Honourable Sir Frank Noyce: Since the conversion of the Delhi Telegraph Office into a Combined office all telegrams for and from Delhi pass through the New Delhi Telegraph Office. Express class messages between the Delhi Combined Office and New Delhi are passed by wire

while messages classed Ordinary are forwarded in locked bags by a motor bicycle service which runs at intervals of twenty minutes from 9 A.M. to 10-40 P.M. The early morning delivery of the night ordinary traffic leaves New Delhi at 5-30 A.M. The few ordinary messages (if any) for Delhi arriving between 5-30 and 9 hours in the morning are transmitted to Delhi by wire with the Express traffic. It is not a fact that the messages are delayed for one or two hours.

DELHI C AND A TRAFFIC.

139. Mr. M. Asaf Ali: Is it a fact that:

- (a) the Delhi C traffic is nearly 1,000 and A, 200 daily; and
- (b) the average daily income is about Rs. 400?

The Honourable Sir Frank Noyce: (a) The average daily C traffic is 658 and A traffic 149.

(b) The average daily revenue from all telegraph messages booked at the Delhi Combined Office is about Rs. 172.

LOCOMOTIVES MANUFACTURED IN INDIA.

140. Prof. N. G. Ranga: Will Government be pleased to state:

- (i) what kind of locomotives are being manufactured in India;
- (ii) in which workshops;
- (iii) the total number of locomotives manufactured per annum;
- (iv) since when these locomotives have been manufactured in India;
- (v) the total number of locomotives imported from England and other countries respectively during the same period;
- (vi) the capacity per annum of our workshops to produce locomotives;
- (vii) the relative prices of the same kind of locomotive imported from England and other countries;
- (viii) the cost of production of the same in our workshops; and
- (ix) when the manufacture of other kinds of locomotives also is likely to be taken up?

Mr. P. R. Rau: (i) Metre gauge.

(ii) Bombay, Baroda and Central India Railway workshops at Ajmer.

(iii) About 15 per annum during recent years.

(iv) About 1896.

(v) The information is not readily available.

(vi) No other workshops are able to produce locomotives.

(vii) Recent comparable prices are not available due to the paucity of orders and the fact that orders for the same types have not been placed simultaneously in England and abroad. The last contract prices for YD class engines purchased in England and Switzerland were Rs. 74,100 and Rs. 78,000 each.

(viii) The last cost of construction of YD class locomotives at Ajmer was Rs. 74,126.

(ix) As I have already stated on previous occasions, the question is under investigation.

TERMINATION OF CONTRACT OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

141. Prof. N. G. Ranga: Will Government be pleased to state:

- (i) when the contract with the Madras and Southern Mahratta Railway Company for the management of the Madras and Southern Mahratta Railway terminates;
- (ii) what are the financial steps to be taken and at what cost if the State were to take over the management of that Railway;
- (iii) whether Government have considered the advisability of taking over the said management; and
- (iv) if so, when Government propose to give the necessary notice of their intention to take over the management of the said Railway to the Company?

Mr. P. R. Rau: (i) The earliest date on which the contract with the Madras and Southern Mahratta Railway Company can be terminated is 31st December, 1937.

(ii) If Government decide to terminate the contract, twelve months' previous notice shall have to be given and arrangements made for the cash payment of the Company's share capital of £5 million.

(iii) Not yet.

(iv) The question will be examined next year.

ABSENCE OF INTERMEDIATE CLASS ON TRAINS RUNNING BETWEEN MADRAS AND MANGALORE.

142. Prof. N. G. Ranga: (i) Are Government aware of the fact that there is no intermediate class in the passenger and mail trains running between Madras and Mangalore on the South Indian Railway?

(ii) If so, why?

(iii) Are Government aware that this causes much inconvenience to many middle-class people?

(iv) Do Government propose to see that intermediate class is introduced on the said Railway line?

Mr. P. R. Rau: (i) Yes.

(ii), (iii) and (iv). I would refer the Honourable Member to the reply placed on the table of the House on the 23rd November, 1933, in reply to Mr. K. P. Thampan's question No. 751 asked on the 7th September, 1933.

INDIAN OFFICERS OF ALL-INDIA SERVICES AND SECRETARIES, JOINT SECRETARIES, ETC., IN THE GOVERNMENT OF INDIA DEPARTMENTS.

143. Mr. Anugrah Narayan Sinha: (a) Will Government be pleased to lay on the table a statement showing the number of officers in the All-India Services, province by province on the 1st of January 1921, 1925, 1930 and 1935? How many of them were Indians?

(b) Will Government be pleased to lay on the table a statement showing the number of Secretaries, Joint Secretaries, Deputy Secretaries, Assistant Secretaries and Under-Secretaries working with the Government of India on the 1st January of the foregoing years, and how many of them were Indians?

The Honourable Sir Henry Craik: (a) Information relating to the percentage of Indians in the All-India Services in 1921 is contained in the statement laid on the table in reply to question No. 170 on the 15th September, 1921. Information as to the number of Europeans and Indians in the All-India Services on the 1st January of each of the years 1925 to 1934 is contained in the annual returns showing the Indianisation of the Superior Civil Services, copies of which are available in the Library of the House. The collection of the information in the form asked for by the Honourable Member, i.e., by Provinces, will entail considerable time and labour, but I hope the statements to which I refer will meet his requirements.

(b) Information is being collected and will be laid on the table in due course.

SHORT NOTICE QUESTIONS AND ANSWERS.

REDUCTION OF THE BRITISH ELEMENT IN THE INDIAN ARMY.

Mr. T. S. Avinashilingam Chettiar: Will Government state:

(a) whether they are aware of the speech made by His Excellency 12 Noon. the Commander-in-Chief in the Council of State on the 25th February, 1935, in reply to the Honourable Rai Bahadur Mehrotra's Resolution, urging a substantial reduction of the British element in the Indian Army;

(b) when the expert enquiry referred to in the speech was made;

(c) who the members of the enquiry were;

(d) what the terms of the enquiry were;

(e) when the expert enquiry committee submitted their report;

(f) whether they are prepared to place the report on the table of this House; if not, why not; and

(g) what the main recommendations of the expert committee are?

Mr. G. R. F. Tottenham: (a) Yes.

(b) The investigation started in April, 1931.

(c) It was conducted by His Excellency the Commander-in-Chief and members of his staff.

(d) The terms of the enquiry followed the terms of the Resolution of the Defence Sub-Committee of the first Round Table Conference, which read as follows:

"The Committee also recognise the great importance attached by Indian thought to the reduction of the number of British troops in India to the lowest possible figure and consider that the question should form the subject of early expert investigation."

(e) 13th June, 1931.

(f) No. It is a confidential document.

(g) The results of the enquiry were published in a Press Communiqué issued on the 21st December, 1933—a copy of which I shall be glad to place in the Library of the House. The main recommendation was that there should be no immediate reduction in the numbers of British troops on the Indian Establishment, partly because those numbers had already been reduced by about 20,000 since the war and partly because the present scheme for the Indianisation of the Indian Army included the gradual replacement of certain British Units by Indian Units, which would in itself involve an automatic reduction in the number of British troops as time went on.

Mr. T. S. Avinashilingam Chettiar: At the present pace, may I know how many years it will take for the Indian Army to be Indianised?

Mr. G. R. F. Tottenham: At the present rate, it should be obvious to anybody who is not a congenital idiot that the Indian Army will never be Indianised.

(Cries of "Shame" from the Opposition Benches.)

Mr. T. S. Avinashilingam Chettiar: What has happened to the Skeen and Rawlinson Committees' recommendations?

Mr. G. R. F. Tottenham: I do not know what the Honourable Member means by the Rawlinson Committee. If the Honourable Member is referring to the Shea Committee, His Excellency the Commander-in-Chief gave an answer in the other House on that question a few days ago, which was published in the papers.

Mr. T. S. Avinashilingam Chettiar: I want an answer in this House. May I ask for a ruling from the Chair?

Mr. President (The Honourable Sir Abdur Rahim): There is no question of ruling.

Mr. G. R. F. Tottenham: I am shortly going to answer a long short notice question by Mr. Satyamurti on the subject of the Indianisation of the Indian Army proper. Mr. Avinashilingam Chettiar's question dealt with the reduction of British troops. He is now asking supplementary questions about the Indianisation of the Indian Army. I shall deal with that in reply to the next question.

INDIANISATION OF THE INDIAN ARMY.

Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they recently examined the whole question of the Indianisation of the Army;
- (b) if so, the nature of the enquiry, the time when it was made and the names and qualifications of those who made the enquiry;
- (c) the place or the places where the enquiry was made;
- (d) whether any Indian witnesses were examined, or whether in any other manner, Indian opinion, expert or lay, was consulted and if not, why not;
- (e) whether the results of the enquiry were submitted to the Government of India, or sent directly to the Committee of Imperial Defence;
- (f) whether they made any recommendation thereon;
- (g) whether the Government of India as a whole were or were not consulted, and if they were not, why not?
- (h) the time and manner of the consideration of this question by the Committee of Imperial Defence;
- (i) the time when the views of His Majesty's Government were conveyed to the Government of India and what those views were;
- (j) whether the Government of India as a whole considered these views and accepted them;
- (k) whether the Government of India had any discretion in the matter; and
- (l) why the Government of India agreed to the proportion of three to one British to Indian in the Indian Army?

Mr. G. R. F. Tottenham: I think it would be of more value to the Honourable Member and to the House if I were to give a general answer to his question instead of replying to each part of it separately. In doing so I shall endeavour to give the information that he asks for. The specific recommendations of the Defence Sub-Committee of the First Round Table Conference were, firstly, that there should be an immediate and substantial increase in the rate of Indianisation within the Indian Army proper and that a Training College should be started in India for that purpose; and, secondly, that there should be an expert enquiry into the possibility of reducing the number of British Troops on the Indian establishment. These two recommendations, although necessarily interconnected, were formulated separately and were dealt with separately. I have already given an answer regarding the expert enquiry into the possibility of reducing British troops. In this answer, I shall confine myself to the Indianisation of the Indian Army proper, that is to say the replacement of British by Indian officers in that Army. It is clear however from the last part of the question which suggests that the Government of India have accepted a ratio of three British to one Indian in the Indian Army that the Honourable Member is under a misapprehension which I must first endeavour to remove. Neither His Majesty's Government nor the Government of India

The Honourable Sir James Grigg: (a) The Honourable Member will find a list of the estimates which have been made from time to time of *per capita* income in India on page 162, Volume II of "Indian Economics" by G. B. Jather and S. G. Beri. There are no more recent estimates than the last of those there shewn.

Mr. M. Asaf Ali: May I have it again, Sir?

The Honourable Sir James Grigg: I will lend you a copy.

(b) A statement giving the average figures since 1911-12 is laid on the table. This is of course misleading because it leaves out of account local (as apart from provincial) taxation and it ignores the fact that the burden of import duties is greater and in many instances very much greater than the burden as measured by the sums which actually accrue to the Treasury.

(c) Some estimates of national income are given on pages 166-167 of the above mentioned volume. As regards the taxation per head, I have been unable at this short notice to lay my hands upon the most up to date information but my recollection is: (a) that Lord Snowden stated that national and municipal taxation together now take something like 25 per cent. of the national income and (b) that the corresponding pre-war figure was in the neighbourhood of 10 per cent.

INDIA.

Incidence of Taxation.

	Rs. a. p.
1911-12	2 11 8
1912-13	2 13 10
1913-14	2 15 0
1914-15	2 13 7
1915-16	2 13 10
1916-17	3 4 2
1917-18	3 9 10
1918-19	3 11 8
1919-20	4 9 3
1920-21	4 14 2
1921-22	5 0 4
1922-23	5 4 5
1923-24	5 5 7
1924-25	5 6 6
1925-26	5 6 7

	Rs. a. p.
1926-27	5 4 11
1927-28	5 5 0
1928-29	5 5 0
1929-30	5 5 6
1930-31	4 11 6
1931-32	4 12 6
1932-33	4 15 4
1933-34	4 14 10
1934-35	4 10 7

Mr. B. Das: May I inquire which one of the *per capita* rates of income, as given in the statement in that book, does the Honourable the Finance Member himself accept—because it varies from Rs. 25 to Rs. 100 *per capita* as given by different financial and economic experts?

The Honourable Sir James Grigg: I would not be rash enough to accept any of them, having had some experience of the mechanics of making estimates of the national income in England. (Laughter.)

Mr. B. Das: Does the Honourable Member agree that the correct *per capita* income is something like Rs. 30 and not higher?

The Honourable Sir James Grigg: The Honourable Member is stating his own calculation.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair desires to mention to the House that this really is not a proper subject for a short-notice question. This was allowed, but the Chair does not want this to be taken as a precedent for the future. (Hear, hear.)

MOTION FOR ADJOURNMENT.

IMPENDING EXECUTION OF ONE ABDUL QUAIYUM FOR MURDER IN SIND.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment from an Honourable Member, Mr. K. L. Gauba, and I have to inform him and the House that that motion for adjournment has been disallowed by His Excellency the Governor General under rule 22 (2) on the ground that the motion cannot be moved without detriment to the public interest.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): What is the motion, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The motion relates to the impending execution of one Abdul Quayum on a conviction and sentence for murder in Sind.

Mr. K. L. Gauba (East Central Punjab: Muhammadan): On a point of order, Sir, I would ask the ruling of the Chair whether the communication of the Governor General is *intra vires* or *ultra vires* of the Governor General?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. If the Honourable Member looks up the rule referred to, he will find that the Governor General has the power to disallow a motion of this nature on the ground which has been stated.

Mr. K. L. Gauba: No, Mr. President, I would refer you to rule 22 (2) under which the Governor General has disallowed the discussion of this motion, and I would submit, Sir, that it is not yet a motion before the House. The Governor General has no right to prevent a Member from bringing forward a motion

(At this stage the Honourable Sir Henry Craik, Home Member, rose).

Mr. President (The Honourable Sir Abdur Rahim): What is the point of order of the Honourable Mr. Gauba?

Mr. K. L. Gauba: My point of order is that the Governor General can rule out a motion once it is a "motion", that is, under rule 22 (2) after leave has been granted by the House; but the Governor General has no right to prevent a Member from asking for leave to move a motion. (Hear, hear.)

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think that the point of order raised by the Honourable Member is a valid one. It is quite clear from rule 22 (2) that:

"The Governor General may disallow, on grounds as aforesaid, any motion for adjournment under rule 11, notwithstanding the consent of the President, and if he does so, the adjournment shall not be permitted by the President, and no further discussion of the motion shall take place."

That, the Chair holds, means that when a notice of a motion for adjournment has been given, it is open to the Governor General at any stage to disallow it, and then the President cannot take any further step in connection with that motion.

Mr. K. L. Gauba: May I point out, Sir. . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair has given its ruling.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to unstarred questions Nos. 129 and 130 asked by Pandit Satyendra Nath Sen on the 31st August, 1934.

APPOINTMENT OF LILLOOAH APPRENTICES AS TRAIN EXAMINERS.

129. (a), (c) and (e). The details of the training received by Mr. Keys, the Anglo-Indian ex-Apprentice referred to and the considerations on which his selection was based will be found in the reply to part (c) of question No. 375, laid on the table of the House on the 19th July, 1934.

(b) Government are informed that the minimum standard of pass marks is 30 per cent.

(c) Yes.

(d) Yes.

(g) A copy of Mr. Keys' certificate is appended.

EAST INDIAN RAILWAY.

APPRENTICES' TECHNICAL SCHOOL, JAMALPUR.

Full Course Certificate.

Certified that C. Keys studied in the above School for a period of five years and attended lectures and practical classes in the following subjects:

Applied Mechanics, Heat Engines, Mechanical Drawing, Electrical Engineering, Workshop Theory, Mathematics, Physics and Chemistry.

His general conduct has been excellent, progress fair and he is placed in the second Division.

(Sd.) E. E. L. GRUNDY,

B.Sc., A.M.I.E.E.,

A.M.I.Mech.E., A.I.A.E.
Principal.

(Sd.) G. TRIMMING,

Dy. Chief Mechanical Engineer,
and Vice Chairman.

Jamalpur, dated the 11th February 1930.

APPOINTMENT OF LILLOOAH APPRENTICES.

130. (a) Agent, East Indian Railway, reports:

that he now finds that the reason for return of two apprentices *viz.*, Messrs. P. N. Dutt and T. C. Ghosh was not unsatisfactory working and irregular attendance as previously stated.

(b) The Agent reports that the reply to these questions are in the negative.

(c) (i) The details of the training received by Mr. Keys, the Anglo-Indian ex-Apprentice referred to and the considerations on which his selection was based will be found in the reply to part (c) of question No. 375 laid on the table of the House on the 19th July, 1934.

(ii) Does not arise.

(d) and (e) Reference is invited to the reply given to part (c) of question No. 631 asked by Mr. Bhupat Singh on the 4th March 1932. Government understand that when vacancies occur on the East Indian Railway in which it may be decided to appoint shop-trained ex-apprentices these two apprentices will be called for selection and their claims will be considered along with other apprentices.

(f) Does not arise.

Information promised in reply to starred question No. 5 asked by Dr. Ziauddin Ahmad on the 5th February, 1935.

INCONVENIENCE CAUSED TO ROAD TRAFFIC BY CLOSING THE BRIDGE OVER THE GANGES NEAR BENARES.

(a) Yes.

(b) The Ganges bridge is common to road and railway traffic.

(c) The bridge is closed for road traffic when an up goods train leaves Moghal Sarai, as goods trains cannot be stopped at the outer signals for fear of a breakdown due to gradient. In the case of passenger trains, however, the loads are much lighter and the bridge is, therefore, closed only when passenger trains leave Bichupur. As regards down trains, passenger and goods, the bridge is closed when the trains leave Benares.

(d) The bridge is sometimes kept closed for a period of about four hours, but this is with regard to the slow moving road vehicles only: fast road vehicles are permitted to go through whenever there is an interval of not less than twenty minutes between train blocks over the bridge.

(e) The suggestion of stopping trains on either side of the bridge to give precedence to road traffic is impracticable as it would involve serious dislocation of the movement of rail traffic.

Plans are in course of preparation for the regirding of the bridge; the provision of independent accommodation for road traffic will be settled in consultation with the local Government when designs are finally got out.

Information promised in reply to starred question No. 37 asked by Sardar Sant Singh on the 5th February, 1935.

UNQUALIFIED CLERKS IN THE GOVERNMENT OF INDIA DEPARTMENTS.

Statement showing the names, etc., of unqualified men employed in the Government of India Secretariat.

Name of Department.	Names of unqualified men employed on 1st January 1935.	Division in which employed.	Length of service on 1st January 1935.	Y. M. D.		
Education, Health and Lands.	Mr. Naubria Ram	Statistical clerk	0 8 15			
Legislative	..	..	..			
Legislative Assembly.	As- ..	..	..			
Industries and Labour.	Mr. K. K. Misra	Third	1 4 29			
	„ S. P. Sarma	„	1 6 12			
	„ Iqbal Singh	„	1 6 0			
Reforms	Mr. Gian Chand	Second	2 11 15			
	„ Roshan Lal	Third	2 10 0			
	„ J. Robinson	Second	2 11 0			
	„ Kashmiri Lal	Third	1 8 15			
	„ Abdul Haq	„	1 7 15			
	„ Amir Singh	„	0 2 15			
	„ Ahmad Sjid	„	0 8 0			
	„ K. V. Padmanabhan	Second	0 7 0			
	„ M. D. Malak	„	2 11 0			
	„ G. L. Varma	Third	0 0 20			
Home	Mr. Babu Ram Sharma	Third	4 7 11			
	„ T. N. Chatterjee	„	4 8 7			
	„ N. Chatterjee	„	4 7 6			
	„ T. Dorairajan	„	4 6 5			
	„ J. C. Paul	„	4 5 23			
	„ P. K. Roy	„	3 2 25			
	„ M. M. Roy	„	2 11 12			
	„ Zamir Husain	„	2 7 23			
	„ P. Peachey	„	1 8 12			
	„ A. R. Qadri	„	0 0 22			
	„ Kewal Kishan	„	0 0 14			
Military Finance.	Mr. E. J. Menzies	Third	0 3 24			
Finance	„ R. K. Tannan	Third	1 1 21			
	„ N. Banerjee	„	0 6 24			
	„ Mohindra Sen	„	0 1 17			
	„ M. S. Thakur	„	0 0 19			
	„ Mohd. Sharif	„	0 0 19			

Name of Department.	Names of unqualified men employed on 1st January, 1935.	Division in which employed.	Length of service on 1st January, 1935.	Y. M. D.		
Army	Mr. H. K. Ghazi	Third	2 11 1			
	„ C. L. Kohli	„	2 11 7			
	„ Rattan Lal Sharma	„	1 2 24			
	„ Krishna Datta	„	1 2 24			
	„ B. C. Das Gupta	„	1 11 19			
	„ M. L. De	„	1 10 16			
	„ M. M. Butt	„	0 11 20			
	„ Brijanand	„	0 4 10			
	Mrs. I. M. Collins	„	0 4 2			
	Mr. A. Wahid	„	0 3 13			
	„ V. D. Khanna	„	0 1 23			
	Miss J. Fairhurst	„	0 1 18			
	Mr. R. R. Sett	„	0 10 21			
	„ Waizuddin	„	0 3 5			
Foreign and Political.	Mr. S. K. Ayangar	First	4 6 28			
	„ T. C. L. Shah	„	3 10 15			
	„ G. R. Chaubal	„	1 8 15			
	„ C. K. Maru	Second	1 8 15			
	„ T. R. Chaubal	„	1 8 15			
	„ D. Y. Pradhan	„	1 8 15			
	„ B. B. Benjamin	„	1 8 15			
	„ Sher Mohammad Khan	Third	4 9 28			
	„ S. K. Nundy	„	4 2 0			
	„ Abdul Rahman	„	4 1 25			
	„ G. B. Ghosh	„	4 1 14			
	„ Mohammad Aslam Khan	„	2 6 9			
	„ Sarnagat Singh	„	2 6 8			
	„ D. D. Sharma	„	2 3 5			
	„ Habibulla Jan	„	2 2 4			
	Mrs. M. S. Hosley	„	2 1 29			
	Miss. G. L. Robertson	„	2 1 10			
	Mr. Nabi-ul-Hasan	„	2 1 6			
	„ M. S. Sharma	„	2 1 2			
	„ Teja Singh	„	2 1 0			
	„ Bauwari Lal	„	1 5 8			
	„ S. K. Roy	„	1 3 11			
	„ Asmat Ali	„	1 2 9			
	„ Tufail Ahmad	„	0 5 25			
	„ A. Narsinga Rao	„	0 3 15			
	„ C. Jacob	„	0 2 9			
	„ Mohammad Tahir	„	0 2 0			
	„ C. R. DeMagry	„	0 0 19			
	„ K. P. Bose	„	0 0 19			
	„ Mohammad Rafiq	„	0 0 19			
	„ N. N. Kalie	„	0 0 19			

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LEGISLATIVE ASSEMBLY.

[5TH MARCH 1935.]

Name of Department.	Names of unqualified men employed on 1st January, 1935.	Division in which employed.	Length of service on 1st January, 1935.
			Y. M. D.
Railway	Mr. Radha Bohari	Third	*5 8 18
	„ M. N. Chatterjee	„	*5 9 16
	„ Harbans Lal	„	*4 11 28
	„ C. L. Bery	„	*0 8 18
	„ Nisar Ahmad	„	*3 0 19
	„ K. M. Murtuza	„	*2 4 1
	„ M. P. Kaicker	„	*1 11 10
	„ Bansi Ram	„	*1 2 9
	„ S. M. Said	„	*0 10 9
	„ R. Narasimham	„	*0 2 26
	„ N. V. Subramaniam	„	0 1 0
	„ Mohammad Bux	„	0 1 0
	„ R. K. Vankatasani	„	*0 2 22
	„ P. V. Rangaswami	„	0 0 20
	„ S. M. Masud	„	0 0 15
	„ M. N. Ramchandram	„	0 0 15
Commerce	Mr. Ehsan-ul Haq	First	4 5 0
	„ M. M. Siddique	Third	4 5 0
	„ Sukhdev Kumar	„	1 4 0
	„ A. N. Fegredo	„	0 11 0
	„ L. R. Dhami	„	0 10 0
	„ Nandlal	„	0 5 0
	„ A. N. Chopra	Stenographer	2 8 0
	„ B. N. Chada	„	0 5 0
Imperial Council of Agricultural Research.	Mr. Har Dayal	Third	0 8 0

Information promised in reply to starred questions Nos. 95 and 97 asked by Mr. M. Asaf Ali on the 11th February, 1935.

PUBLICATION OF THE DELHI PROVINCIAL BULLETIN.

*95 and *97. 3,000 copies are published. Twelve separate issues per month in English, Urdu and Hindi were published in 1933. The Bulletin is now published approximately at the same intervals. The total expenditure incurred during the years 1932 to 1934 on the publication of the Bulletin is as follows:

	Rs.
1932	5,724
1933	5,028
1934	4,020

*Including broken periods.

No separate figures for printing, editing and circulation are available. The expenditure has been mainly met by public subscription.

2. There are no regular subscribers of the Bulletin. Copies have been sold as well as distributed free. Information as to the income from the sale of copies is not available. The work of editing and management is carried out under the general supervision of the Industrial Surveyor (now Superintendent of Industries), Delhi.

Information promised in reply to the second part of starred question No. 159 asked by Mr. V. V. Giri on the 12th February, 1935.

ESTIMATED AMOUNT OF WAGES TO BE PAID TO RAILWAY LABOUR IN INDIA.

The estimated amount of wages to be paid to Railway labour in India during 1935-36 in respect of the works programme for that year is approximately Rs. 67½ lakhs.

Information promised in reply to starred question No. 182 asked by Seth Haji Abdoola Haroon on the 12th February, 1935.

ASSESSMENT WITH EXCISE DUTY OF KHANDSARI SUGAR FACTORIES.

(a) Yes. They are not required to be registered under the Act. The number of factories assessed is 143. The Government of the United Provinces have intimated that information could not be had from all districts. The number of factories assessed viz. 110 in United Provinces has been included in the above figure.

(b) As already stated in (a) above sugar factories are not required to be registered under the Act. The amount of excise duty recovered so far from these factories is Rs. 72,283-5-2.

(c) Yes. The total number of Khandsari sugar factories which do not come within the definition of the Sugar (Excise Duty) Act, 1394, in all provinces except the United Provinces, is 521. There are a large number of Khandsari concerns in the United Provinces but no figures are available showing their number or the quantity of sugar produced by them. The local Government report that they have undertaken to ascertain the approximate amount of sugar produced by Khandsari factories but the results of the enquiry will not be available for some time yet. So far as the other provinces are concerned the information is given below:

Province to which the factories belong.	Number of Khandsari sugar factories which do not come within the definition of the Act.	Quantity of sugar produced.
Bombay	3	Figures not available.
Assam	1	No manufacture.
Central Provinces	1	Negligible.
Bengal	24	3 factories produce 26 maunds per day; output of others not known.
Punjab	473	The average quantity produced at each factory during the year 1933-34 was 239 maunds.
Madras	4	2,240 maunds 16 seers up to the end of June 1934.
Bihar and Orissa	15	Half a maund on an average per day at each factory.
	521	

Information promised in reply to part (a) of starred question No. 219 asked by Seth Haji Abdoola Haroon on the 13th February, 1935.

ASSESSMENT WITH EXCISE DUTY OF SUGAR FACTORIES IN THE INDIAN STATES.

(a) There are 11 sugar factories in the Indian States.

Information promised in reply to starred question No. 224 asked by Mr. S. Satyamurti on the 14th February, 1935.

REVOLUTIONARY PERSONS CONVICTED IN PROVINCES.

Statement showing the number of persons (a) who are still undergoing imprisonment for crimes of a terrorist nature committed before 1920, and (b) who were convicted for such crimes during the period 1920 to April 1930.

Terrorist prisoners still undergoing imprisonment for crimes committed before 1920.

Province.	No.	Case in which convicted.	Unfinished term of imprisonment.	Remarks.	Terrorist prisoners convicted during the period 1920 to April 1930.
Madras	..	..	..	..	..
Bombay	2	Gujrat riots case of 1919.	(1) 9½ years without remission. (2) 5 years without remission.	One of them was the ring-leader in the Viramgaum riots and another was one of the murderers of a police constable in the riots at Ahmedabad. Their cases will be reconsidered by the local Government when each of them has served 20 years' imprisonment including remission.	5
Bengal	2	Shibpur Dacoity case of 1916.	About 7 years in each case.	Both these prisoners were conditionally released in 1926, but were recommitted to jail 1932 for failing to comply with the terms of their bonds. It is not proposed to release them prematurely.	59
United Provinces, Punjab	..	..	..	..	38
	15	One was convicted in the 1914 — 15 Lahore Conspiracy Case, and the others in connection with the disturbances in the Punjab in 1919.	All the prisoners are undergoing life sentences which are indeterminate.	No decision has been reached regarding the date of release of these prisoners.	79

Province.	No.	Case in which convicted.	Unfinished term of imprisonment.	Remarks.	Terrorist prisoners convicted during period 1920 to April 1930.
Burma	..	..	..	..	..
Bihar and Orissa.	..	..	..	..	14
Central Provinces.	..	..	..	..	..
Assam	..	..	..	..	..
N. W. F. P.	..	..	..	..	..
org	..	..	..	..	..
Delhi	..	..	..	..	2
Ajmer-Merwara.	..	..	..	..	..
Total	19				197

Information promised in reply to starred question No. 247 asked by Mr. A. K. Fuzlul Huq on the 14th February, 1935.

BENGALI MUSLIMS APPOINTED IN THE SUPERIOR GRADE OF THE CUSTOMS DEPARTMENT.

Statement showing the number of Appraising, Preventive and Ministerial Appointments made during the the last five years in the various Offices of the Customs Department and the number of appointments given to Bengali Muhammadans.

	Total number of appointments.			Number of Bengali Muhammadans.		
	Appraising.	Preventive.	Ministerial.	Appraising.	Preventive.	Ministerial.
Custom Houses.						
Calcutta	7	48	36	1	3	7
Bombay	20	21	66	..	..	1
Karachi	15	6	28	..	..	..
Madras	7	4	14	..	..	..
Rangoon	2	21	15	..	..	..
Chittagong	..	4	3	..	2	2*

* Including one retrenched clerk re-appointed.

Information promised in reply to part (e) of starred question No. 499 asked by Mr. Muhammad Nauman on the 23rd February, 1935.

COMMUNAL INEQUALITY IN THE ACCOUNTS AND AUDIT DEPARTMENT, BIHAR AND ORISSA.

(e) It is not a fact.

Information promised in reply to starred questions Nos. 591 and 592 asked by Mr. C. N. Muthuranga Mudaliar on the 27th February, 1935.

FAMINE IN THE CEDED DISTRICTS IN THE MADRAS PRESIDENCY.

591. (a) Famine has been declared only in parts of the Anantapur and Bellary districts. No Famine Commissioner has been appointed, but the Commissioner of the Board of Revenue, Madras, Land Revenue and Settlement, is in charge of the famine relief operations.

(c) Government have no information.

(d) No such committees have been formed, as far as Government are aware.

(f) The area has been subject to famine for a very long time the more serious famines having occurred in 1876-78, 1891-92 and 1896-97. Famine also occurred in one or other of the ceded districts in the years 1921-22, 1923-24, and 1934-35. Test works were started in Bellary districts in the year 1931-32, but it proved unnecessary to convert them into relief works. Particulars of the amount spent on famine relief measures until the year 1934 are not readily available, and their compilation would involve a great deal of time and labour.

(g) The information is not readily available.

FAMINE RELIEF MEASURES IN THE MADRAS PRESIDENCY.

592. (a) Yes.

(b) There are six relief works and one test work in the Anantapur districts, and two relief works and two test works in the Bellary District.

(c) A statement giving information for week ending 16th February 1935 is attached.

(d) With the exception of one tank work all the relief works now undertaken are road works. They are of a permanent nature but unremunerative.

(e) Yes. One tank work in Anantapur.

Statement showing the number of Workers employed on the several Test and Relief Works for the week ending 16th February, 1935 in the Anantapur and Bellary Districts.

Anantapur—	Taluk.	No. of workers.
Relief Works	Tadpatri	1,945
	Penukonda—	
	Budali-Kottacheruvu Road	496
	Penukonda and Hindupur taluks—	
	Palasamudram and Kotnur Road	2,442
	Penukonda and Hindupur taluks—	
	Parigi and Roddam Road	1,643

	Taluk.	No. of workers.
Anantapur— <i>contd.</i>		
Relief Works— <i>contd.</i>	Penukonda—	
	Mavatur tank work	845
	Gooty—	
	Gooty and Nagasamudram road	2,031
	Anantapur taluk	928
Test work		
Bellary district—		
Relief works	Siruguppa	696
	Alur	2,045
		801
Test works	Bellary	
	Rayadrug	585

For the purpose of wages workers are divided into three classes, and no distinction is made on the ground of sex.

Class I	workers are paid from	Re. 0-1-3 to Re. 0-1-6.
Class II	„ „ „ „	Re. 0-1-0 to Re. 0-1-3.
Class III	„ „ „ „	Re. 0-0-9 to Re. 0-1-0.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

“Sir, I am directed to inform the Legislative Assembly that the following motion was passed in the Council of State at its meeting held on Wednesday, the 27th February, 1935, and to request the concurrence of the Legislative Assembly in the said motion:

“That this Council do recommend to the Legislative Assembly that the Bill to amend the law relating to marriage and divorce among Parsis be referred to a Joint Committee of this Council and of the Legislative Assembly, and that the Joint Committee do consist of 12 members.”

Mr. President (The Honourable Sir Abdur Rahim): Before the House takes up the general discussion of the General Budget, the Chair has to announce that it has fixed 20 minutes as the time-limit for the speeches. But before the general discussion commences, the Honourable Sir Frank Noyce has to present the report of the Select Committee on the Bill further to amend the Indian Mines Act.

THE INDIAN MINES (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I present the Report of the Select Committee on the Bill further to amend the Indian Mines Act, 1923, for certain purposes.

[Mr. H. P. Mody.]

body of opinion which feels that in the proper regulation of gins and presses lies the true interest of the cultivator.

I will not deny, Sir, that while so much is required of Government, a great deal is required also of industrialists themselves if they are to maintain their position today. Industrialists must not only be content with producing, and even producing with economy and efficiency—efficiency and economy of course are essential—but they must realise that the consumer's demand has got to be enlarged if the country is to absorb all that it produces and all that it receives from abroad. I refer, as instances in point, to the propaganda carried out as regards tea and cement interests which has helped enormously in the consumption of tea and cement in this country.

I shall refer next to the tariff and revenue policy of the Government. In his budget speech, on which I congratulate the Honourable the Finance Member—he avoided all frills and made a matter of fact presentation of facts as he saw them—in his speech the other day, he envisaged a revision of revenue tariffs in certain directions. I do not know how his mind is running, but I do hope that he will not take any action unless he has consulted Indian interests. After all, Sir, within the shelter of these revenue duties, a great many small industries have grown up, and they would be ruined by any hasty scaling down of tariffs. That is an aspect of the question which I would like to urge upon my Honourable friend. In this connection, I cannot help remarking that Government are sometimes very strangely irresponsible to the requirements of the country. Take, for instance, the cinema industry. Strong representations have been made in this House and outside for the last few years by the cinema industry, and yet we find that the raw materials of that industry are being taxed for the sake of the revenue which is derived. The cinema industry has an enormous future in this country. In the United States of America, it ranks perhaps third or fourth in importance. In every other country, it certainly ranks amongst the first dozen industries. Situated as India is, even in spite of her poverty, I foresee an enormous future for this industry. Surely the Government ought to encourage it by every possible means within their power. I hope, when my Honourable friend deals with our criticisms, he will tell us why it is that Government have not seen their way yet to help the cinema industry.

Another thing which I have got to bring to the notice of the House is the proposal with regard to salt duty. I do not know, Sir, in whose interests it is conceived. It may be that, for the time being, if the salt duty is removed, the consumer of salt in Bengal will benefit, but I want to know whether it is not a fact that in the last analysis he will probably be paying more for his salt through elimination of Indian competition than he is doing at the moment. (Hear, hear.)

An Honourable Member: I will deal with that point when I speak.

Mr. H. P. Mody: I am glad my Honourable friend who is behind me is going to deal with that. I respect the weight of his authority! What I was going to say was that if the salt industry had been wholly established in India, I am sure this action would not have been proposed, but because a part of that industry is located in Aden, therefore the duty is

sought to be taken away. Now, we have been complaining, and complaining vehemently, for years together of the handicaps imposed upon Indian traders in the Colonies and the Dominions, but what we are now seeking to do is to handicap traders who have established themselves in a part of British India itself. When Aden is separated, it may be a different matter. We shall apply other considerations to it; but so long as Aden is a part of British India, I want to know why the Indians, who have settled there and who never imagined that Aden was to be separated from British India, who have sunk their capital in the enterprise, should be allowed to be ruined.

One other matter arising out of the budget which I want to refer to briefly in passing is the question of gold export. We are all victims of catch phrases, and it is these wretched catch phrases which very often prevent a dispassionate consideration of important issues. I am not going to say that it is all distress gold that is going out of the country. That is a view-point which stinks in the nostrils of Government; all that I want to know, and I am asking as an humble enquirer, all that I want to know is whether the fact that so much of gold has gone away from the country does not to a certain extent mean that the country is living on its capital. Apart from any other consideration, one result has been that we have been able to increase our imports of commodities and manufactures. Now, the question is, is it a matter of undiluted satisfaction that the country should have lived, so to speak, upon its capital in this matter? One other question I would ask my Honourable friend. India has always been regarded as the sink of the precious metals, and, within the last 25 years, enormous accumulations of gold have taken place which are now being drawn upon. Supposing we were to revert to the happy position within the next two or three years in which, after paying for all our remittances and home charges, we still had a favourable balance of trade and we had to import the precious metal, will it not be that we shall be paying more for our gold than we have realised on an average in all these years. I wish my Honourable friend to answer that question.

Sir, I come now to the all-important question of agricultural indebtedness. Sir George Schuster a year or two ago gave certain figures by which he tried to show that the lot of the agriculturists had not been so miserable as was supposed. I shall take his own figures; they show that in 1933 the value of eleven of the most important exported products of India came down to 46 per cent. as compared with the period of 1920-30. In other words, the cultivator, for every hundred rupees that he realised in the period between 1920 and 1930, realised Rs. 46 in 1933. At the same time, he paid much more than Rs. 46 for those articles,—and they are only a very few,—which he consumed; he paid a great deal more, because it is a known fact in economics that manufactures lag behind food products in a world depression in the matter of price. So what happened was that while the cultivator was realising only Rs. 46, he was probably paying Rs. 60, 70 or even 80 for what he consumed. Now, Sir, how can it be said in these circumstances that the lot of the agriculturist is one which need not cause any anxiety? I grant here again that a great deal has been done in recent years in the matter of relief of the agriculturist. Debt legislation in all the provinces has been initiated. But a great deal of this debt legislation, I am afraid, has been ill-conceived and hastily executed, and I feel that the Government of India can do an enormous service to the provinces if they were to give them the benefit of their

[Mr. H. P. Mody.]

advice and guidance, and if they were to bring about a co-ordinated policy. A great deal remains to be done, and the success which, for instance, has been achieved in the Central Provinces in the matter of setting up conciliation boards must be a reminder to the Government of India that while the problem is bristling with difficulties it is capable of solution. And that brings me, Sir, to the one crore grant which my Honourable friend has promised in his budget. There must be general agreement that no feature of the budget is as happy as this one. It is a very substantial measure of relief, but my only fear is that it may be frittered away in showy undertakings, in spite of the fact that my Honourable friend has promised a very careful scrutiny on the part of the Government of India of every scheme put up for their consideration. I say, here is a field, an enormous field for co-operation between Government and the people. We may have our political differences, but, surely, in a matter, which affects vitally the well-being of the masses, there can be only one attitude, and that is that each one of us, whether he be a Government servant or a member of the public, has got to help. There are a great number of non-official agencies which work in the villages and in the districts. They have been working for years, and my suggestion is that provincial Governments should impress them into their service, and should borrow from their experience, if this one crore of rupees is to reach the masses and give them the fullest possible benefit.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time.

Mr. H. P. Mody: Sir, if you give me five minutes more, I will conclude.

I said at the start that another thing which requires to be done is that the military expenditure must be drastically cut down. Exhaustive statements of policy have been made today in answer to short notice questions. I say, I am not concerned with how much we spend *per capita*; I am not concerned with what is the extent of the territory which has got to be protected. The simple position which I take up is that we simply cannot afford the present military expenditure. And if India has to make a choice between a little less security and a little less crippling of her resources, I have no doubt whatsoever how the decision would be made. Sir, India certainly requires protection against internal disturbances and external aggression, but she needs even more to feed and clothe her masses and to secure for them the satisfaction of their most elementary needs.

Sir, just a few words about the country's financial position. Some time ago, I pointed out that the country had lived beyond its income to the tune of 56 crores of rupees during the previous ten years. Taking today the previous 15 years, I find that the country has lived beyond its income to the extent of 50 crores of rupees. Sir George Schuster did not challenge my figures. He only pointed out that I had taken no account of the provision that had been made for debt reduction and redemption. Sir, that is a provision which the Finance Member has admitted must be the first charge upon the revenues and I do not take that into account, and I repeat that the country has lived beyond its income to the extent of 50 crores of rupees. We must all admit that in one respect we are happier than probably some of the biggest countries in the world,

and that is in the matter of our credit. Our credit stands very high in international markets, and that has been achieved by budgetary equilibrium. It has been achieved by the sacrifices which the country has been asked to make in the way of additional taxation. But the limit of taxation has been reached, and I ask my Honourable friend to believe that the Indian tax-payer can offer no further resources which he can tap, and that the problem of middle-class unemployment is becoming a monster which may devour every one of us in time to come.

I come to my last word. My Honourable friend, Sir James Grigg, from what I know of him, is a realist. I ask him to consider what sort of economic future he envisages for the country if his balance-sheet is going to be overweighted by one single item, namely, the military expenditure, and if the industrial backwardness of India and the agricultural indebtedness are to continue. When he has considered the matter, I hope he will persuade his colleagues in the Government of India to adopt a bolder policy towards the industrial and agricultural development of the country, and, at the same time, save the country from the stranglehold of the military budget.

Sir Ghulam Hussain Hidayatallah (Sind Jagirdars and Zamindars: Landholders): Sir, I should like to make a few observations on the budget. The budget proposals which have been presented to this House by the Honourable the Finance Member in regard to the coming year are, I might say, very encouraging. It is refreshing to see that in the coming year's budget there is no proposal for fresh taxation. It is after many years that we have no proposal for additional taxation, and our thanks are due to the Honourable the Finance Member. I must, at the same time, congratulate the Finance Member on his candour in admitting the shortcomings of his budget. The Honourable the Finance Member says that the budget certainly does not satisfy him. I am afraid, if the author of the budget is not satisfied with his own budget, it is not going to satisfy others. The Honourable the Finance Member, while disposing of his surpluses, has taken upon himself the impossible task of pleasing every one. He has tried to please the agriculturists, the industrial and commercial classes, the poor and middle classes, and the services. But I must state frankly that he has been able only to satisfy the services. He has made a provision of one crore of rupees for the economic development of the rural areas. I think we ought to feel grateful to him for this small mercy, and we ought to be grateful to the Government of India for taking interest in the rural areas since last year. They had an economic conference last year, and this year the Government of India have translated their sympathy into action by providing one crore of rupees for rural uplift. But I must say that this one crore for the vast area of India is a very small sum: this tiny dole will not be very much appreciated by the people of the rural areas who are the teeming millions, nor will this tiny dole serve the purpose for which it is provided.

As regards the Honourable the Finance Member's proposal for reduction in the income-tax burden, I do not think the industrial and commercial classes are fully satisfied with his reduction of one-third of the surcharge; nor are the middle and poor classes, who pay income-tax on incomes from one to two thousand rupees, satisfied with his proposal. Had he taken the bold step of raising the income-tax limit from one thousand to two thousand rupees, I am sure, it would have been very much appreciated by all.

[Sir Ghulam Hussain Hidayatallah.]

Coming to the services, I think it is an inopportune time to restore their cut in pay. Had he restored the cut in the pay of menials and clerks, nobody would have grudged it; but I am sure that his restoration of the cut to other officials is very much resented. Government have always treated their services generously. When the cost of living went high, Government gave their services substantial increases in their salary. On the top of it came the Lee Commission concessions; then the time-scale was introduced for their benefit. All these concessions cost the country crores of rupees. Now, when there is depression, when the cost of living has gone down, I feel that Government servants also like others should take the rough with the smooth.

I come now to the remarks of the Honourable the Finance Member as regards gold. I am sorry I do not agree with him there. May I ask, when other countries are conserving their gold resources, when they are hoarding gold, why should not India do so? The Honourable the Finance Member knows there is a great flow of gold from India. Why does he not stop it by imposing a heavy export duty? Again, the Honourable the Finance Member thinks there is in India a plethora of gold and only the surplus is being sent out for India's benefit. It might be true in some cases; but in most cases the people have to meet their demands; take the agriculturists who are the backbone of the country. May I ask the Honourable the Finance Member if it is not the agriculturists that pay all these excises—excises on matches, sugar, kerosene oil and tobacco? It is the agriculturists that pay land revenue and the water rate: they pay the rates to the local bodies, and what is their position now? The price of their produce has gone down considerably and they are hit very hard: in order to meet their demands, most of them have been selling their gold—not because it is surplus gold. Only some of them might be selling their surplus to make a little profit.

When I looked at the budget, though it shows a surplus of a crore and a half, I found that that surplus has been achieved by postponing the payment of liabilities. I take the statement of the Honourable the Finance Member: he himself admits that we have got a moratorium of Rs. 58 lakhs from the United Kingdom; otherwise he would have had to make provision in the budget for that. Again he considers three crores as a reasonable amount for the redemption of debt. But the old convention has been—it was established in 1924—that for all borrowings before the 31st March, 1923, a provision of four crores ought to be made for the redemption of debt; and on subsequent borrowings $1\frac{1}{4}$ per cent.: and that convention was followed till last year: it was a sound convention, and according to that convention, I am sure the Honourable the Finance Member would have to provide not less than six to seven crores for the redemption of debt: and the redemption of debt is the first charge on the revenues: and he states as his reason that most of the debt is borrowed for the purpose of the railways; and unless railways pay, we should provide only three crores. May I put it to him—suppose the railways do not pay for ten years more, is he going to postpone the evil day indefinitely or for ever? But he is himself conscious of the fact that three crores is not sufficient for the redemption of debt; and out of his surplus he adds 75 lakhs to it. Had he made proper provision for the redemption of debt, I am sure this would have been a deficit budget.

Let us now see how our expenditure is shaping. In 1933-34, our expenditure was Rs. 75.97 crores: in 1934-35, it was Rs. 78.12 crores—revised, Rs. 78.53 crores; and next year's budget estimate is Rs. 88.69 crores

The Honourable Sir James Grigg (Finance Member): Give the figure in the table corresponding to those figures: it is not 88.69.

Sir Ghulam Hussain Hidayatallah: Even if I take the figure at Rs. 80.06 crores it shows that the expenditure is still on the increase, on the upward grade. Then not only that, but along with the civil expenditure, which is steadily increasing, let us take the defence expenditure. What did the Honourable the Finance Member say about it? This is what he said:

"In his budget speech last year my predecessor again communicated to the House a warning previously given that a large reduction in defence expenditure in recent years had been secured to some extent by emergency measures of a temporary character, and that the figure of 44.38 crores could not be regarded as representing a new permanent level of defence expenditure."

That means this is the bare minimum, and it is liable to increase. Therefore, not only the civil expenditure goes on increasing, but there is a likelihood of the military expenditure also increasing.

Now, let us take the revenues. What does the Honourable the Finance Member say about Opium? That is what he says:

"As Honourable Members are aware, this source of income, will practically cease at the end of the present calendar year in accordance with the policy which was announced some years ago by the Government of India, and in future we shall recover only the cost of opium sold for consumption in India."

And what is the opinion of the Honourable the Finance Member about the sugar import duties? He says that when sugar factories will be in full working order, this income out of the import duty will also ultimately disappear. I shall quote his own words:

"The process may not, however, be completed during 1935-36 and the best forecast we can make is to assume an import revenue of 175 lakhs."

He further says:

We cannot, however, anticipate that the revenue from the import duty will remain at so high a figure in 1935-36 and the increased revenue to be expected from the excise duty will by no means compensate for this inevitable reduction. During the period when Indian factories were not working at their full strength imports have been substantial. But when Indian production reaches its full level, imports of foreign sugar for ordinary consumption will almost disappear, and there will only be certain small imports of the finer varieties of sugar."

So Sir, according to the statement of the Honourable the Finance Member, import duty on sugar is also likely to disappear in the near future. That is, taking the two, the opium revenue and the import duty on sugar together, our revenue will shrink to the extent of about two crores. Now, Sir, I have shown to the House that the expenditure is on the increase and the revenue is shrinking. My friend from Sind might say that this is an under-estimate of sugar import,—I have no quarrel with him if he says that it is an under-estimate or an over-estimate. It is immaterial for my purpose. Now, Sir, what has been the policy of the

[Sir Ghulam Hussain Hidayatallah.]

Government of India since the depression set in in 1920? It has been a policy of what may be called *laissez faire*. They have been balancing their budgets by taxing the people. The credit of budgetary equilibrium is due to the people, who have been subjected to all sorts of taxes. May I ask the Finance Member how much taxation has been levied since 1920 by the Government of India? It must be to the tune of many crores. Take the Local Governments. They have also for the purpose of balancing their budgets been levying taxes to the extent of some crores

Mr. S. K. Hosmani (Bombay Southern Division: Non-Muhammadan Rural): Who did it? In Bombay you were the Finance Member.

Sir Ghulam Hussain Hidayatallah: Yes, I did it, and I take the credit and the discredit both together.

Then, Sir, the same is the case with regard to the local bodies. In spite of this heavy taxation, what is the financial position of India today? Look at the resources of the local bodies. They have depleted treasuries. What is the plight of the Provincial Governments? Excepting a few, most of them have deficit budgets. Then what is the position of the Government of India? It is, I might say, hand to mouth existence. Therefore, I would request the Finance Member to take his courage in both hands and adopt a bold policy of rigid economy, retrenchment and re-organisation. If he won't do it, then I might assure him that the people cannot bear any more taxation. Military expenditure is already increasing steadily. It might be said that the military authorities have already brought down their expenditure to the lowest possible limit and that they have reduced it to 44 crores, which is less than the recommendation made by the Incheape Committee. But what about the losses on strategic lines? That money ought to be debited to the military department. What about the Indian Medical Service officers that the Government of India compel the Provinces to employ and pay for? Their salaries ought to be debited to the military department. Then, Sir, the military authorities themselves admit that this 44 crores is only a provisional figure liable to increase, because they have kept in abeyance many of their important works. That means the expenditure will come to many more crores, and I don't think that a poor country like India can afford to pay this sum. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has reached his time limit.

Sir Ghulam Hussain Hidayatallah: I shall finish in a few minutes, Sir. Whenever suggestions have been made for reducing the army expenditure, the policy has always been dictated by the Army Department, and, therefore, it is but fair that those who call the tune must pay the piper. The Army Department will not contribute properly to the heavy military expenditure. They ought either to carry out the recommendations of their own expert committees, or they ought to contribute a considerable amount to the defence of this country. There is a great deal of room for retrenchment also in the civil expenditure. Before I sit down, I will again request the Honourable the Finance Member to give up this policy of drift and follow a bold policy of rigid economy, retrenchment and reorganisation.

Sir Leslie Hudson (Bombay: European): Sir, I should like to congratulate the Honourable the Finance Member on the brevity of his speech, the crisp and concise sentences of which are strongly reminiscent of the style of Lord Snowden, one of Britain's most able Chancellors. I recall my own remarks last year concerning some of the main items in the Finance Member's budget proposals when I said that my Group acquiesced in the proposal to distribute half the jute export tax among the jute producing provinces. I am glad that the Honourable the Finance Member recognises the efforts which the Government of Bengal have made and are making to retrench and to tap new sources of revenue. It does not, however, appear to me that Bengal is in the least likely to return to solvency unless it receives the whole, or at any rate, a larger percentage of the jute export tax. Without prejudice to the claims of any other province, I trust that the financial position will soon allow this additional assistance to be given to Bengal, for, as has been emphasised, on more than one occasion from these Benches, financial instability is one of the most potent causes of political unrest in that unhappy province.

We note that the position of the Posts and Telegraphs Department, as rendered in the accounts, is not so satisfactory as it appears at first sight. We recognise the great steps that have been taken in this commercial department to make it more solvent, and we hope that in future the Finance Member's statement will present the picture more accurately, making allowance for withdrawals from the depreciation fund.

With regard to the ways and means provisions, these seem to be satisfactory. It is fortunate that owing to the large amount of remittances which it has been possible to make during the current year, the Reserve Bank will be inaugurated with a silver redemption reserve amounting to ten crores, which was the ultimate maximum at the time of the passing of the Reserve Bank Bill and which was then expected only to be reached after some considerable time.

As far as the borrowing programme for the coming year is concerned, the actual amount of rupee loan which the Government will repay during the course of the year is estimated at Rs. 37 crores, whereas the amount required to be raised in the Indian market will be Rs. 25 crores only. This, I think, is a satisfactory state of affairs and ensures the continuance of easy money conditions for some time to come.

I should like to pay a tribute on behalf of my Group to the way in which His Excellency the Commander-in-Chief has fulfilled his undertaking that he would not relax his search for economies in the defence estimates. (Laughter on the Opposition Benches.) My Honourable friends may laugh, but the prudent man insures his life and his property and he chooses the best company, the soundest company to do it in . . .

Munshi Iswar Saran (Benares and Gorakhpur Division: Non-Muhammadan Rural): . . . and starves his family and children in order to pay the premium!

Sir Leslie Hudson: Well, they will probably get it on his death.

A few Honourable Members: After India dies!

Sir Leslie Hudson: The figures for 1935-36 represent only an increase of seven lakhs in actual defence expenditure on the figures for the current year. When His Excellency assumed command of the army in India, the defence budget was Rs. 54 crores 10 lakhs; for the next year he has budgeted for Rs. 44 crores 98 lakhs, or a reduction of Rs. 9 crores 32 lakhs, or 17 per cent. That is a considerable achievement, and credit must go to him and his officers for their unremitting efforts in this direction. This process of retrenchment has been aided, somewhat fortuitously, it must be admitted, in the last few years by the continued low prices of grain and other foodstuffs, a circumstance that cannot be expected to continue for ever.

The Honourable the Finance Member expects to have in hand on the 31st March this year a balance of Rs. 2.89 lakhs. This he calls a non-recurrent balance, and he proceeds to allot Rs. 100 lakhs for economical development in the provinces, Rs. 40 lakhs to the Road Development Fund, Rs. 25 lakhs for schemes of development in the North-West Frontier Province, and Rs. 20 lakhs for broadcasting. He also proposes to debit the balance with the Civil Aviation programme of Rs. 93 lakhs, and the transfer of the Pusa Institute to Delhi costing about Rs. 36 lakhs, both of which schemes, however, the Standing Finance Committee and this House originally agreed should be charged to capital. The remainder of the surplus of Rs. 75 lakhs is to go as an additional allotment for the redemption of debt. We have no complaint to make as to the items to which these allocations are made. We particularly welcome the contribution to the Road Development Fund, and we express the hope that in considering the schemes prepared and put forward by the Provincial Governments to improve the economic position of the people, the Government of India will take as short a time as possible to carry them out and that such schemes as are already *in esse* ought to be put into operation at once. We do, however, question the general principle underlying the argument of the Finance Member when he calls this balance non-recurrent and states that it is only available for non-recurrent purposes. He is, of course, aware that this balance is arrived at as a result of the emergency taxation, and as he is not removing the surcharge altogether, does it mean that he considers that the emergency has not passed? If so, is he justified in treating the balance in the way in which he proposes? If the balance has been achieved as the result of emergency taxation, then the first charge on it, after the restoration of the cut in pay, should be the removal of the surcharge, a pledge given by his predecessor and which he himself repeats in paragraph 38 of his budget speech. If, on the other hand, this balance is largely due to under-estimating certain sources of revenue, to which we in this Group drew the attention of his predecessor at this time last year, then the balance can hardly be called non-recurrent. In his proposals for next year, it seems to us clear that the Honourable the Finance Member is estimating so cautiously as to render it practically certain, unless economic conditions gravely deteriorate, that he will have a balance of considerable dimensions on the 31st March next year. Will he then call that a non-recurrent balance to be spent only for non-recurrent purposes? If that is to be the case, what prospect is there of the surcharges ever being abolished?

With regard to the restoration of the cut in pay, we acquiesce, in view of the pledges already given and in view of the fact that it is already

a *fait accompli*. I must, however, point out that there is a very strong feeling amongst our constituents that the proper course would have been to restore half the cut and to remove half the surcharge. If the emergency still persists, where is the justification for the restoration of the whole of the cut? We are, however, more concerned with the policy implicit in the Finance Member's statement that the surplus, due as we consider to under budgeting, is to be treated as a non-recurrent balance and ear-marked for non-recurrent expenditure. It is easy to see that if this policy were to continue, there need never be a recurrent balance, for the Honourable the Finance Member could absorb surplus after surplus in non-recurrent schemes of all sorts and kinds and indefinitely postpone relief to the taxpayers.

I now come to the estimates for the coming financial year. It will be observed that there is an estimated increase of 75 lakhs in the customs receipts. This allows for an estimated decline of two crores in the import duty on sugar, combined with certain increases in the excise duties on various other commodities. It appears to us that the Honourable the Finance Member has been unnecessarily cautious in regard to his sugar estimates. The original estimate of customs receipts from sugar for the current year was 2.05 lakhs, the revised estimate is 3.75 lakhs. The original estimate was based on imports of 113,000 tons and the revised estimates are the figures calculated on 207,000 tons. The estimated income from customs under this head, sugar imports, for next year, is 1.75 lakhs only, which represents an import of 96,500 tons or a reduction of two crores and over 100,000 tons in the revised estimates for the current year. Now, we recognise that it was always anticipated that there would be a rapid diminution of the import of sugar. We are inclined to think, however, that sufficient allowance has not been made in the present budget estimates for the reduction in crop this year owing to the damage by frost in Bihar and also for the probability that Java will follow the same procedure that she has done during the current year of dumping large quantities of her surplus stocks at rates considerably lower than the basic figure laid down by the Tariff Board. I may say that the figures placed before the Honourable Member's predecessor, at this time last year, have been very fully justified in the current year's revised estimates.

Now, with regard to income-tax, allowing for the 1.36 lakhs which is the cost of the reduction of the surcharges by a third and of the 16 lakhs due to the additional tax recoverable from Government servants on account of restored pay cuts, the Honourable the Finance Member estimates an increase of only 35 lakhs. Surely this again is either an ultra conservative estimate or else it must be a confession that the Government is not realising all the taxes due. During the years of depression that we have passed through, the net receipts from income-tax, which, of course, includes surcharges, were 16.74 lakhs in 1931-32, 17.19 in 1932-33 and 16.30 lakhs in 1933-34. There has been undoubted improvement in the financial position of many of the major industries of the country during the current year, the result of which should show partially at any rate in the income-tax recoveries during the year 1935-36. It is difficult, therefore, to appreciate the reason for estimating an increase of only 35 lakhs now. If the estimate does prove to be correct, does it not suggest that something is impeding the natural course of tax recovery in relation to the commercial and industrial prosperity of the

[Sir Leslie Hudson.] country. I have only to emphasize the increase in the figures relating to the recoveries of income-tax from incomes between Rs. 1,000 and Rs. 2,000 during the last three years to show that a greater increase in the recoveries from the higher incomes might be expected.

Generally speaking, therefore, in our view, the Finance Member has been unnecessarily conservative in his estimates of revenue next year. The balance he estimates to be at his disposal on 31st March, 1936, is 1,50 lakhs. We, however, challenge his estimates and we believe that a more optimistic view would have been justified, enabling him to fulfil the promise given by his predecessor that relief must first be given in restoring the emergency cuts in pay, and, secondly, in taking off, not reducing by one-third, but *taking off*, the surcharges on income-tax now in force. The Finance Member is extremely frank in saying that he is disappointed with his own budget. From this point of view, his disappointment must be no greater than our own and we have received the strongest representations from many quarters, both Indian and European, that in this matter the Finance Member has been parsimonious and unnecessarily cautious. He has relied upon his predecessor's pledge in regard to his action in restoring the cut in pay. Will he, however, give us a pledge, an explicit pledge, that in the event of any surplus next year, as the result of under budgeting or exceeded expectations, he will make the total removal of the surcharges the first charge upon the balances? I am afraid that nothing less than that will satisfy us.

Now, Sir, the Honourable Member who preceded me mentioned opium, and, in passing, I also have just a word or two to say in regard to opium. The decline in revenue is naturally the result of the policy laid down by the Government of India and His Majesty's Government, and I have only to say that, apart from the high principle underlying that policy in closing down the export of the drug entirely, it is certain that there is no less opium consumed in China than there was ten years ago. The only result has been that supplies have been obtained from other sources and the benefit which used to accrue to the Government of India has been transferred to the countries from whom these supplies are now obtained and to those countries through whom they are financed and distributed.

As regards the reduction in the duty on silver, we realise that the high duty of five annas has resulted in a great deal of smuggling, which the reduction to two annas will probably put an end to, but there will still remain a considerable amount of smuggling both in imports and exports other than silver through only partially-protected customs lines in the North-West and also in Burma. It is known that large quantities of tea are being exported through Nokkundi, quantities which are considerably in excess of the export quota for tea, thereby tending to destroy the position which the restriction of exports was intended to secure, and, in addition, we understand that large quantities of produce which would be subject to taxation were they to enter India through normal channels where adequate customs facilities are provided, are also finding their way down from the North-West and, under present conditions, are able to evade the slender customs posts which have been established. Similarly, rubber is being exported from Burma into Siam, from which it goes as a free export, without license. It is exported from Burma without license and goes through into Siam. The honest trader

is thus penalized just as much as the honest trader in silver, to whom the Honourable the Finance Member referred in his speech; and India's obligations in the matter of international regulating agreements are being evaded. We request, therefore, that the Government should take prompt action to ensure that the revenues of India are safeguarded, that honest traders are protected, and that our international obligations are fully met.

With regard to the export duty on skins, we shall deal with this matter when the Finance Bill is before us, as it is possible—I may say probable—that our constituents will hold divergent views. (Mr. B. Das: "Hear, hear.")

Mr. President (The Honourable Sir Abdur Rahim): How long is the Honourable Member likely to take? He may resume his speech afterwards.

Sir Leslie Hudson: May I conclude after lunch, Sir?

Mr. President (The Honourable Sir Abdur Rahim): Yes.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Sir Leslie Hudson: I was saying, Sir, that, as regards the duties on skins, we shall have something to say probably later on. As far as the additional import duty on salt is concerned, we note that the Honourable the Finance Member is leaving the final decision to the House. And here, again, it is not only possible, but probably that divergent views will emerge. In the meantime, we understand that commercial opinion in Calcutta holds one view and we have already heard that commercial opinion in Bombay holds exactly the opposite.

There are three points of general interest upon which I should like to touch before I close. We share the Honourable the Finance Member's anger and humiliation at not being able to suggest any possible action designed to promote India's export trade by a general world agreement to reduce tariffs and quotas. We have felt and we shall urge this at a later stage that the question of India's overseas trade requires to be dealt with more energetically and we have felt that, even under the present Constitution, this is a matter which it is within the power of the Government of India to adapt its organisation. I am also glad that the Honourable the Finance Member considers that the present customs tariff is too high and too complicated and is a restraint on trade recovery. With that admission, we hope that later on he will tell us what steps he proposes to take to deal with that position. Last year, a departmental inquiry was promised into the incidence and classification of the Government tariff. Something in regard to the classification has been done and that we acknowledge gladly, but what about the incidence of the revenue tariff? There is a crying need for a wholesale revision. For an agricultural country like India the free list should be as comprehensive as

[Sir Leslie Hudson.]

possible, especially in regard to the articles necessary to agriculture like agricultural machinery and so on. Where a revenue tariff is required, it should be at uniform rates applicable to as many items as possible, thus making for uniformity, and we trust that the Honourable the Finance Member will give us an assurance that something will be done in that regard in the near future. The third point is in regard to the administration and the incidence of income-tax. Here, again, we consider that an inquiry is due for reasons which I have already made clear. I hope the Honourable Member will be in a position to tell us something on that score also.

My own final word is that there is a happy medium between an effort of pure imagination and the path of prudence. This budget shows us that if hell is paved with good intentions, the path of prudence is paved with unpleasant disappointments. I trust that in the coming year the Honourable the Finance Member will place in the forefront of his programme the alleviations to taxpayers, great and small, which in the last sentence of his speech he suggested might be achieved from time to time. We hope that those stages will not be so distant as to exclude from any benefit those who are living in the present generation. A little imagination is sometimes justified even in financial matters, and, if the Honourable the Finance Member's prudence were a little coloured by it, I am sure that the canons of sound finance would not be unduly offended.

Mr. Sami Venkatachalam Chetty (Madras: Indian Commerce): Sir, my inherent regard for truth makes it incumbent upon me to characterise this budget as a bald statement of a mass of figures. I am all the more disappointed in that it is a creation of a sweet charming and youthful personality of Sir James Grigg, who, I am told, has a large reputation for ability. But I am afraid that, while on his voyage to India, he left a greater portion of it on the other side of the Suez. The budget does not deal with many important problems, particularly those affecting the economic condition of the country, in a bold and statesmanlike manner. I am afraid, the only effect that is left on our taste by this budget is one contrary to sweetness and pleasure. Sir, I am accustomed to budgets of the Indian Governments having been a Member of the Madras Legislative Council for some years past. They are all framed on the practice, which has now become almost a principle of over-estimating expenditure and under-estimating revenues. And, I am afraid, the Government of India, in the matter of preparing their budget, have proved to be no exception to the general rule. But in taking into account the surplus of last year, I am afraid Sir James Grigg has absorbed it into the general revenues and has also provided for increases in normal expenditure. If only that surplus is not to be dissipated in that fashion and is to be utilised for the relief of the taxpayer, there would have been no necessity for such a startling reduction of the surcharge on income-tax and perhaps it would have enabled him to increase the taxable minimum income to Rs. 2,000.

The military expenditure continues to be as high as ever. It is now as much as 49 crores of rupees under the regular head of defence services. But there are, as has already been pointed by the previous speakers, other dubious methods by which more money has been provided for the military budget. During the last election fight, my friend, Diwan Bahadur Ramaswami Mudaliar, who had the honour of being a Member

of this Assembly on behalf of the City of Madras, prided himself in the fact that he was responsible for the cutting down of the military expenditure by about Rs. 60 lakhs. Sir, what has been then the real state of affairs? Some of us really believed that the Government might have been persuaded to reduce their expenditure in response to the continuous demands from the people for cutting down the military expenditure. But His Excellency the Commander-in-Chief in his speech in the Council of State the other day has removed all doubts about the generous mentality and attitude of the Government by saying that the previous budgets were all false, that, as a matter of fact, the Army Department was drawing its resources from the surplus stocks either of materials or equipment, and that the time has now come when it is no longer possible for them to draw their resources from these surplus stocks, and they should, therefore, provide for more money under that head. Well, if the previous budgets were false, according to His Excellency the Commander-in-Chief, there is nothing to warrant the belief that the present budget might not prove equally false later on. As a matter of fact, budgets are always framed by the Government, not with a view to the actual state of affairs, but with a view really to carrying on the set purpose they have in view. In fact, the budget today as presented to the Assembly, shows how unconcerned the Government of India can carry on their administration to the real interest of the people. It does not show even the slightest indication on the part of the Government of India to be responsive to the public opinion either in the matter of relief of taxation or in the general development and improvement of the economic condition of the masses. No policy or programme or even an indication of a thought seems to have been bestowed on the question of unemployment, on the question of raising the agricultural commodity prices or facilities for the increase of export trade, or, for that matter, for anything that would improve the general condition of the people. On the other hand, his remarks on the export of gold are very cruel indeed and very very disappointing. I have never known of the Honourable the Finance Member's capacity to suit his principles according to the conditions under which he is serving this Government. I challenge the Honourable the Finance Member to tell me honestly if this statement was made in the British House of Commons with regard to export of gold, he would be able to retain his seat for one moment.

The Honourable Sir James Grigg: Certainly.

Mr. Sami Venkatachalam Chetty: We have been told that he does not see much difference between the export of gold or the export of surplus exportable commodities of articles. It is a very curious statement, coming as it does from the Honourable the Finance Member. In the first place, he must prove to this Assembly that this gold is surplus gold. Evidence was not lacking to prove that this gold was gold that was parted with by the agriculturists, by the ryots and the cultivators on account of distressful conditions. Sir, it is not necessary that this sentiment should be expressed by a person who is sitting on the Opposition Benches. With your permission, Sir, I would ask the Honourable the Finance Member to turn to the pages of the debates of this very Assembly on the budget and particularly to the speech made by Sir Leslie Hudson during the budget debate on the last occasion.

Sir Leslie Hudson: Not the last occasion.

Mr. Sami Venkatachalam Chetty: The year before perhaps. If it was distress gold two years ago, I suppose it continues to be more distressful today. In the first place, the Honourable the Finance Member must, as I said, prove that it is surplus gold. Has there been any calculation with regard to the possession of gold in India *per capita*? How does it compare with the possession of gold by individuals in other countries? It may be, the volume of gold that is found in India appears to be much larger than the volume of gold that was possessed by other countries some years ago. But having regard to the large population of this country, which is perhaps the largest population of any one single country, I ask, what is the quantum of gold that is possessed by an individual on an average? Moreover, having exported 220 crores of gold, ever since England went off the gold standard, the Honourable the Finance Member still maintains that it might be treated only as a commodity which India must be anxious to part with, because it is finding a very good market for its so-called commodity. Well, Sir, this seems to be an advice which can be very well followed by England. Coming as it does from Sir James Grigg, who served the Finance Department in England, if it is burdensome for India to possess so much gold which she has relieved herself in part, may I make an appeal to the English Government through the Honourable Sir James Grigg to relieve herself of that burden and send that gold, at least some quantity of it, to India? Will the Honourable Sir James Grigg undertake to carry this message to the English Parliament and get its sanction? Even a child can disprove his statement that gold is surplus to India. We can understand the commodity being treated as saleable commodity, and part with it, because we can always be sure of the production of that commodity from the fruitful bowels of the earth. If we part with a surplus commodity like groundnuts, like cotton or oil seeds, we know we can depend upon mother earth that it will be produced once again. But with regard to gold, how can we depend upon its production? How can you treat it, therefore, as a commodity that can be easily exported to other countries? Why, in spite of the sane advice, coming as it does from the Honourable the Finance Member, that all the Governments all the world over are unmindful or are ignorant of this simple truth that gold must be treated as an exportable surplus commodity. Now, Sir, here, again, I may quote an equally high authority on economic problems as Sir James Grigg, and that is no less than Sir Thomas Ainscough. He says in his report on the trade between England and India:

"Economic life and trade have been at the mercy of those devastating world forces which have driven the commodity prices to still lower depths, reduced the purchasing power of the people, forced to make heavy drafts upon their reserves of the precious metals."

This is what Sir Thomas Ainscough says with regard to the export of the precious metals from this country. It is very regrettable indeed that, while he gives expression to the statement that the export trade of India is falling down, he has made no provision or he has shown no indication of how that catastrophe might be averted. As a matter of fact, in 1932-33, the export trade of India fell down by about 25 crores, probably by 1933-34, there must have been a still greater fall than 25 crores. Yet he has absolutely nothing to tell us how this can be avoided. It may be said that commercial treaties are being entered into with other countries in order to facilitate the export of our raw products from this country. The only treaty which the Indian Government have to their credit is the

Ottawa Agreement, by which it is not possible to show even for the Government that India has gained. As a matter of fact, by confining or by regulating the course of export only to one country, that is, with Britain and her colonies, they have deprived India of her rightful share with regard to commerce with other countries which have been taking large quantities of the products of our country in return for their commodities.

Then, with regard to the protection policy, I am afraid he has sent a thrill of terror into the minds of industrialists while regretting the fact that it has not been possible for him to reduce the revenue tariff. In one sense, it is not the occasion for me at any rate to assess the benefit of the protection policy of the Government of India so far as the Madras Presidency is concerned. Probably the time will come when the mutual interests of the Madras Presidency and other Presidencies with regard to the particular protection policy that the Government of India is asked to undertake might be settled quite to the advantage of all concerned. But it should not be said that Madras is either lacking in patriotism or nationalism or less keen about the development of national industries if she should now at any rate make a complaint that, while she is ready to give every encouragement and every support for the protection policy which other Presidencies are asking the Government of India to give, it is also necessary that so far as the Madras Presidency is concerned with regard to her agricultural products, the Presidencies must show more regard and more respect with regard to their takings of those products from this Presidency. But, at any rate it is neither good for the industry nor safe for commerce to be living upon precariousness of this sort. Let us know from the Government of India definitely whether they have resolved in their own minds to reduce the tariff on the imported goods in the immediate future. If it be so, it is necessary that the industrialists should be forewarned in order to see that the industries which are now just raising their heads might not be stifled even before they are born. It is a pity that no economic planning with regard either to the increase in our commerce of exportable articles nor in the proper distribution of our indigenous products has been made by the Finance Member, and no attempt has been made to seriously tackle the many life and death problems that are facing us.

There is one other matter to which I should like to draw the attention of the Government of India, and that is with regard to the negotiations with the rulers of Indian States. Well, Sir, the question of negotiations with the rulers of Indian States might perhaps be considered to be a close preserve of the Political Department of the Government of India, but at any rate when they are entering into negotiations with regard to parting with some of our customs revenue or management over railways, in which the interests of British Indians are greatly involved, it is up to the Government of India and it is fair to this Assembly and to Indian public opinion that they should be taken into consideration, that their interests are not allowed to be subordinated to the mere shibboleth of a federation that is going to come.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Mr. Sami Venkatachalam Chetty: I have almost finished, Sir.

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LEGISLATIVE ASSEMBLY.

[5TH MARCH 1935.]

[Mr. Sami Venkatachalam Chetty.]

My Honourable friend, Mr. Mody, referred to the debt legislation as affording partial relief, at any rate, to the agriculturists. I can only characterise that kind of debt legislation as robbing Peter to pay Paul. Nothing has come out with regard to real help to the agriculturists. If they have made some legislation it is only to deprive the creditor of his share of the money which he had lent. Not that I have any objection to make legislation in order to temper the severity of interests on debts. But certainly anything more than that to deprive the creditor of his capital and thus benefit the agriculturist and earn the gratitude of the agriculturist is only calculated to undermine the structure of credit in the country.

I can only close my remarks by hoping that the Government of India will recognise the need for sound economic planning by which the agriculturist may be insured against further impoverishment.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Sir, there are some persons in this world who may be called the favourites of fortune, and one of them is our Honourable friend, the present Finance Member of India. For years Sir George Schuster toiled hard and the people of the country made great sacrifices. But as soon as there is a turn in the tide, Sir James Grigg appears on the scene and reaps where others have sown. I offer my hearty felicitations to him for his good luck, but I am sorry I cannot congratulate him on the financial measures proposed by him except to a very limited extent.

The only really satisfactory feature of the present budget is the provision of a crore of rupees for rural uplift. This is a move in the right direction; but unless it is supplemented by annual grants and a definite plan is prepared for the expenditure of the money, it will not go a long way towards the amelioration of the economic condition of the people. I desire to suggest in this connection the formation of a Rural Development Fund to which all surpluses in the central budgets of the future may be credited.

I am thankful to the Government of India, for the provision which has been made for continuing the payment of one-half of the proceeds of the jute export duty to Bengal. But I must make it clear that this does not meet the whole demand of the province. It is well known that the financial position of Bengal has been in a very unsatisfactory condition for several years past. There have been five deficits in her budget and this year the sixth deficit budget has been presented by the Finance Member.

Sardar Sant Singh (West Punjab: Sikh): Why don't you reduce your expenditure?

Dr. P. N. Banerjea: As for expenses you will find that the revenue and expenditure of the Government of Bengal are in both cases smaller than the revenue and expenditure of all the larger provinces of India. The financial difficulty of Bengal has been due to the inequity of the Meston Settlement and that fact has been admitted by all persons and committees who have any claim to speak with authority on this subject. The claim of Bengal to the proceeds of the export duty on jute has also been recognised as legitimate, as is shown by clause 137 (2) of the Government of India Bill.

Mr. N. M. Joshi (Nominated Non-Official): That was politics.

Dr. P. N. Banerjea: That is not politics, it is financial justice. If you compare the figures of the revenue and expenditure of Bengal with those of other provinces, you will find that while Bengal has the largest population of India, her income is fifth in order of allocation of resources.

An Honourable Member: What about the Permanent Settlement?

Dr. P. N. Banerjea: Owing to the Permanent Settlement, the income derived from land revenue is smaller in Bengal than in the other provinces; but Bengal's contribution to the total resources of India in respect of income-tax, customs, salt and other sources is much greater than that of any other province. In this connection I may point out that Bengal has done her best to present a balanced budget

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Bengal is not the only province to do that.

Dr. P. N. Banerjea: . . . and, just at the present moment, five taxation Bills are on the legislative anvil of the province.

Sir Cowasji Jehangir: You have started rather late in the day: we have been doing it for years.

Dr. P. N. Banerjea: You are mistaken. In Bengal, during the years 1922, 1923, and 1924, more than half a dozen taxation measures were passed

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): It is the budget of the Government of India, not that of Bombay or Bengal, we are discussing.

Dr. P. N. Banerjea: . . . and when the Government of Bombay reduced their taxation, Bengal continued her fresh taxation measures . . .

Sir Cowasji Jehangir: Are those facts in those two big volumes?

Dr. P. N. Banerjea: Yes: if you want to consult them, I shall be glad to present you with several volumes. What I contend now is
3 P. M. that one half of the jute tax is not enough even for the immediate needs of the province. I, therefore, urge that, if the budget figures show an improvement in the course of the year, the entire proceeds of the jute duty or at least a higher proportion than has been provided now should be made over to the province so as to enable her, not only to balance her budget, but to undertake some development in the beneficial services. I am thankful to the Honourable the Leader of the European Group for the sympathy he has shown to my province, and I hope that all sections of this House will unite in securing financial justice for all the provinces, including Bengal.

I desire also to plead for Assam, whose finances are in a chronic state of deficit. While this province contributes annually a crore and a quarter rupees in the shape of petrol duty to the Central Exchequer, she herself derives little benefit from this important source of production within her own borders.

[Dr. P. N. Banerjee.]

One of the unsatisfactory features of the financial statement is the provision relating to military finance. Under the stress of a severe economic depression, helped by a fall in prices, and, as a result of the Capitation Tribunal's decision, defence expenditure has considerably diminished in recent years; but unfortunately it is once again showing a definite tendency towards an increase. The burden of the defence budget, amounting to Rs. 44.98 crores (to which must be added various other items, including strategic railways), is far too heavy for the country to be able to bear. It was pointed out by Sir Walter Layton—Financial Adviser to the Simon Commission—that defence expenditure had increased in a higher proportion in India since the war than in any other part of the British Empire. He also laid stress on the fact that while India was incurring expenditure for the primary functions of the Government, such as defence and the maintenance of law and order, as high a proportion of her wealth as western nations, her expenditure on social services, such as education, sanitation and public health, was far behind western standards, and indeed in many directions was almost non-existent. Defence expenditure now amounts to over 51 per cent. of the total expenditure of the country. The time has, therefore, come to impart a balance to the financial system of the country, without which no progress will be possible in the future.

There are four ways in which a reduction in military expenditure can be made. The first is the Indianisation of officer's ranks of the army at a more rapid pace. There is no dearth of capable men in the country to fill the posts of commissioned officers, and opportunity is the only thing that is at present wanting. The second method is a substantial reduction in the strength of the expensive British force. It is often argued that any reduction in this force would imperil the safety of the country. But experience shows that this apprehension is groundless. For a considerable period of time during the last European War, the British garrison in India consisted only of 15,000 men. If diminution to such an extent was possible during the war crisis, there is no reason why it cannot be made in peace time. In fact, this is a question of policy, and a reduction in strength can be easily effected as soon as the Government cease to regard the British force in India as an army of occupation. I may be permitted to refer in this connection to the speech made by His Excellency the Commander-in-Chief in the Council of State a few days ago, which has given rise to a great deal of public dissatisfaction throughout the country. The third method is the transfer of the cost of that portion of the army which is really an imperial reserve to the British exchequer. It can hardly be denied that a considerable part of the army in India is required to maintain the supremacy of the British power throughout the world, particularly in the east. Unfortunately, the majority of the Capitation Tribunal took a very restricted view of their terms of reference and made recommendations which were far from satisfactory. Equity demands that a considerable contribution should be made by Britain to India on this account. Lastly, considerable economies are practicable, as was pointed out by my Honourable friend, Sir Henry Gidney, last year in the administrative charges of the military department. It is my firm conviction that if all these steps are taken, defence expenditure can be reduced by at least ten crores of rupees.

The decision of the Government to restore the remainder of the salary cut can never meet with the approval of the elected portion of this House. The scales of salaries paid to officers of the higher services are extravagant for a poor country like India. Besides, as the existing salary scales were fixed at a time when prices were very high, is it not fair to demand now, when the price level is so low, a reduction in these scales? The proper thing for the Government to do will be to postpone the restoration of cuts in pay, except in the case of persons drawing comparatively small salaries, till a general revision of salaries is undertaken.

The gold policy of the Government has been the subject of adverse criticism for a considerable time past, and the Honourable the Finance Member's observations will only add to the feeling of dissatisfaction. It is true that gold is a commodity; but it is also true that, unlike other commodities, it is the basis on which the currency and exchange structure of most civilised countries stands. This is the reason why many countries have taken adequate steps to conserve their reserves of the yellow metal. Nor will the public accept the Finance Member's point of view that the country has not been driven by distress to part with her gold reserves. Over 220 crores rupees worth of gold has already left the country, and the time has come for the Government to revise their policy in this regard.

Coming to the remission of taxation, it seems to me that the abolition of the export duty on skins and the reduction in the rate of duty on silver are justified by the circumstances of the moment, although these decisions need not be regarded as final for all time to come. There is much to be said in favour of the reduction in the surcharge on the ordinary income-tax, but the reduction in the surcharge on the super-tax ought to have waited for a more favourable opportunity. In case, the raising of the minimum taxable limit ought to have priority over the relief given to the super-tax payers. Persons earning incomes between Rs. 1,000 and Rs. 2,000 belong to the poorer section of the middle class in India and they deserve the sympathy of the Government as well as the Legislative Assembly in the fullest degree. But there is one measure of relief which should have precedence over all, and that is the reduction in the price of the postcard. The raising of the price of the postcard from one to two pice and then to three pice has been keenly resented by poor people, and the reversion at least to the two pice rate ought not to be delayed any longer. The excise duty on sugar, which is a tax on production and not on profits, has adversely affected the industry, and I would strongly urge upon the Government the immediate necessity of reducing the existing rate. The question of reducing the rate of duty on matches should also be considered carefully.

As for the additional import duty on salt, the Finance Member says, "an impost that has the effect of helping the producers of Aden at the expense of the consumers of Bengal is fundamentally unfair". But the question is,—have the possibilities of the salt industry in Bengal been fully explored? The Government of the province have not afforded any encouragement to the promotion of salt manufacture, but have utilised their share of the additional duty for other purposes. No final step should be taken in this matter without a full investigation of all the facts of the situation. Taken as a whole, I am sorry to have to say that the Finance Member's proposals tend more to benefit the rich than the poor.

[Dr. P. N. Banerjea.]

Sir, before concluding, I wish to say a word about the cheap sneer indulged in by Sir James Grigg when he spoke about imagination in matters relating to finance. He ought to know that an imaginative financier is not necessarily identical with a financier gifted with imagination. It is because India's Finance Members and administrators are generally devoid of the faculty of imagination that they live from hand to mouth and never care to look beyond their immediate surroundings, with the deplorable result that stagnation and reaction prevail in the country. Sir, Sir James Grigg is still a beginner (Laughter) so far as his work in India is concerned, and he will do well to remember the words of a great authority on financial questions who said many years ago: "Finance is not arithmetic; it is a great policy".

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): Sir, as one representing the province of Assam, I want to offer my thanks to the Honourable the Finance Member for the sympathetic reference that he has made in his speech with regard to the needs and requirements of my province. He assured us that out of the 40 lakhs ear-marked for road development fund, Assam will receive a substantial benefit. We are thankful, Sir, for those small mercies, but I want the House to realise that the position of our province is very grave and serious, and these occasional doles from the Government of India, though they may help temporarily to tide over difficulties, are quite inadequate to the total requirements of our province. Our province, owing to its unenviable financial position, has acquired the nickname of cinderella province in India. Out of a budget of little over two crores, in the year 1933-34, Assam had a deficit of 31 lakhs, and the revised estimate for this year shows a deficit of 46 lakhs, and, in the budget estimate for next year, it is estimated that there will be a deficit of over 60 lakhs, and that in a budget of only two crores. Sir, this represents 30 per cent. of the total revenue of the province, and I wonder what the Assembly would have thought of the budget of the Government of India if Sir James Grigg had produced a budget with a deficit of 30 per cent., that is, of 25 crores. That is the position with which Assam is faced today, and I wish Honourable Members realise the seriousness and gravity of our position in Assam. The Assam Government, years ago, exhausted all the balance they had with the Government of India, and for the last few years they are borrowing from the Government of India to carry on the normal administration, and, Sir, our debt to the Government of India amounts to about 2 crores 17 lakhs, and for which we have to pay interest.

Sir Ghulam Hussain Hidayatallah: No Provincial Government is free from it.

Mr. Abdul Matin Chaudhury: Every year the Assam Government borrow fresh money to pay off the debt of previous years.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): They are creating many more provinces,—Sind, for instance.

Mr. Abdul Matin Chaudhury: Let them not do it, if they can't afford. Then, Sir, with this huge deficit and also with the increasing debt burden, the Assam Government are called upon to administer a territory which is about 60,000 square miles in area and has got a population of over eight

millions. And what is the result? Our Government are perhaps the most backward in regard to administration in India.

Sardar Sant Singh: No, you are not backward.

Mr. Abdul Matin Chaudhury: Sir, we have got no University, we have got no High Court, we have got no Medical College, we have got no Agricultural College, not even an Agricultural School.

An Honourable Member: Then, what have you?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Let the Honourable Member go on.

Mr. Abdul Matin Chaudhury: In regard to educational expenditure, our expenditure is the lowest in proportion to other provinces in India. As regards medical facilities, while our neighbouring province of Bengal has got a hospital for every 71 square miles of area, we have got a hospital in every 215 square miles.

As regards communications, while the province of Madras has got 151 miles of road per thousand square miles, we have got only 10½, and the Finance Member does recognise that ours is the most needy province, but unfortunately in the budget we find no provision to meet the needs of the province.

An Honourable Member: Subvention!

* **Mr. Abdul Matin Chaudhury:** About subventions, Sir, the Federal Finance Committee inquired into the finances of the provinces, and they found that Assam was a deficit province, it was an undeveloped province, and the Federal Finance Committee could devise no means of balancing the budget of the province, and they recommended that a loan should be granted from the Federal Government to enable the province to develop itself. Then came the White Paper proposals. In the White Paper, it was suggested that Assam should get a subvention and the Joint Parliamentary Committee also repeated that suggestion and said that the claims of Assam for an increased revenue must be recognised. But there the matter ended. We got only a theoretical recognition of our demand, but nothing practical was done to supply our needs. We do not want to be put in the same category as the deficit province of Sind or Orissa or the North-West Frontier. We have got in our own territories sources of revenue which we claim we should be allowed to appropriate.

Mr. S. Satyamurti: What about the Government of India?

Mr. Abdul Matin Chaudhury: But should they take from us an amount out of all proportion? What we demand is, we have got our own sources of revenue which we should be allowed to appropriate, and that revenue the petrol tax. Assam produces oil in the oilfields of Digboi and Badarur. When the crude oil is converted into motor spirit, the Government of India impose a duty of ten annas per gallon of petrol and two annas and 25 pies per gallon of kerosene. Out of this, they take rupees one crore and 25 lakhs as a duty from our province. I am very thankful to my honourable friend, Dr. Banerjea, for his very kindly referring to that in his speech and for the support he gave to us.

An Honourable Member: You support jute!

Mr. Abdul Matin Chaudhury: I do.

Dr. P. N. Banerjee: Justice for everybody.

Mr. Abdul Matin Chaudhury: Sir,

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member tries not to answer every interruption, he will be able to get along better.

Mr. Abdul Matin Chaudhury: The Government of India take one crore and 25 lakhs every year in the shape of petrol tax from our province, and this amount represents over 50 per cent. of the revenues raised within the province. If you add to this the amount that we pay as income-tax, over 70 per cent. of the revenues raised within the province is taken by the Centre. I may inform the House that from the United Provinces the Government of India take only 22 per cent. of the revenue raised in that province, and from the Punjab they take only eight per cent. Now, we have been agitating for a number of years for the restoration of these petrol duties. I think no one fought more vigorously than our Governor, His Excellency Sir Michael Keane, and the Assam Legislative Council also sent representations to the Joint Parliamentary Committee, but, everything was unavailing. We have been told that with the inauguration of the reforms all the provinces will be put on an even keel. But ours is already a bankrupt province, and we do not want that we should be put on an even keel by the adventitious aid of a subvention. Subvention will always depend upon the uncertain vote of this House and we should rather prefer that the sources of revenue that we have got within our own territory should be allowed to be developed by us. That is all that I have got to say.

U Ba Si (Burma: Non-European): Sir, in discussing the budget proposals, I am to state that we, Burmese Members, welcome the proposal for the abolition of export duty on raw skins, and we would be more pleased if the same could be done with the export duty on rice. Burma is a purely agricultural country, and rice is her mainstay. The export duty has an adverse effect on the cultivators of Burma, since Burma does not hold the monopoly of rice trade, like Bengal in jute. However, so long as there is duty on it, we strongly urge that Burma has a just claim for distribution of half of her rice export duty, just in the same way as Bengal gets from her jute export duty, so as to enable her to use it for the improvement of the economic position of her agricultural people. For instance, Burma has long made a scheme since 1925, for opening of land mortgage banks, but has not yet been able to put it into operation for want of funds. We hope the Government of India will give their sympathetic consideration to the just claim of Burma, while they have enough to spare out of the surplus funds.

Turning to other proposals, we are much disappointed that no steps have been taken to reduce postal rates. The increased rate for postcards has hit the poor villagers and small traders very hard, and we would like that the rate for postcards is reduced to its former level.

We would also like to have the additional duty on salt abolished. In this respect, we would like the Government to push on with the schemes which they undertook to do when the additional duty was levied. The impending separation of Burma should not prevent them from fulfilling the pledges. As Burma has already paid her share, it is but right and proper that she should earn what is now her dividend.

With regard to the proposal for making provincial distributions out of the surplus, I may mention that in Burma we are sorely in need of help in order to save the co-operative movement there from utter ruin. About 3,000 co-operative credit societies, out of a total of 5,000, have gone to rack and ruin within a few years, in consequence of which cultivators and rural classes suffered most terribly, and several of the remaining societies are also on the verge of liquidation, and there is no way out of it unless financial help is forthcoming. Again, in the matter of roads also, Burma is one of the worst, if not the worst, in the whole of India. Unless the development of roads is soon made possible, the conditions of the rural population can in no way be ameliorated. We hope the Government of India will do justice to Burma in making the distributions.

We wish also to avail ourselves of this opportunity to ventilate some of the serious grievances of Burma since it will be about a year more before Burma is separated from India and much could be done to remove or alleviate those grievances during that period.

Defence.—Firstly, Army.—In spite of strong popular demands, Government have not yet made any attempt to Burmanise any of the existing units of the army in Burma, nor to raise any new Burmese unit there. As a matter of fact, they have not even defined their policy as regards Burmanisation of the army and the rate of pace thereof. They have even disbanded such Burmese units as were raised during the Great War, and transferred Burmese officers to the Police Department and Frontier Service to the great dissatisfaction of the people. We want Government to declare their policy, re-transfer Burmese officers to the army, train more Burmans to be officers and take such other steps as are necessary for immediate Burmanisation of some units and for the general training of the people to defend themselves and their country.

Secondly, the Navy, the Royal Indian Marine, and the Indian Air Force.—We must also protest very strongly against Government for having neglected Burma altogether in training and recruiting for the Navy, the Royal Indian Marine and the Indian Air Force; and we hope that some justice will be done to Burma without further delay.

The Reserve Bank.—We attach great importance to the representation of Burma on the Directorate of the Reserve Bank as we would be within the Indian currency system, even after separation, and we wish to have experience of the working of the Reserve Bank before we start one of our own. We have been very much disappointed inasmuch as neither of the two Directors, who have been nominated to represent Burma on the Directorate, is a Burman. We urge very strongly that the position should be reviewed and the interests of the Burmese people recognised as soon as possible.

Burmanisation of Services.—Burmanisation of Services has been too slow. No attempt at it has been made in the Currency Department, the Accounts Department and the Telegraph Department. A start should be made seriously in them and the pace of Burmanisation should be accelerated in all departments and services.

[U Ba Si.]

Buddhists in India.—Incidentally, we wish to draw the attention of Government to the position of Buddhists in India. They have not got any safeguards like other minority communities. They get no special representation on the local bodies and Legislatures, and we have received complaints of their interests having been entirely ignored in making appointments to the services. We would ask Government to look into the matter and see that Indian Buddhists do not suffer any injustice on account of their religion.

On the question of the postal and telegraphic facilities, I submit that the general development of Burma has been seriously retarded by the lack of postal and telegraphic facilities. On the average, one post office in Burma has to serve an area of 460 square miles as against 34 square miles in Bengal; and one letter box in Burma has to serve 69 square miles as against 10 square miles in Bengal. We note that the Posts and Telegraphs would show a profit of 14 lakhs this year and we urge that Burma should be given the benefit thereof to improve her postal facilities. In this connection, we also wish to suggest that a much larger number of school masters can be employed as extraneous agents. At present only 55 school masters are employed as such in Burma as against 733 in Bengal and Assam and 2,253 in the Punjab and the North-West Frontier.

Lastly, I wish to say a few words in connection with the Burma rebellion prisoners and unlawful associations in connection with that rebellion. A large number of those who were convicted in connection with the rebellion are still in jail and the rate at which such prisoners have been released by Government is not at all satisfactory. Besides, the ban has not been removed yet from 244 associations which were declared unlawful in connection with the rebellion. We would ask Government to release all the said prisoners and raise the ban from all the said associations. Government can do so without any risk whatsoever, and such gesture on the part of Government is necessary to create the proper atmosphere for impending constitutional reforms. They are, in fact, not rebels in the sense that they intend to set up a Burmese king in the place of King George V. It was a rising of a section of peasants in 1930-31, due to economic causes. In Burma, there was a form of tax called capitation tax or *thathameda* tax which, I understand, is peculiar to Burma alone. This was the form of tax imposed in the time of Burmese despotic kings. The British Government found it convenient to keep it on over and above other forms of new taxation. This particular tax became very unpopular and the agitation for its abolition has been made for several years past. Later, Resolutions for its abolition were also passed in the Legislative Council without effect. In the year 1928-29, the villagers in some parts,—the areas where the so-called rebellion first started in 1930,—owing to the oppressive methods of its collection, decided to refuse to pay it. Police and Gurkha forces were sent to enforce payments. Police excesses in various forms were reported and the villagers suffered terribly from such excesses by the police and the Gurkhas. This movement then died out within a few months, but the peasants continued to suffer due to the acute financial stringency and the unprecedented fall of rice and paddy markets. Many were thrown out of employment. The agriculturists' condition became almost unbearable as they were unable to recover even the cost of labour charges for their cultivation. At a time while they were in such a desperate condition, a

man named Saya San moved about these villages, urging the rustics to resist payment and meet force with force. The conditions then existing favoured him in getting adherents to his creed, culminating in open rising. Men came out to the open with knives and forks against the rifles and machine guns of the Government forces. They fell in hundreds in various conflicts before the machine guns and rifles. According to our estimate, the number killed alone would not be less than 5,000 villagers on the whole. They were then rounded up after a lapse of about eight or nine months. Many, excepting the leaders who surrendered within a specified time, were given amnesty. The leaders and those followers who did not get the amnesty were tried by special tribunals and some were sent to the gallows including the leader Saya San, while many hundreds were sent to life sentences. The Burma Legislative Council have repeatedly passed Resolutions for appointment of a committee to enquire into the causes of the so-called rebellion and to find ways to prevent its recurrence, but to no avail. Recently, I wrote to ask the Government of Burma as to how many of them are still undergoing their terms of imprisonment, but the Government in their reply stated:

"It will not be possible to collect the information without an expenditure of time and labour which will not be commensurate with the value of the information required and the Local Government regrets that it is unable to furnish you with the particulars called for."

I am to add that the Local Government has been reviewing every case of rebels convicted by the Courts, with a view to the grant of as much clemency as possible, and that it will continue to do so till all the cases are disposed of. A large number of cases of convicted rebels has already been reviewed and the orders passed on them are *inter alia* commutation of death sentences, reduction of sentences of imprisonment and unconditional releases. It has also been decided to review the remaining cases after periods ranging from two to twelve years according to the part they were supported to have played individually during the rebellion."

My submission is that these misguided people have suffered enough. The new reforms are coming before long, and, even before the coming of the new reforms, we are going to have the great celebration of the King's Silver Jubilee. In the interests of peace and goodwill and in commemoration of the King's Jubilee, I submit that all the remaining rebel prisoners now undergoing their terms of imprisonment may be given clemency and released.

Mr. Satya Narayan Sinha (*Darbhanga cum Saran: Non-Muhammadan*): Sir, let me thank you for the opportunity which has been given to me to take part in the general discussion of the Budget. Sir, situated as we are in this House, I mean those who sit on the back Benches, it is very difficult to catch the eye of the Chair, because those who are sitting on front Benches generally loom large in your eyes, being nearer to you, and when they stand up, we are always at a disadvantage. Our trouble does not end there. Sir, when Honourable Members who sit on the opposite Benches speak in low, soft, effeminate and aristocratic tones, it is always difficult for us to follow them properly, and the Honourable the Finance Member belongs to the same category, and so, Sir, truly speaking, that day when he was reading his budget speech, I could not follow him properly. All that I guessed from here was that he was uttering something which was not suited to his taste, quite unpalatable to him, because I found that he could thrust it down his throat only with the help of water which

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making personal reflections. The Chair would ask him to address himself to the subject.

Mr. Satya Narayan Sinha: I am only saying, Sir, that the Honourable Member was trying to swallow something which was unpalatable to him.

I now come to the real subject. I find that it has become customary to make a general survey from Himalayas to Cape Comorin, but I do not propose to do so. I shall try to confine myself only to a few points and shall not waste the time of the House by being a bore.

The Budget, Sir, which has been presented to us, which I read and re-read on going back to my quarters, cannot be better described than in the words of my esteemed friend, Pandit Govind Ballabh Pant. He called it dull, dreary and disappointing. If I might add one word more, I would call it insulting also, and I shall show you how it is so. We find that a surplus budget has been presented to us. But we all know, and know bitterly, how these surpluses have been possible by a policy of ruthlessness in adding to the burdens of the taxpayers in periods of the great economic distress that has affected all classes of people of this country. It is due to the indirect taxation, Sir, on such articles as sugar, cotton fabrics, salt, petrol and kerosene oil. All these commodities are used by an ordinary middle-class man, whose condition is really very deplorable in these days of depression. Sir, let us now examine how this ill-gotten surplus is going to be utilised. One error, we find, has been set apart for provinces on the scheme for the economic development and improvement of rural areas. After the rule of 160 years, I wonder, Sir, how, all on a sudden, this Government's conscience, if it has any—I doubt that very much—has been awakened in the year of 1935, to do something for the uplift of the down-trodden masses. Sir, it is seriously doubted that the sum has been allotted with a sinister purpose behind, namely, to counteract the work of the Village Industries Association sponsored by that great man of India, Mahatma Gandhi. (Hear, hear.) The views of the Government were fully exposed the other day in that connection in this House when its secret circular was discussed. Sir, the doubts and suspicions of the people are well-grounded. We are convinced, Sir, that this Government never like the moral, social and economic uplift of the people of the country, much less political. (Cries of "Shame", "shame".) The reason is not far to seek. It is only on our weaknesses, that this foreign Government is based. The day we shake off our weakness and effect improvement, they will have to wind up their shop and go back to their own country. (Hear, hear.) How, Sir, can you expect, human nature being what it is, that this Government will sincerely want our improvement? If the intention of the Government is *bona fide* and honest, I want to put it to one test. Will they form non-official committees in each province or in each district and invite some members of the Village Industries Association to serve on them, because, Sir, Mahatma Gandhi has made it perfectly clear that it is absolutely a non-political organisation, so much so that a man connected with it will not take any part in the Civil Disobedience Movement when, and, if, in future, that movement is launched. Not only, Sir, that, but a member of the committee will not be allowed to become an office-bearer of the Congress Committee. But I am afraid they will not do it. The money will be

wasted on the travelling allowances of the local officials, over publications of pamphlets and brochures, as, we all know from the bitter experience of the past, has been done during the earthquake relief work.

An Honourable Member: "Aman Sabha."

Mr. Satya Narayan Sinha: Yes, I would add that word also. The other item on which the surplus is going to be spent, Sir, is the restoration of the five per cent cut. The Honourable the Finance Member said in his speech:

"In accordance with the pledge of my predecessor, relief must come first in restoring the emergency cuts in pay."

During the voting on the demands for grants of the railway budget, we made it perfectly clear that we are opposed to the restoration of cuts of those officers who get more than Rs. 250 or Rs. 300 per month. When the prices of foodstuffs have gone down considerably, is there any justification, Sir, that the pay of those who are already drawing such fat salaries, as were never known in the history of the civilised world, should be restored to the old level? Sir, I find that this Christian Government is following the dictum of the Bible, namely, "to those who have much, more shall be given, and from those who have little, that little shall be taken away". (Laughter.) (Hear, hear.) Sir, when they talk of the pledges, our blood boils. We on this side of the House very well know what value we should attach to their pledges! Sir, the British rule in India is strewn broadcast with fragments of broken pledges and unredeemed promises—promises that were made to the ear, only to be broken to the heart! (Hear, hear.) Sir, the plighted words of Queen Victoria downwards have been dishonoured times without number. Now, if a member of that fraternity stands up and talks of pledges and promises, it is nothing short of impudence or hypocrisy on his part. (Loud Applause.) We know, Sir, that when it suits their purpose, they trot out the argument of pledges given and promises made! Why do they not openly and frankly confess that they have to pamper the already-pampered heaven-born services, as, otherwise, there would be a cry of old coats here and rotten trousers there? (Loud Applause.) The third item on which the surplus money is going to be spent is civil aviation. Now, Sir, when there are departments more important and more beneficial from the point of view of the taxpayers, and they are starving for want of funds, can there be any justification for spending money over it? The fourth item, Sir, really concerns the constituency of the province which I have the honour to belong to. I mean the transfer of the Pusa Institute. Sir, the history behind the subject. I presume, is not known to many of the Honourable Members of this House. Ever since the question was broached regarding its transfer, there was a very strenuous and persistent public agitation against it. The question was discussed in the local Council also. Sir, I am aware that the Government of Bihar and Orissa and the local officials were all dead against this transfer of the Institute, but the Great Mughal in the Government of India decided that his will must be done, and, therefore, this money out of this surplus is going to be spent to suit and satisfy the whim of that one man! During the terrible catastrophe, I mean the earthquake, which visited our part, the buildings of the Institute were damaged, but, Sir, the repairs of the

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buildings would cost much less than the amount which is now going to be spent on the new Institute near Delhi, whose foundation stone was laid the other day. As crores and crores of money were sunk in making New Delhi, similarly there will be other feats of criminal waste of the poor taxpayer's money over this Institute! This, in short, is the proposal of utilising the surplus. Of course, the allotment for the reduction of debt and for road development I failed to mention.

I shall be failing in my duty, Sir, if I do not say a few words regarding the God-forsaken part of this country—I mean the area visited by the Quake disaster of January 15th, 1934. The Honourable the Finance Member, during his speech, has said that “one of the four reasons for the surplus of Rs. one crore and 43 lakhs is the fortunate non-realisation of our expectations of a reduction in receipts from income-tax in the areas affected by the earthquake of January, 1934”. The other day, I put certain questions regarding the concession of income-tax granted to the afflicted people of the quake area, and, in reply, I was told that the law itself provided for relief in the levy of the tax since it requires the assessment to be made on the income. I know, Sir, and I believe, that it is the experience of all those who come from that area that no concession whatsoever was granted to the people. I personally know of several instances where income-tax was realised with the greatest severity and callousness and the people had to sell their ornaments in order to pay the tax. It is due to the absence of any concession which the law allows in the circumstances, and the severity in realisation which is responsible for the non-realisation of the expectation of the Government of India. The other question which I want to bring to the notice of the Government, Sir, of that area is in regard to the so-called loans granted to the sufferers. In the first place, the amount of loan which has been given is less than even a drop in the ocean. When one considers the extent and magnitude of the disaster, the amount of loans granted can safely be characterised as almost nothing or very little. But even that small amount has been granted so arbitrarily that if I begin describing it, I am afraid, on the ground of time you will not allow me to do it. So I shall be content by making only a brief reference about it. Whatever loan has been given has been given in the urban area alone. The people of the rural area, who are less vocal though they have equally suffered, if not more, filed a large number of loan applications and they had high hopes in the beginning, but they are sorely disappointed now. The Commissioner of the Tirhut division, Mr. Scott, who is well known in my province for his whims, once ordered that all the applications for loans of the rural area should be scrapped. But I am told that it was at the intervention of Mr. Brett, the Relief Commissioner and who is now the Chief Secretary to the Government of Bihar and Orissa, that that order was reversed and people are still hanging on hopes that loans would be granted to them. More than a year has elapsed since the catastrophe visited our part, but today also if you visit Munghyr, one of the worst affected towns of the area, you will find that for two miles long and two miles broad there is nothing but debris and ruins. Not a single house has been built in that area up till now. I shall quote one instance of the village of Bakhri in the district of Munghyr. There is one zamindar whose houses had collapsed in the quake and the unfortunate

man was living in temporary huts. It so happened that the huts caught fire and all his belongings including the currency notes worth Rs. 50,000 were burnt to ashes. The case of that man, when it was recommended for loan by my esteemed friend, Babu Shri Krishna Sinha, an Honourable Member of this House, and who commands the unique respect in his district, was rejected by the authorities concerned. One example, Sir, I think, is quite enough to illustrate the point, and this clearly shows how the granting of loan has been and is being transacted in our part.

I would like to say a few words on the army budget which is sitting like an octopus sucking our life blood. But, for want of time, I leave the subject which, I hope, will be very ably dealt with by experts in the course of the next few days. But I must say a few words in connection with the household expenditure of the Governor General. I confess, Sir, that, before reading this year's budget, I did not know that even the money given in charity when the Viceroy goes out on tour is not his private money, but of the taxpayer's. Sir, when I go through the long list of pompous expenditure over gardens, services, aeroplanes, motor cars and other miscellaneous charges, to name only a few, and when I remember the poor condition of the masses of the country, amongst whom more than 80 millions do not know what two meals mean in a day, when hunger and destitution, plague and pestilence are stalking over the country, I am painfully reminded, Sir, of the old days when Rome was burning and Nero was fiddling.

In the end, Sir, I must tell you that we know that our criticisms are of no avail. Whatever we say does not matter, with whatsoever vehemence,—those who are sitting on the opposite side will not care to listen. We know our helplessness. We also know that when we are speaking and condemning the Government for their several acts of omission and commission, there is a girlish giggle, if I may use the words of the correspondent of the *Statesman*, on the faces of several Members who adorn the Treasury Benches, because they think that we are crying in the wilderness. I know, Sir, they are blinded with power. They have no imagination. They will not heed our warning, but none the less I warn them that the last point has been reached. And if they persist in the attitude in which the Czar of Russia persisted, the same fate, if not worse, awaits them, sooner rather than later. We know, Sir, we are weak, because we are divided today. But we believe in the Divinity which shapes the destiny of human beings, and we hope that the day is not far off when we will all combine under the pressure of the common unbearable ill, and the strength generated out of that union will shatter the Government to atoms. I am living on that hope and am eagerly looking forward to that day.

Major Nawab Ahmad Nawaz Khan (Nominated Non-Official): Sir, I rise to congratulate the Honourable the Finance Member for giving us the well-balanced and a generous budget which contains generosity in many directions even during these days of economic depression. It is impossible for any man to prepare such a budget, which under the economic depression, is likely to please every party or every community. I know well that it is very easy to criticise anything or any budget, but it is very difficult to produce one as good as the present one, or if as bad as the one which is being criticised.

An Honourable Member: Then you admit that it is bad.

Major Nawab Ahmad Nawaz Khan: No. If others think that it is bad, they cannot produce one like it. It is easy to criticise a thing when you do not produce any better constructive scheme. None of the speakers who have criticised the budget has said that in place of such and such proposals such and such proposals should be inserted.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): What is your constructive proposal?

Major Nawab Ahmad Nawaz Khan: I will show you my constructive proposals later on. I want you to have a little patience, because I have got only 20 minutes to talk on many subjects.

We are very thankful to the Government and to the Finance Member for giving us one crore of rupees for the uplift of villages and villagers, and I venture to suggest in a very friendly spirit that the money which Mr. Gandhi has got for the same purpose may kindly be transferred to the Government. (Ironical Cheers and Laughter.)

Sardar Sant Singh: Why not send over to Mahatma Gandhi the Government money?

Major Nawab Ahmad Nawaz Khan: That, in my opinion, Sir, is the best way of utilising the money which Mr. Gandhi has raised. I know it from my own experience that the Congress never published the accounts of the funds that were collected by it. (Voices of "Question" from the Congress Party Benches.)

An Honourable Member: Did you ever subscribe to Congress funds?

Major Nawab Ahmad Nawaz Khan: Sir, it will be a better way of co-operation between Government and Mr. Gandhi. Let them both work together for the uplift of the villagers and the villages.

An Honourable Member: You will be appointed a Director.

Major Nawab Ahmad Nawaz Khan: Sir, it is wrongly supposed or believed in some quarters that the Government have started just now or for the last two or three years the scheme for the uplift of villages and the villagers. I know about the Punjab and my own province, the North-West Frontier Province, where the Government have been doing this kind of work for the last 20 years. It should not be doubted that it is against the scheme of Mr. Gandhi that the Government propose to spend this sum of money on village uplift. You know very well, Sir, that the Government machinery is very heavy and it moves slowly. It cannot move so rapidly as one individual person can. You know that the elephant walks slowly and it cannot fly like a bird. It is always the fate of every Government to receive criticism, but Governments never pay much attention to silly or destructive criticism which is made only with the object of paralysing the Government, but they always take much care of their duty. I say, therefore, most respectfully and without any bad intention that many Honourable Members in this House are very learned and highly educated, but they lack in administrative experience. Therefore, many of their criticisms are due to want of knowledge.

Mr. D. K. Lahiri Chaudhury: You are the only wise man in the House.

Major Nawab Ahmad Nawaz Khan: I had a very good example of it. I heard it myself that several Honourable Members were criticising our most able and very patriotic Law Member. They said that he was holding one opinion while he was a free man, and that he changed his opinion after he began to hold office. They criticised him without trying to know the reason for it. I can explain that having seen the things with his own eyes inside the Government machinery, he got the real knowledge of affairs, and he realised his responsibility which became all the greater. . . .

The Honourable Sir Nripendra Sircar (Leader of the House): May I just ask for the edification of the House what is the point in which I have changed my opinion?

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): Or increased your knowledge.

Major Nawab Ahmad Nawaz Khan: I never said that the Honourable the Law Member changed his opinion. I said that some Honourable Member who was quoting his opinion was thinking that he had changed his opinion, without realising that the man who acquires greater knowledge and experience always does according to such knowledge and experience. That is the important point to be borne in mind. All that I like to say is that if Honourable Members, who are now sitting on the other side of the House and who are always criticising the Government, will go and sit on the Treasury Benches, that is, will exchange places with the Treasury Benches, then they will also be criticised as the Government are now criticised and perhaps much more than what the present Opposition Members are doing. But I know if Honourable Members get more experience and acquire greater knowledge, they will see things in real conditions. Several of my friends who were criticising the Government, when they were non-officials, have told me, after they have accepted office, that their criticisms were all wrong on account of want of a sound knowledge of the Government machinery. I can give you another instance. On the 5th February last we were discussing a Resolution moved by my Honourable friend, Mr. B. Das, about the removal of the ban on Red Shirts in my province. I think he moved his Resolution without having a proper knowledge of the actual state of affairs. I may inform the House that in reality there is no ban, and, therefore, there is no case for removal of the ban. The only relevant points that should have been discussed that day were, "What is the ban" and, "Why is the ban imposed" and "When should it be removed"? But none of the Honourable Members touched on those points. For the sake of argument, let us suppose that there is a ban on Red Shirts. Many Honourable Members of this House, especially the Congress Members, who have newly entered this House, do not know much about the real state of affairs in the North-West Frontier Province. To know the real state of affairs in my province, they must first have a knowledge of the mentality of the people there and the situation of that province. The frontier people have been quite free from a very long time. They enjoyed full freedom there. From time immemorial, they have been known as independent tribes or independent people. My Honourable friend, Dr. Khan

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Sahib, knows very well that the frontier people love their rifles so much that they would part with anything, even their near and dear ones, but they will not part with their rifles. They have a keen sense of self-respect. They love their liberty and freedom and their cliques so, they are treated by the British Government according to their own sentiments. I may say that instead of being depressed or suppressed or oppressed, as some Honourable Members seem to think, the frontier people are really treated very well. I can give you one instance of the mentality of the Pathans. One brother is fighting for the Government.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is really wandering from the budget.

Major Nawab Ahmad Nawaz Khan: I respectfully submit that the practice is to allow an Honourable Member during the general discussion of the budget to discuss any question. That has been followed in the past.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must really confine his remarks to the budget.

Major Nawab Ahmad Nawaz Khan: I shall very briefly refer to the point that I wanted to make, because my time is very short. The other day, my Honourable friend, Mr. Sherwani, said that some Frontier officer told him that brutes should be treated brutally, and, he added, by brutes. I am here to inform the House that neither are we brutes, nor are we treated brutally, nor the British officers who govern the Frontier Province are brutes. They treat us very generously and very liberally, and we move in the most friendly spirit, and the British officers treat the Frontier Province much more liberally and in a better spirit than they do in any other part of India. I say that even if my Honourable friend, Mr. Desai, whose Party is now criticising the Government for their action in the Frontier Province, should go personally to the North-West Frontier Province, not only to Peshawar, but in all other districts and agencies, and see things for himself, and if he privately meets his Hindu brethren, whether Nationalists or Congressmen, and others belonging to no party, and he comes back to this House and tables a Resolution to redress the genuine grievances of the Frontier people, then I will be the first man to support him. It is on account of want of knowledge that his Party now tells the House that there are many grievances under which the people are suffering, they are treated harshly, and so on. I may tell this House that the Government have spent nearly three or four crores of rupees for the irrigation of the people of Peshawar (Laughter), I mean the Government have spent in irrigating the land belonging to the people in Peshawar district, they have spent all this money in the uplift of the villages in the Peshawar district. In that district, the Government have made many roads, created offices and Cantonments in which people get all kinds of employment. There is one big college which it is proposed now to be converted into a University. There are three colleges in five districts and many hospitals. The Government are giving liberal aids to education in that district. On the contrary, our general complaint is that Government are giving everything to the people of Peshawar and very little to other districts of Dera Ismail Khan, Bannu, Kohat and Hazara. I

can also say that for the last 20 years all titles, honours, concessions, grants and monies have been going to one district, that is, Peshawar. Is this a brutal treatment? Certainly not. Peshawar must remain very grateful to Government.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): All for watch and ward.

Major Nawab Ahmad Nawaz Khan: But this watch and ward is confined not only to the Peshawar district, but it is spread throughout the land. The only point that I want to lay stress on is that Government are treating the Peshawar people very generously and very liberally. Sir, about the position and situation of the North-West Frontier Province, there seems to be a misapprehension that if a revolutionary speech is made there as here, or if anything is said there or in Delhi or Lahore, it will have the same effect or it will have no repercussions in the tribes of the Frontier Province. I may assure the House that it is not the case. The Frontier Province is surrounded by independent tribes who are all equipped with first class weapons. It is not so with any other province of India. Any revolutionary question or movement which is spreading in the tribal area causes Government to send an expedition to suppress that which brings a very great loss of life as well as of money to the Indian exchequer and in the Indian army. A man may make a revolutionary speech in Delhi, and there is no effect upon the public. But if it is made there and the whole tribe gets up in arms against Government or against any town or village, then Government have to send a great air force and land force and everything else. Once in the High Court of Lahore, for instance, in the case of Rangila Rasul.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks the Honourable Member is really straying much too far. If he has nothing more to say about the budget, he should bring his remarks to a close.

Major Nawab Ahmad Nawaz Khan: Sir, I wanted to say all the more in this connection. But about the budget, as I have said before, I think it is well balanced and very good, and I congratulate the Finance Member on it. But if you confine me only to the budget, then I think I will resume my seat.

Maulvi Muhammad Shafi Daudi (Firlut Division: Muhammadan): Sir, I was not present when the Honourable the Finance Member presented his budget the other day. When I read it in the papers, it struck me as a frank and a candid statement of the position of the Government of India, and I could not read in it anything which I may describe as insincere.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

I could find that the Finance Member has been trying his best to understand the situation in which he has been placed. But bound as he is by the bureaucratic chain, he feels the difficulty of the situation. I could very easily see that he could not touch the ever-condemned military budget. I could also find that he could not reduce the duties and taxes which were levied on the commodities which are consumed by the poor people in the villages. Even the postcards were left at nine pies

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and not reduced to six, as has been the cry of every section of the House, and I believe some hopes were also held out last year. And, in the second paragraph of his speech, he has stated that the surplus of 2,72 lakhs has been more than anticipated, and he gave four reasons for it. The fourth reason, as was said by my Honourable friend just now, relates to a matter which concerns the Government of Bihar and Orissa. I could at once see how the Finance Member has struck the right note. He is perfectly right in saying that there has been non-realisation of their expectations of a reduction in receipts from income-tax in the areas affected by the earthquake of January, 1934. My Honourable friend, over there, has levelled his criticisms in his own way, but I would tell the Finance Member that no less than a dozen attempts were made last year to lessen the severity in the matter of realising income-tax from the people who suffered in the earthquake area. But the reply was the same stereotyped one that the local officials were doing their best.

The Honourable Sir James Grigg: Surely some concession was made in the matter of income-tax to people in the earthquake areas?

Maulvi Muhammad Shafi Daudi: I do not believe that concessions were made.

The Honourable Sir James Grigg: But I do.

Maulvi Muhammad Shafi Daudi: That may be, but my point is about the way in which the money was realised from the people; and that is what we saw with our own eyes. The point is not that some amount was realised here and some amount was realised there. The point is that people who had suffered greatly in the earthquake area were very severely dealt with for the purpose of realising income-tax; and my experience at that time was that not only this tax, but many other demands of Government were realised with the same severity. The landholders wanted some concession in the payment of their land revenue, and that would have given some relief to the poor tenant who has to pay in turn his share to the landholders; but nothing of the kind could be secured in that part of the country. My friend, over there, is bitter; he has used very strong language with which I do not agree, but I must confess that he has painted a true picture of the place by saying that the officers there were ruthlessly dealing with the people.

The Honourable Sir James Grigg: May I get this right? Is the Honourable Member suggesting that there was undue harshness applied in the collection of income-tax in the earthquake area?

Maulvi Muhammad Shafi Daudi: Yes, Sir.

The Honourable Sir James Grigg: Then let me tell him that if he will bring to my notice any instances of that harshness, I will certainly have them investigated.

Maulvi Muhammad Shafi Daudi: Thank you.

The Honourable Sir James Grigg: But they must be real instances and not mere hearsay.

Maulvi Muhammad Shafi Daudi: There is no question of hearsay; I am giving you my own experience of the place.

It is not only that. The House is aware that, last year, the Honourable Sir George Schuster was not only just but generous to the earthquake-stricken people and he made a good gesture at the time by giving the province three crores and a half in one way or another for the relief of the distressed. The Honourable the Finance Member may take it from me that these three crores and a half were utilised in a manner which has left some rancour in the hearts of a large majority of the people rather than satisfaction in that respect. That is the situation which now exists in the Tirhut Division of Bihar and Orissa from where I come.

Take one amongst many examples. To build sheds in localities where people did not want to go, lakhs and lakhs were spent. I believe in Muzaffarpur alone, four or five lakhs were spent in building hundreds of sheds in places where the people would not like to migrate. Each block was made at a cost of about Rs. 770, and, when no one occupied it, it had to be resold. At the time of resale, the price fixed was Rs. 280 per block. But even this Rs. 280 could not be had and it had then to be sold for Rs. 100 or so.

Sir Cowasji Jehangir: What did it cost?

Maulvi Muhammad Shafi Daudi: It cost Rs. 770 per block,—a total of Rs. four to five lakhs in all. When people did not occupy them, they had to be resold to the contractors, and the price fixed was Rs. 280 per block. But even for Rs. 280 nobody would buy it. It had to be reduced, and I believe it has been sold for about Rs. 100 per block: so a hut built for Rs. 770 remained unused and had to be sold for about Rs. 100 some months after. That has been the way in which money has been wasted. The same was the case in Durbhanga.

We have not been lacking in our duty towards the distressed: we have been trying to approach the officials and we have told them to their face that the money is being wasted and that the money should not be spent in that way and that, if persisted on, it will only leave rancour instead of satisfaction in the hearts of the people which was the object of the Government of India at the time they made this generous offer. This is a matter pertaining to this budget, because the money came from the Government of India: therefore, I deal with it at some length, for which I hope I will be excused by this House. Although my remarks relate to one province alone, it shows how the money given by Government of India is spent. For that reason I would stress the point a little more. So far as the loans are concerned, we know what a generous offer was made by the Government of India, but people are dying for loans in the afflicted area. Thousands of petitions were put in before the local authorities, and the people were told to come one day or another and they, with the exception of some fortunate few, hang on for months and months, and, at the end, they get nothing whatsoever for their petitions and have got to go dissatisfied. Distribution has been very bad in that locality which has suffered severely on account of the earthquake.

[Maulvi Muhammad Shafi Daudi.]

Now, that the Finance Member has found a crore of rupees for rural uplift, I believe it is a very welcome sign for which I heartily congratulate him, and I hope and believe this will be continued all along the line so that the step may bring its fruit in the long run. The Honourable the Finance Member might be aware that our province of Bihar and Orissa is an ultra-rural province, because there are more than a lakh of villages in it and about 96 per cent. of the population is agriculturist, and no less than 78 per cent. of the population lives on agriculture. Therefore, it is all the more necessary that the money given for the rural uplift should be utilised to the best advantage. But I am afraid the same fate awaits this money if precautions are not taken at the very outset.

I may make one humble suggestion of mine, that there must be a committee of Government officials and non-officials, in intimate touch with the peasantry, who should sit together and put their heads together and devise ways and means as to how they should utilise the money to the best advantage. Unless this is done, I believe no good result will come out of this money again. As the Honourable Member might be aware, our province is a fertile province, but it does not yield sufficient to feed the people of the place. They have to emigrate out of the province for earning their bare necessities. The primary need of the province is the creation of an elaborate system of irrigation in the part of the country where there is no such arrangement. The poor people have to depend upon the rains: they find themselves in a very difficult situation every year. I believe for the last four or five years they have had no good crops at all. For that reason, if the money is spent on irrigation, I believe it might bring its reward in the long run, and people might feel a bit satisfied. But, simultaneously with it, steps should be taken to launch an intensive system of agricultural development in as many selected areas of the province as funds permit. If the two together are taken up in right earnest, then the object of giving this money for the rural uplift could be well attained.

I find that some money has been allotted for broadcasting; but that scheme seems to have been ignored altogether in the province of Bihar and Orissa: although this method of educating the masses has been accepted as the best in this century. The province of Bihar and Orissa has, so far as I know, no such scheme before it. I do not think the Government of India would take no account of the province as it has been done by the authorities in that locality. I hope that they will see that Bihar also gets its share and gets the full advantage of this broadcast system.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has only two minutes more.

Maulvi Muhammad Shafi Daudi: The third suggestion I have to make is in regard to the Co-operative Department. In that direction too, I find that our province has been doing the worst. I feel sure that Mr. Darling will tell the Government of India all that he has seen in the province. But what I find is that there is stagnation in the province: they have not allowed any society to be opened up for the last four or five years. I myself believe in the weeding out of diseased societies, but that does not mean that societies which are to be established on sound and

right lines should not be opened. All these complaints I am making are due to the unimaginative nature of the rulers of the province of Bihar and Orissa. If the Government of India want that province to profit, they should take particular care to see that the money that may be given for these purposes is utilised to the best advantage. With these words, I resume my seat.

Bhai Parma Nand (West Punjab: Non-Muhammadan): Sir, at the very outset, I wish to congratulate the Honourable Sir James Grigg on the production of this budget, which is somewhat different from the budget we had in the last Assembly. As Sir James Grigg himself has remarked in his speech, the credit for this surplus budget really goes to his predecessor, Sir George Schuster. Unpopularity was his, while praise goes to Sir James for his labours in producing such an excellent budget. Sir, I wish to confine myself only to one aspect of the budget which has been dealt with by several speakers in this House, and that is the setting apart of one crore of rupees for rural uplift. Some of my friends think that the Honourable the Finance Member is really going to take away the wind from Mahatma Gandhi's movement. I am afraid I cannot agree with this view, as Mahatma Gandhi himself has said, he wants the Government to help the cause of rural uplift and that he would be glad to have the co-operation of the Government in this matter.

But, Sir, my objection is based on quite different grounds so far as the reservation of this one crore is concerned. Every one of us here knows that there is very great agricultural distress, the agriculturists and the villagers are suffering a great deal, but the question is what is the remedy to be adopted for the removal of their sufferings and distress. When a person is suffering from a serious and chronic disease, it is not enough for a doctor to merely treat the symptoms, but he will have to find out the root cause of the disease and then try to remove the disease permanently. In this case I doubt very much if this distress can be removed by making a few grants to the agricultural classes and poor villagers. How can you go on making these grants to these poor people for ever? By so doing you practically tax these people, you take a portion of their income by way of taxes and give it back to them in another shape.

Sir, we find that it is not only the poor agriculturists who are suffering, but there is a large army of unemployed people, mostly educated middle class people, who are manufactured in our educational factories. Millions of youngmen are every year coming out of our colleges and Universities having nothing to do, and who can doubt that they are in very great need of assistance. Wherever you go, you will find unemployment and starvation. How can the Government try to remove the distress of the villagers and agriculturists without paying any attention to the unemployment problem that is practically destroying the middle class people of this country? Therefore, I would make a humble suggestion for the consideration of the Honourable the Finance Member, and it is this. We should certainly try to relieve the burden on agriculturists who cultivate the soil, and this can be better done by helping and encouraging both the principal and subsidiary industries in this country. I think it is an universally admitted fact that without protection no industry can flourish in this country. Protection is the only way by which we can develop our tries, and it is a great pity that sufficient attention is not being paid to this matter.

[Bhai Parma Nand.]

We were all extremely glad when Sir George Rainy started the protection policy on behalf of the Government of India, but, then, only a year later, we were surprised to find that the very industries, which were started as a result of the protection that was afforded to them by the Government of India, were being killed in their very infancy. Sir George Schuster, of course, had said that the sugar industry, which had secured protection, had made large profits, but I think if he were present here, today, he would have seen that those very sugar factories, of whose profits he felt so jealous, are today working under heavy losses. The cane is diseased, it does not yield a large percentage of sucrose, and it is hardly possible for these sugar mill owners all over the Meerut and Saharanpur line to make any profits at all, as they have to pay a very heavy excise duty too. It is a great pity that such is the case with an industry that has given an occupation to agriculturists and educated middle classes.

I say, Sir, if the land is relieved of the burden of heavy taxation, if new methods of cultivation are introduced, and if new commodities or varieties of various articles of foodstuffs are introduced, it will surely give employment to a large class of people, educated as well as uneducated, and there will also be a chance for capitalists to invest their capital in fresh fields. Therefore, I think that instead of applying quack remedies to remove the rural distress or help the villagers as a matter of doling out charity, Government should introduce industries in this country on a vast scale. We have before us the example of Japan. Japan is not giving out every year charity to her village people, but she is helping her people to foster and develop her industries in all manner of ways, to an extent that today even England and America are afraid of the competition from Japan in her manufactured goods. Of course, it is true that handsome bounties are given by the Japanese Government, but the real reason advanced for the industrial progress of Japan is that there is cheap living in the country, that labour is cheap, and labourers work for longer hours. These things are certainly true in the case of India as well, living is cheap here, and the labourers are paid a very small amount by way of wages; thus if the Government were to embark upon a generous programme of industrial development by training the people in industrial schools and produce skilled men in this country, I think our people, with their capacity to work for longer hours and with newly acquired general efficiency, would be able to produce much better things which would be able to compete with Japan. It is only by relieving the burden on agriculture and by providing subsidiary industries that you can really give help to agriculturists who will be able to get sufficient food to eat and live with some ease.

Let me turn to another point. The Honourable Member for Posts and Telegraphs increased the rate of the postcard first from one pice to two pice and then to three pice. The postcards are used by the poor. Thus, what you do is that you take away from the poor people money from their lean resources, and a portion of the income so derived, you want to give back to these very people for their uplift. It would have been much better if the Honourable Member in charge of Posts and Telegraphs had reduced the rate of the postcard for the benefit of the poor who use mostly postcards.

Again, Sir, the Government of India have allotted a crore of rupees for village uplift, the result is that Bihar would want a larger portion out of this sum, Assam might want an equally good portion, Bengal would also

want generous relief, and so every province will look for some relief out of this one crore. How can you divide this amount among all the numerous villages in India and give any substantial relief? My suggestion is that, instead of treating this disease superficially, we should go to the very root and encourage our industries and try to produce such articles that are in daily use among the people.

I take this opportunity to point out another thing. Our friends on this side are always talking of independence and self-government. But when they come to the real obstacle that is stopping us from advancing towards self-government or responsible government, they keep quiet. They have not got the courage even to be true to their own principles and convictions on the question of the Communal Award. They said, they did not want to reject it or accept it. They come here and sit in this Assembly representing a large proportion of the Hindu population, and when the motion for acceptance comes, they keep mum betraying the interests of the country

An Honourable Member: This is budget.

Bhai Parma Nand: Of course, it is budget. Everything can be talked on the budget. You cannot try to stop me as you have been trying to short down our Nawab Sahib. Of course, you betray the real cause of the country as you are afraid to go to the root of the disease. You do not want to root it out.

Pandit Nilakantha Das: We do not represent any Hindu or Muslim population here. We are Indians here.

Bhai Parma Nand: If relief for the earthquake sufferers is relevant, then my point is also relevant, there is no doubt about it.

Maulvi Muhammad Shafi Daudi: On a point of order, Sir. The Honourable Member is complaining of the attitude of the Congress Party in respect of a different matter altogether. That cannot be relevant in a discussion like this.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Chair hopes the Honourable Member will be more on the subject under discussion.

Bhai Parma Nand: I bow to your ruling, Sir. I have been here for four years and I have been talking about the Communal Award all this time. (Laughter.) In spite of the fact that Government would not listen to us and these Congress people would not listen to us, we have been talking, and this was never considered irrelevant at all. All the same, now that you have given a ruling, I must bow to it, although I think it is quite relevant. My Honourable friend, Sir Cowasji Jehangir, the oldest Member of this House and the greatest constitutionalist, tells us that I can talk about anything on this occasion.

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order. The Honourable Member will please address the Chair.

[5TH MARCH 1935.]

Bhai Parma Nand: I would urge this very point as an argument for the rejection of the budget, because the Government of India have supported this, the Members of the Executive Council have by their votes, and our friends on this side by their silence, made this House accept the Award.

Mr. S. Satyamurti: It is not our budget.

Bhai Parma Nand: But you have been talking about it all the same. Therefore, I think these people have betrayed the real cause of the country, and still they talk of getting freedom and independence! They should be true to their principles and convictions. I do not want to say anything further on this point.

However, I wish to tell a story in connection with the position of the Nawab Sahib, I do not know whether time will allow me. Sir, when my Honourable friend, the Nawab Sahib of Dera, was speaking, he was ridiculed and laughed at. My friends over here thought that he did not understand the position of his own province. I beg to differ from that view. He is an old man, his family has been a ruling family in Dera and he understands the position most correctly. He is now in his grey hairs, if I may say so.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

My story is: There was a Raja, who was told by an astrologer that, on a certain day and at a particular hour, a certain wind would blow and everybody whom this wind touched would become mad. The king called his ministers to find out how to protect himself from the effects of wind. A special kind of building was constructed for the purpose and the king concealed himself in one of the rooms where the wind could not reach. At the proper time, it is said, the wind did blow and touched all other people but the king. When the ruler came out of the house, everybody pointed to him, here is a mad fellow, whereas he was the only man who was saved from that wind and was in reality the person in his proper senses. (Laughter.)

Rao Bahadur A. A. Venkatarama Ayyar (Madras: Nominated Official): Sir, I am really thankful to you for giving me an opportunity to speak in this House. I won't complain, as one previous speaker did, that I failed to catch your eye on two or three occasions before. This is my first appearance in this august Assembly, in fact, this is the first time that I address any public Assembly. I trust, therefore, that the House will bear with me for a few minutes. Let me, as an official, thank the Honourable the Finance Member for the removal of the salary cut. In removing it, he has only carried out the pledge repeatedly made in this House that the restoration of the salary cut would be the first act when the financial conditions improved. In 1931, Sir George Schuster stated as follows:

"A cut in pay must be regarded as a very exceptional measure which can only be justified in exceptional circumstances. It is nothing less than a variation of the conditions under which an officer enters Government service, and it must be remembered that the security of these conditions represents an essential attraction of service under Government. It would be fatal to the public interest if that sense of security were destroyed."

Enunciating the principles by which the Government should be guided in easing the burdens, he said:

"Relief must come first in restoring the emergency cuts in pay."

As there seems to be a feeling that this cut should not have been removed, I have thought it necessary to remind the House of the principles which were once explained to the House, and I take it, were accepted by the House.

Mr. M. S. Aney (Berar Representative): Certainly not.

Rao Bahadur A. A. Venkatarama Ayyar: At any rate, there was no protest.

An Honourable Member: What protest?

Rao Bahadur A. A. Venkatarama Ayyar: The House, I take it, acquiesced in those principles, and now it is too late to say that that pledge should not be carried out. There is absolutely no excuse for continuing any portion of the cut now. As salaries of the new entrants in most of the services have been drastically reduced . . .

Mr. N. M. Joshi: What about the Indian Civil Service?

Rao Bahadur A. A. Venkatarama Ayyar: "Most of the services" I said,—I have excluded some services there. As the salaries of the new entrants in most of the services have been drastically reduced, there is bound to be a considerable reduction in the cost of administration in due time in future. In this connection, I may express the gratitude of the services to the authors of the Joint Parliamentary Report for their handsome acknowledgment of the loyalty and faithfulness of the services, and for the just provisions which they have made for the security of their tenure and their immunity from political interference. These are the best guarantees for loyal and efficient service, and there is absolutely no reason to warrant any mistrust that the services will not continue to be as faithful and as efficient as they have been in the past. The fidelity with which they have discharged their duties under the present Ministers, to which ample testimony has been borne before the Lee Commission, is proof, if proof were needed, that there will be no falling away from the present standard and that the assurance as regards the conditions and tenure of service will make no difference whatsoever in their attitude towards the new Ministers.

Looking up some of the previous debates in this House, I came across an amusing controversy. It was once argued in this House that wheat produced loyalists and rice terrorists and agitators. Being a consumer of the latter grain myself, with probably an occasional admixture of wheat, I was very sorry for that condemnation of rice and was really wondering in what category I must put down my friends from Madras on the opposite side. I soon, however, derived consolation from the fact that if rice had really that deleterious effect on the mental attitude of its consumers, the importation of Burmese and Siamese rice would have been prohibited altogether even without any agitation for the levy of import duties and perhaps the cultivation of rice itself discouraged or even prevented. I presume, therefore, that that controversy has happily ended, not unfavourably to the rice eater.

[Rao Bahadur A. A. Venkatarama Ayyar.]

That reminds me, Sir, of the agitation to impose an import duty upon foreign rice. I do not at all wish to enter into the merits of this discussion. I have only to point out that there seems to be a clash of interests in this matter. We have had reports of meetings in the Madras Presidency, particularly recently, in which resolutions have been passed against the levy of any import duty on foreign rice. I do not for a moment suggest that we should not rehabilitate the position of the agriculturist or try to enable him to reap the fullest benefit from the internal market for his produce. I only mention these things to show that much care and caution are necessary both as regards the levy of the duty and the amount of the duty.

Passing now from the produce of the land to the land which produces it, there has been recently an acute depression, and I hope we have passed the worst phase of it. This, of course, has forced the question of the system of land revenue assessments to the forefront in view of the large percentage of the population that pay land revenue. Here, again, I only wish to mention in passing that the present land revenue systems are the result of a gradual evolution of the systems which were found to be in existence in pre-British days. These systems have developed on different lines in different provinces according to the different conditions prevailing in those provinces. The present system is an inheritance from the pre-British rulers, a fact which explains its development on divergent lines in different places. Considering, therefore, the history and the tradition behind land revenue, it is neither possible nor desirable to evolve any uniform policy. Uniformity undoubtedly exists in some respects, for instance, the limits which individual Governments have imposed on themselves in the matter of enhancement of land revenue and such like. The systems now in force have stood the test of time and are very well understood. I am aware that some time ago when prices ruled high, the agitation was that there should be no periodical revision of settlements and that a permanent settlement should be introduced even in areas which were under a ryotwari tenure. Now, the agitation is just the contrary way. They want to pull down the permanent settlements and want to make the holders under the permanent settlement share the burdens equally with the other ryotwari holders. I am not quite sure if my friend, Mr. Ranga, does not hold up the system of assessment in Government areas as a model by which the zamindars in South India should be guided. Turning to the Madras Government, he would say "Your system is open to condemnation. Abolish it" and to the zamindars "You copy the Government system which is the better system". I think that to attempt to evolve a uniform system will be to do away with the hoary traditions of the past, quite unsuitable to particular localities and injurious to the best interests of the ryots themselves and to the finances of the country. The agricultural classes are undoubtedly hard hit by the present economic depression. This hardship must be met and is actually met by other ways of relief than by an attempted revision of the land revenue policy, and the local administrations have not been slow to grant such relief as the present conditions of the agricultural ryots demanded. The provision of 100 lakhs which has been made available to Local Governments for the economic development and improvement of rural areas is particularly welcome at this time. I hope Honourable Members will bend their energies to formulating and suggesting plans for getting the maximum benefit possible to the rural areas from this grant. Grants for roads, broadcasting and civil aviation are of much potential benefit to the people.

Sir, we are on the eve of great constitutional changes. This is not the occasion to dilate on the several changes which are in contemplation, but I believe that in the provincial sphere there is much scope for gaining greater experience of administration in a larger sphere and thus proving our capacity for fuller reforms and for the removal of the present "paper safeguards", if I may use that expression. It is unfair and unjust to assume that future Governors will stifle all political progress. Surely no Governor will take a malignant delight in interfering with the administration, merely because he has the power to do so. It may be taken as certain that he will interfere only when it becomes absolutely necessary to do so and when his advice and persuasion have had no effect on the Minister. It has been made a point of criticism that the new Constitution implies a distrust of the people. It may perhaps be said with reason on the other side that the criticisms imply a distrust of the manner in which future Governors will exercise the powers which have been entrusted to them—a distrust for which there is no warrant from previous experience and which is not complimentary to the illustrious line of Governors the several provinces have had. I think, therefore, Sir, that autonomy in the provinces is as full as it can be, considering the existing conditions. Even the other day we had the spectacle here of two Honourable Members belonging to different religions—I think I must avoid the word "religion", because I have been told not to import religion into these discussions—belonging to different communities

Mr. S. Satyamurti: Don't do that either. We all belong to India.

Rao Bahadur A. A. Venkatarama Ayyar: two Honourable Members were anxious to be put at ease in regard to their future position. There has yet been no answer forthcoming to that. So, in view of these dissensions which have come to be familiarly known by the term "cleavages", I think there cannot be any fuller autonomy in the provinces than what has been granted.

Mr. S. Satyamurti: Oh, oh, Sir Samuel Hoare speaking!

Rao Bahadur A. A. Venkatarama Ayyar: Let us, therefore, fix our gaze and attention on the stream, without being needlessly alarmed at the banks, which are only intended to ensure an easy, consistent and continuous flow. (Loud Applause.)

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 6th March, 1935.

LEGISLATIVE ASSEMBLY.

Wednesday, 6th March, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

THE GENERAL BUDGET—GENERAL DISCUSSION—*concl'd.*

Mr. President (The Honourable Sir Abdur Rahim): It has been represented to the Chair that it might as well dispense with the questions today as, it is understood, there are a number of Honourable Members who wish to take part in the general discussion. If that is the sense of the House, the Chair is prepared to accept that suggestion.

Several Honourable Members: Yes.

Mr. President (The Honourable Sir Abdur Rahim): Then, before asking the House to resume the general discussion, the Chair wishes to explain the principles on which it has been attempting to regulate the debate especially on occasions of this nature. The Chair finds that there are many Members who wish to speak, but it is not possible for the Chair to accommodate them all within the time that has been allotted. The concern of the Chair naturally is to see that there is a fair debate, and, for that purpose, it is the duty of the Chair to give opportunity, as far as possible, to every class of opinion in the House, as composed, to speak, especially on the budget. As regards the Groups, from some of the speeches that were delivered yesterday, there seems to be an idea that the front benchers had a better advantage than those who sit on the back Benches. As regards that, all that the Chair is responsible for is that so many seats are allotted to particular Groups according to the strength of each Group and it is for the Parties themselves to distribute the seats among their own members. In the case of the organised Groups, the Chair expects that fewer men can speak the mind of the Party than in the case of others. The Chair has further to take into consideration, in a debate of this nature, the different provinces which are affected by the budget of the Government of India. Then, there are special interests. Therefore, the Chair has been trying to regulate the debate having regard to all these considerations, and, if some Honourable Members do not find an opportunity to speak during the general discussion, there will be other opportunities for them to take advantage of.

The general discussion will now be resumed.

Dr. F. X. DeSouza (Nominated Non-Official): Mr. President, let me begin by congratulating the Honourable the Finance Member on his maiden budget presented to this House being a surplus budget. He chivalrously attributes this fact to his predecessor's hard work in securing budgetary equilibrium and adds that he regrets that the fruits of his

[Dr. F. X. DeSouza.]

unremitting toil did not go to him before his departure. But, while his predecessor had very serious difficulties in maintaining an even keel while sailing in the trough of depression through which we have been passing, now that we are emerging from that trough, the Honourable the Finance Member has not found it to be plain sailing. His difficulties, however, are of a different character. His difficulty consists in distributing the surplus, of which he finds himself unexpectedly in possession to the satisfaction of all the parties concerned. In a wholly admirable speech made a few days before the introduction of this budget on the principles of taxation to be followed by the Government of India, he remarked that at a time the revenue tariffs now in force were too high and complicated, and they acted in restraint of trade and the recovery of commerce. We inferred that a reduction of those tariffs would be the first charge upon the surplus that was to come into his hands. It was also elicited in the course of that debate that these heavy tariffs and revenue duties weigh heavily on the agriculturist masses, who are crushed under the burden of taxation on necessities, at a time when these masses can hardly get a living return for their prime products. One was led to expect from this wholly admirable speech that the Honourable the Finance Member would divert part at least of the surplus to the reduction of taxation, of the protective duties and revenue duties as well as of the income-tax. Instead of that, Sir, the first charge upon the surplus he has considered to be the restoration of the five per cent cut on salaries. I may inform the Honourable House that my pay was never cut while I was in service, and now that I am on pension, my pension has not been touched. Sir, therefore, I think I can speak without heat and without passion on the subject of salary cuts. When England was faced with a similar crisis, at the time of the Chartist movement in the early Victorian Age, a noble Poet, the scion of a ducal house, concluded his invocation to the deity in the following words:

"Let trade and commerce, arts and Science die,
Leave us Oh! Lord our aristocracy."

It seems to me that when the Honourable the Finance Member framed his budget, he must have offered a similar prayer:

"Let trade and commerce, arts and Science die,
Leave us Oh! Lord our bureaucracy."

The Honourable Member probably forgot that Lord John Manners did not raise even a smile when he wrote these lines, because we all know that an Englishman dearly loves a lord. Does an Indian really love a bureaucrat? I do not know; I have been a bureaucrat myself.

I must say that when the Honourable the Finance Member uttered this prayer he must have done so with a heavy heart because he dwells more on the concomitants of the reduction of salaries, namely he dwells upon the added taxation which has been necessitated by this restoration of cut in the province of Bengal under five separate heads. He dwells also upon the magnitude of the problem which this restoration of the salary cut will cause to the Provincial Governments on the eve of the introduction of provincial autonomy. But all the same he thinks it

necessary to restore the cut in satisfaction of a pledge given by his predecessor on behalf of the Government. Now, Sir, I venture to submit that we must not make a fetish of that pledge. A pledge must be interpreted in the light of the realities of the situation that exist at a particular time. That at least is the lesson I have learnt from the proceedings of the Joint Parliamentary Committee when they discussed the question of the pledge relating to Dominion Status.

Sir, the next item, which has raised a controversy, is the failure of the Finance Member to reduce the surcharge on income-tax and to raise the taxable limit to Rs. 2,000. It was firmly believed by the capitalists in this country and more especially by the non-official European Group—and, I venture to think it was rightly believed—that the removal of the surcharge on income-tax would proceed *pari passu* with the removal of the salary cut. So strongly was this believed that when a week before the publication of the budget, it was rumoured that the removal of the surcharge was to be whittled down only to the extent of about 15 per cent instead of the entire 25 per cent, the leading capitalist organ in Calcutta warned the European Group that they should all combine and show the reality of parliamentary government in this country. It suggested that the European Group and the Opposition should form a Congress-non-official-British coalition and defeat the taxation on income and thus make the most hardened bureaucrat sweat a little. I must say that when I read this threat, I looked forward to the sight of seeing my Honourable friend, the Leader of the Opposition, and my Honourable friend, the Leader of the European Group, going into the same lobby, a sight which would have been a most unique sight and I felt I may be tempted to follow in the same lobby in order to hear what these two eminent statesmen would whisper to each other finding themselves in such strange surroundings.

Sir, it is true that a reduction of the taxable limit from Rs. 1,000 to Rs. 2,000 was not included in the pledge given by the Government of India through Sir George Schuster. But to his credit it must be said that the Finance Member gave, what lawyers would call an equitable construction to that pledge and called the imposition of taxation on incomes between Rs. 1,000 and Rs. 2,000 as a *quasi*-surcharge and gave remission to the extent of one-third of that tax also.

But I think, the most outstanding feature of this budget is the provision for the uplift of the masses to the extent of one crore. This, I think, is unique in the history of Imperial Finance. For the first time in the history of the budget has any provision been made for the uplift of the rural masses. It is true an unkind cartoonist represents this as an attempt to steel a march upon another organisation which is already in the field to win the heart of the village maiden. Sir, I shall not attempt, because my experience in these matters is much more ancient than the experience of the Honourable the Finance Member, I shall not attempt to explain how the heart of this village maiden is to be won. She naturally finds herself embarrassed by the attentions paid to her by so exalted a personage. Rumour has it that the village vendor of *khaddar* has implanted himself firmly into her affection. Therefore the Finance Member will find it very difficult indeed to dislodge him from her heart. But this much I can tell him that he cannot win her affection by command, it must be done by service. It must be done by an agency recruited, not

[Dr. F. X. DeSouza.]

on the lines of His Majesty's Civil Service, but on the lines of the Indian Social Service. For this purpose, I would respectfully recommend that he should enlist non-official opinion and also the service of young men, graduates unemployed, who are seeking for jobs, and, who will, I am quite sure, be willing to work for a living wage. Another thing which the House would be naturally interested to find out is on what scheme of village reconstruction is the Finance Member going to embark. Let me warn him against the siren voice of the foreign manufacturer who asks that tractors and other means for intensive cultivation should be imported into the country as a means for rural reconstruction. Their effect, in my humble opinion, would be to add to the unemployment already prevalent in the villages. And as Hitler has found in Germany, men are more important than masses of iron and steel. Anyhow, I am sure, responsible members of Government will make a statement to the House and give an opportunity to the House to discuss in what manner schemes of reconstruction will be carried out.

In conclusion, it seems to me that this budget opens a new chapter in Imperial Finance. It is what I call a transition from a capitalist to a democratic regime in the field of finance. Hitherto both the Government of India and the capitalist regarded the agricultural masses as a milch-cow to milk whenever they were short of funds. They did not so far realise that the cow had to be fed before she could be milked, otherwise she would die of inanition. Speaking of the principles of taxation the other day I said that it was absolutely essential that the purchasing power of the masses should be increased before you impose further taxation upon them. My Honourable friend, Mr. Mody, with his usual shrewdness and instinctive knowledge of finance, realised the portents of the budget as announced by the Honourable the Finance Member especially the promised reductions of revenue and protective duties in course of time. He pleaded for greater and greater industrialisation, even though it involved further protection. Sir, I am a firm believer in industrialisation, but I do not believe in industrialisation at the expense of pauperisation of the countryside. If you wish to industrialise a city, adopt the means of reconstruction in the villages. Agriculture, notwithstanding all that has been said, is the greatest industry in this country. Eighty per cent. of the population is engaged in agriculture and does not agriculture require protection? What have they done in England which is a great industrial country? Lately, owing to the policy of economic nationalisation which every country is adopting, even free trade England has given subsidies on wheat, on milk, on sugar, on the cattle industry.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more to conclude.

Dr. F. X. DeSouza: I will finish in half a minute, Sir. Mr. Baldwin, speaking to his constituency, said the other day:

"For this country with the number of unemployed we have, the land offers the most fruitful form of employment when we get to that point that we are sure a man life I may see this country arrive at that point."

It is, therefore, that I respectfully ask the Government of India to embark on a policy of protecting agriculture and a policy of increasing the purchasing power of the masses. When all is said and done there is no doubt that this budget marks an epoch in the finances of India. This is the first people's budget as opposed to a capitalist budget that I have seen introduced in this House, and I earnestly hope that the Finance Member will have a five years' plan so that during the next quinquennium of his office he may tackle the problem of abject poverty which is the greatest blot on British administration in India.

Mr. Basanta Kumar Das (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, I do not pretend to have penetrated through the labyrinth of figures which the budget has presented before us, and I do not claim to draw conclusions for the purpose of showing that the estimates should have been made in a different way. But, Sir, the more I go through the budget, the more I am convinced that it is a budget which has not been prepared keeping before the eye of the Finance Member the best interests of the country. Sir, I find that although this budget is the handiwork of a gentleman fresh from his English home, this gentleman has been sufficiently long here to imbibe the conservatism of the bureaucracy which stands in the way of taking a broad outlook.

Sir, coming to the subject, the first thing that can be said of the budget is that it has only presented before us an unattractive picture of the work-a-day level of the finances of the Central Government. Although the Finance Member has estimated for a surplus, this surplus is not due to any sound financial policy but perhaps due to a policy opposite of that; and the surplus that he has budgeted for is only due purely to good luck. Sir, the Finance Member has claimed to have avoided all efforts at pure imagination in dealing with the financial position and problems of India and he has, therefore, claimed to have confined himself to the bare minimum of prophecy incidental to the presentation of a budget. But, Sir, only a superficial reading of the budget would go to show that this claim is quite unfounded, and that, on the contrary, he has rather made a bold prophecy in a very clear way. Sir, has he not delivered an apostolic gospel in a few cryptic sentences on this question and does not his assertion, that he finds no cause for regret or alarm in the continuous drain of gold from India, contain in it a bold prophecy that this drain of gold if allowed to continue will not spell any disaster to the people of India? But, Sir, the question is how far this House is prepared to place credence on this prophecy and base on it its line of action in relation to the economic problems of India. And, therefore, let us examine what he has said. With placid coolness the Honourable the Finance Member finds no sufficient reasons for placing exports of gold in a different category from exports of any other commodity in which India has a surplus. Having asserted that the exports of gold from India have given strength to the exchange, he has put forward the view that it is like any other commodity. Does it not disclose an apostolic mind and the logic of the gospel? Sir, we in India have a firm belief that gold gives strength and tone to the human body and that it is a cure for nervous breakdown. In these days of internationalism, Indian gold has cured the nervous breakdown of a body politic in the West which every one knows and the British Finance Member of India, of all persons, must know. The apostolic gospel further says that India is not being driven by distress to part with her gold. We are not surprised to learn from those whose

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distress has disappeared by securing imports of gold that it is not India's distress gold that she is parting with; and naturally how India is gaining thereby, and how gold export is surplus, is a question which must have occurred to the mind of the Honourable the Finance Member when he was revolving his sayings in his own mind. Therefore he put forward the explanation that gold economically is the same thing as any other commodity; just as we know that diamond chemically is the same thing as coal. But the question need not be asked, how India is affected by the continuous drain of her gold. She bled white during the war for the purpose of making the world safe for democracy as they say, and it is only meet and proper that for world reconstruction in this world-wide economic disorder she should bleed again. True to her traditions, she is to sacrifice herself for others and she is to stand glorious by effecting her own self-effacement. Do we not know that altruism is her philosophy and the instinct of self-preservation cannot have any place by the side of altruism? The question of gold exports is connected with high finance, and I do not claim to be an expert in this matter. I have only taken a common-sense view of the whole thing and I have put forward my views: there are other experts here and I leave them to deal with this subject effectively and expose the hollowness of the plea that has been put forward by the Honourable the Finance Member. But before I leave this subject, I wish to press this upon the attention of the House, that an economic survey of the country is essentially necessary. Here is a Finance Member who is not in touch with the people and who, living in the midst of the splendour of Imperial Delhi, frames his budget estimates without taking into consideration the squalor and the grinding poverty of the people in the villages, in the rural areas.

The next thing about the budget is that it looks to me like a statement of accounts of a commercial enterprise. The speech of the Honourable the Finance Member only interprets some of the figures of the accounts and lays down some of his conclusions from these figures as to how the business would be run in the next year on the same commercial principles which have been hitherto followed and which are not to be deviated from. The woes and wails of the people, their needs and demands, are not to be taken note of, and a bold and forward policy is not to be initiated on beneficent lines for increasing the happiness of the people. The army expenditure is to remain as it is, and we heard yesterday that the Army is not to be Indianised. The luxurious style of the administration is to continue and the oppressive taxes are to increase the poverty of the people and bring affluence for the Central Government. That is the policy which runs through the whole budget.

The Honourable the Finance Member has also preached at the close of his speech that he has proceeded on the assumption that without a prudent and cautious policy no financial good can be achieved. If we take into consideration the arrangement for the restoration of the pay cuts, then can we say that he is really proceeding on cautious lines? What is this prudence which made him acquiesce in an all-round restoration of pay cuts? The Honourable the Finance Member ought to have considered the argument advanced against this restoration of the pay cuts for all the officers under the Government. He has himself admitted that the restoration of pay cuts has increased the difficulties of the Provincial Governments and he has also indicated that it would be increasing the expendi-

ture by about a crore of rupees. Having regard to all these facts, we submit that the restoration of the pay cuts to all the officers was not at all desirable in the present state of our finances.

Want of outlook on the part of the Honourable the Finance Member is also discernible in the way in which he has prepared the estimates for the Department of Posts and Telegraphs. It is only commercial principles which have guided him in not acceding to the popular demand that the Indian postage rates should be reduced. The one main object of making this department to be of increasing utility in serving the public has been lost sight of and purely commercial considerations of profit and loss have shaped the budget. For want of imagination, the Finance Member has failed to grasp that it is the increase of postage rates that has been responsible for the decrease of the total volume of postal traffic which has been shown by means of graphs for the year 1933-34. I take some figures from the report and place them before the House to judge for itself if there is any justification for not providing for lower rates of postage stamps. In the year 1928-29, the number of letters was about 575 millions: in 1929-30, it was 570 millions: in 1930-31, it was 565 millions: in 1931-32, it came down to 485 millions, and in 1932-33, it was 465 millions: while, in 1933-34, it came still further down to 455 millions. Similarly, the number of postcards was about 590 millions in 1928-29: in 1929-30, it was 585 millions: in 1930-31, it was 540 millions: in 1931-32, it was 490 millions: in 1932-33, it was 455 millions, and in 1933-34, it was 435 millions. The downward march of postal traffic, as shown by these figures, cannot be due to the economic depression alone prevailing in the country. That it is the postage rates that have contributed to the decrease of the traffic would appear from the interesting figures given in the same report regarding packets and money orders. The figures for packets are:

1929-30—121 millions,
1930-31—117 millions,
1931-32—110 millions,
1932-33—118 millions,
1933-34—120 millions.

A fall for two years, and again a rise for 1932-33.

Now, the figures regarding money orders are:

In 1928-29, nearly 40 millions.
In 1929-30, nearly 41 millions.
In 1930-31, nearly 39 millions.
In 1931-32, nearly 37½ millions.
In 1932-33, nearly the same.
In 1933-34, slightly over 37½ millions.

Now, I ask, do not these figures show that the number of money orders have remained the same during these three years and establish the fact that the fall in traffic of letters and postcards is not solely due to economic depression, but also due to increase of rates?

Then, Sir, with regard to the taxation policy of the Government, the Honourable Member has also failed to apply his mind and devise an economic plan to relieve the burden of taxation under which the country is groaning. The raising of the taxable limit of income for income-tax was the most desirable step that ought to have been taken. The inequity of taxing incomes between Rs. 1,000 and Rs. 2,000 was practically admitted by the predecessor of the Honourable the Finance Member, and if a pledge

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is to be respected, then there is really a pledge almost exactly in the same terms as in the case of pay cuts for fixing the taxable limits at Rs. 2,000. A perusal of the budget debate for the year 1933 will establish the fact. Again, Sir, when the Honourable the Finance Member has budgeted for a surplus, raising of the taxable income would not have affected the surplus very considerably, while it must have reduced his surplus by about 75 lakhs or so.

Sir, I do not propose to discuss the other general aspects of the budget which could be very well done effectively at the time of the discussion on demands for grants, but, before I finish, I wish to speak on some matters affecting my province, and particularly my constituency—the Surma Valley districts. Now, it would appear that while the Central Government is budgeting for a surplus, all the Provincial Governments, except two Provincial Governments, namely, the Punjab and Madras, have budgeted for deficits. I ask, what is this play of policy? Here, in the Central Government, there is a surplus, while in all the Provincial Governments, except two, there are deficits, which will compel those Governments to resort to drastic taxation. But, Sir, with regard to the surplus, I beg to submit one thing. The Honourable the Finance Member has indicated in his speech that sums from this surplus will be given to Provinces only on two conditions, but I should like him to impose another condition, namely, the scheme that will be formulated for the allotment of this surplus to the different provinces should be placed before this House and sanctioned by this House. Then the accounts should be submitted by the Provincial Governments and the accounts should also be placed before this House and examined very accurately in order to see that the money given to them is not frittered away. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Mr. Basanta Kumar Das: Now, with regard to my province, Sir, I beg to submit that the finances of my province are in a desperate condition. The Province cannot develop its resources; it cannot run its departments on beneficent lines. Projects which had been conceived some time ago could not be put into execution. As an instance of that, I may say that the proposed Medical School at Sylhet, for which the buildings were completed five years ago, could not be started for want of funds. Then, again, the Government of my province is not able to pay proper and adequate attention to the needs and necessities of the province, particularly of the districts of Surma Valley. Sir, as it is well known, the districts of Surma Valley are Bengalee speaking districts in the province of Assam and they have long been clamouring to be tacked back to Bengal. Now, when the provinces are going to be reconstituted on linguistic lines, I think it is high time that these two districts of the Surma Valley should be amalgamated with Bengal as they were before, because these are connected with Bengal socially, linguistically and ethnologically. Then, there is another important matter which concerns my province, and that relates to the manner in which the Assam Government is dealing with the question of scarcity which has been caused as a result of the recent floods. There is one tendency which we have been noticing of late in the Government of my province, and that is the reports, as to the extent of scarcity, are not

at all properly reviewed by Government. They have their own way of distributing relief. There are non-official organizations which could not carry out relief works for want of funds, and the few non-official organizations that exist are not at all helped by the Government. They depute their own officers to go to the villages and minimise the extent of scarcity and give doles in their own way. That is objected to by the people, and when the people ask for more relief, the Government say there are not enough funds. Some deaths have also occurred this year due to starvation in various places, and they were reported to Government, but the Government would not believe those reports; on the other hand, Government wanted to make out that they were false reports. As a matter of fact recently one Congressman was hauled up for submitting such reports. But one who knows the real state of the country will at once believe that the deaths which occurred in the Sunamganj sub-division and Habiganj sub-division could be traceable to lack of food owing to the severe scarcity that is prevailing. Recently, Sir, an appeal has been issued by some gentlemen of the district for the relief of the poor people of the village of Baniyachong which is inhabited by about 40,000 people, and I would like to read only a small portion of that appeal to show the extent of scarcity and distress that prevail in that village:

“The big village of Baniyachong in that Pargana covering an area of six square miles is thickly populated with forty thousand souls. Ninety per cent. of the people of that locality are agriculturists whose staple crop is *aman* generally grown in deep water areas. Owing to the sudden flood of last year, the crop was totally destroyed. Scarcity of food began to be felt since the last Pujas and the Government began to distribute its specified doles to the numerous indigent peoples. Many non-official agencies and organizations also helped the miserable people to some extent with money clothes, etc. But from November last, the Ramkrishna Mission, the Sylhet Cachar Flood Relief Committee and the Sub-Divisional Relief Committee had to suspend their philanthropic activities for want of funds. But all those who have the said experiences of organization of relief measures in such affected areas are aware of the fact that the ‘middle class’ of the population are refused State help strictly in accordance with its hard and fast rules. This class of people at the beginning somehow pull on with help from their near and distant relations. But such help generally becomes irregular and uncertain to their utter helplessness and despair. From the records of such miserable instances that we are in possession now, it is evident that nearly three thousand people of this class are now suffering from the agonies of scarcity of food and clothes. . . .”

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Basant Kumar Das: Sir, I shall take only two minutes more.

Mr. President (The Honourable Sir Abdur Rahim): There are a number of other Honourable Members who wish to speak. The Honourable Member must conclude his remarks.

Mr. Basant Kumar Das: I submit, Sir, that the Government are not affording adequate relief to the poor and distressed people. Another thing which I should like to mention is that when Congress workers visit the villages to give relief to the suffering and the needy, it is unfortunate that the Government view their activities with suspicion, and, as we all know, Sir, even the activities of Congress workers in connection with the Village Industries Association which is started by Mahatma Gandhi are suspected by Government, and, thus, Sir, the philanthropic and humanitarian efforts of the Congress workers are being very considerably checked.

Dr. Khan Sahib (North-West Frontier Province: General): In rising to speak, I wish to make it quite clear that we are not here either to please or to displease anybody in this House. We are here to criticise the actions of the Honourable Members who are sitting on the Government Benches and who are responsible for the administration of this country. We will try our best to make our criticism as accurate, just and honest as it is humanly possible for us. We are here to revolutionise the system which this Government represent. We are making strenuous efforts to wean them from the ancient vices. (Laughter.)

An Honourable Member: Vices or voices?

Dr. Khan Sahib: I cannot pronounce the word correctly. Sir, we are here to inculcate into them a new morality and we shall never be tired of preaching to them the virtue of truth-telling, honesty, and most emphatically, respect for the rights of others. It is a fact that we are a great embarrassment to the Government, but, if I may have the privilege, I will impress upon the House that this is nothing new. We are innovators and you will all agree with me that all innovators are disturbers of the peace. Sir, we disturb the pleasure of laziness to which the Honourable Members who occupy the Treasury Benches are accustomed for generations. We are here to advise them, and, at the same time, to warn them that unless they move with the spirit of the time and change their old and corrupt policy, which is totally unfit to be applied to the solution of the present day problems—Sir, unless they do that, it is natural that they shall be thrown into the waste paper basket and will not even have the chance of being placed as curios in the museum of antiquities (Laughter), for the future generations to praise or curse.

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member now address himself to the budget.

Dr. Khan Sahib: I will come to that. (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): The sooner the better.

Dr. Khan Sahib: Sir, it is pathetic to watch this old fashioned demoralised crowd always playing the same old tune. They are ever ready to advise us and to expound to us the advantages of remaining stationary. They are never tired of explaining to us the dangers which are involved in taking a forward step. But, Sir, may I say this, and say it most emphatically, that all great events in the world are associated with dangers? Why? The very birth of a child itself is not free from grave danger. Think of navigation and the lives lost in its progress. Think of aviation which is still in its infancy, and the toll it has claimed from human life. Think of destructive weapons, about which you must have read in today's papers, and which are so very near and dear to the Government Benches, and the cost in life and money incurred by the world to attain that object. I say, Sir, and say it ungrudgingly, that if all of us lost our lives in the cause of freedom, it would be a great achievement, and those who would be left behind us will have a free

mind to pass a judgment on our actions unprejudiced by the unpardonable methods of the Treasury Benches opposite to us. The other day, the Honourable the Commerce Member tried to instruct another Honourable Member that he should hold the same views that he held ten years ago. I shall tell him, and I shall request him, because I have great respect for his intellectual capacity, to give a thought to this:

"That of no use is the man who studies to do exactly, as was done before, who can never understand that today is a new day."

It is very interesting to watch the Honourable Member for Commerce with outstretched hands and turned up eyes preaching to us his sweet sermons and try to bring down on us the blessings from heaven, which leave us, according to his lights, happy, but which bring him a substantial remuneration. (Laughter.) I say his *mantras* are out of date. I will tell the story of a man who had three cows. One was giving milk and the other two were dry. The man unfortunately lost his father. The Brahmin came. He had an eye on the milking cow. Though the man argued that his children wanted the milk, still the Brahmin would not do the religious ceremonies without getting the milking cow, and he got it. The first day the man tolerated the weeping of his children. The second day passed in the same way, but on the third day he could not tolerate the cries of his young children. He went to the Brahmin and asked him to return the cow. The Brahmin said that he was sending the milk to the man's father. But the man was not going to be deceived by those excuses. He said: "No. I am taking my cow. But if you bring a document signed by my father showing that he received the milk, I would give up the cow; otherwise not". So, I say, the poor people in the villages are hungry, and they are not going to be deceived by all these budgets and other things. The one crore of rupees which has been sanctioned will go into the pockets of the Government servants who can never be controlled, because from top to bottom there is corruption going on. ("Hear hear" from the Opposition Benches.) Unless that corruption is cured—that is the basis of everything. If you want to cure the thing, you must go for a radical cure, and unless you resort to a radical cure, you can never please people by speeches and by what you call budgets.

The other day there was a gentleman here from the railway who claimed that he climbed up from the bottom. He is not here now, and I am sorry he is not here. What struck me greatly was this. He answered every question of Captain Lal Chand's, but he forgot the Rs. 20 at either end of the journey taken by the clerks. He is the only man who could give proper information about that, because he has climbed up from the bottom. These people know all these things. This is not the only thing. For every bale of cotton transported in the North Western Railway, a commission of one anna has got to be paid at every station. If you go a little higher up to the Frontier, you will find that for every sack of *gur* two annas has got to be paid. All this money is collected, and I am surprised that the Honourable Members who are responsible for the administration know nothing about it. They know it, but they will not expose it. A thief can never expose a thief. (Laughter.) Money is collected and this is divided by percentage. There is discrimination even in bribery. It is divided according to the pay of the people. What I am telling you is absolute truth. There are certain

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station masters who get about 3,000 a month. It is public money. If it is stolen, it does not matter. It is public money and must be considered pay or you must stop this corruption. Then we were told the other day that the policy of the Railway Board was dictated by the Secretary of State. I should like to know if the Secretary of State has given sanction for this corruption. Either the Secretary of State has given sanction, or, if it is not the case, the Railway Board is incompetent and is not fit to carry on its administration, and, I think, I should ask them to vacate those Benches and leave it to those who can administer properly.

Now, we will come to the Frontier. I will begin with the Khyber, and that is the spot which we are always told is full of danger. Where is the danger? The danger of Afghanistan? Well, I think those who know anything about that should never be afraid of Afghanistan. We, *Khudai Khidmatgars*, are enough for anybody coming from that side. We do not want to spend crores and crores of money. Now, I will read the Honourable the Finance Member's words. I have some sympathy with him, because, I am sure, he does not know. He is fresh from England and he thinks that things are done here in the same way as in England. He says:

"I wish to make it clear that we have no intention of implementing this policy by force or without the consent of the tribes in whose territory the roads will be constructed."

Further, he says that an application has been received. Here is an application which has been addressed to this Assembly. I have got it here and have translated it. The Honourable the Nawab Sahib from the Frontier said the other day that such papers were not signed. It is signed and sealed by all those people who are from Tirah and who are responsible people. It runs thus:

"We, two lakhs of Aridis of Tirah, expressly state that the information which the British Government has circulated about us is absolutely untrue. We neither want a road to be constructed in our land nor have we given any thumb impressions on applications to the English. Those people who have given thumb impressions are either spies or people in the British pay. They have no right to be considered as the representatives of Tirah. We request the British Government to give up this unjust adventure. Otherwise it may lead to unfortunate disturbances. These are very critical days and every nation is awake and tries to keep free from the domination of others. We the eight clans with our eight flags have come to our border line and we want to appeal and at the same time to state clearly to the British Government and to the rest of the world that we will never let the English construct the roads. If we are crushed, then anyhow we will be buried in our free land before it is subjected to slavery."

These are the words of simple, honest people, not diplomats. The Finance Member says that they have received an application. Well, I should like him to put it on the table, and another thing I may ask him—how much money has been spent on that application? (Laughter.) That is the thing. I have received information that for every thumb impression they got they paid five rupees, but that is only for the man who puts the thumb impression. What about the man who takes the money to them. That is the interpreter. But to ask accounts from this Government will be something like expecting accounts from Ali Baba and his forty thieves. (Laughter.) The mistake is that the interpreters between the mind of the tribal area and the British area are corrupt adventurers of the most dishonest type. This fact is evident to many British officers, but they have

not got the courage of exposing those people. I am going to do it for them, because I know several British officers have voted for me in the election. Kuli Khan, who is the propaganda officer of the Frontier, Khan Bahadur if you like to call him, is the man who conducts the policy in the Frontier.

Major Nawab Ahmad Nawaz Khan (Nominated Non-Official): No. I don't think so.

Dr. Khan Sahib: I do not want to be misunderstood. I do not want to grudge him the position, because he has risen from the bottom. I have no quarrel with him. I shall be glad if everybody gets to the top and nobody is left at the bottom. That gentleman is the propaganda officer or publicity officer. As regards his previous financial condition, his father was a peon in the church for five rupees a month.

Mr. H. A. F. Metcalfe (Foreign Secretary): On a point of order. . . .
(Dr. Khan Sahib was standing in his place.)

Mr. President (The Honourable Sir Abdur Rahim): As a point of order has been raised, will the Honourable Member resume his seat?

Mr. H. A. F. Metcalfe: Is the Honourable Member in order in attacking by name, as a corrupt adventurer, a distinguished public servant who has no opportunity in this House of defending himself?

Mr. President (The Honourable Sir Abdur Rahim): The Chair rules that the Honourable Member is not in order in alluding to any particular individual by name and accusing him of corruption.

Dr. Khan Sahib: Sir, I am very sorry, but this is a thing which must be exposed, (Hear, hear.)

Mr. President: (The Honourable Sir Abdur Rahim): Order, order. The Chair has given its ruling and it hopes the Honourable Member will obey it.

Dr. Khan Sahib: Well, Sir, I won't give any name, but I will say that here are some people who have collected large sums of money. Now, how did that money come? He has in Bahawalpur, I think, thirty squares of land and places at different places. Well, where did all this money come from? A file was prepared against two gentlemen at the time of Sir Stewart Pearce, but unfortunately for the frontier he accidentally lost his life, and so the file disappeared!

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up. He has exhausted his time.

Dr. Khan Sahib: I have not done half yet, Sir. (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already spoken for twenty minutes.

Dr. Khan Sahib: Well, Sir, there are some very important things to bring out, and can I have a few minutes more?

Mr. President (The Honourable Sir Abdur Rahim): The Chair will give the Honourable Member two minutes more, but not more.

Dr. Khan Sahib: Sir, the other day, the Honourable the Home Member said that "the Chief Commissioner—now, I am dealing with 1931—made every effort to get into touch with Khan Abdul Ghaffar Khan, both personally and through his local officers, but every offer made to see the Chief Commissioner was refused". Well, I can only say, Sir, that either the Honourable the Home Member was misinformed or he has spoken an untruth in this House, because, in 1931, I went with my brother personally to Nathia Gali and he saw Sir Stewart Pearce, and I will tell you a very interesting incident that happened. After my brother told him that a certain district officer was out of control, Sir Stewart Pearce told him that he had him up and he knew that he had a small head and he had applied ice to his head and that had made him cool. The other incident was this. A lot of C. I. D. men were standing there and Sir Stewart asked who were they. My brother jokingly said: "Well, Sir, these are the C. I. D.—they cannot even trust you in the company of undesirables". (Laughter.) So, that is one. The other one was this. He went to see the present Governor. I arranged an interview and that was in November. Now, I cannot understand how the Honourable the Home Member should have made statements in this House like those he did make. Then, there was another thing—about the drama; and he said that the result of the drama was that an attempt was made on Captain Barnes' life. Well, Sir, let me tell you that the attempt was made in 1930 and the drama took place in 1931.

The Honourable Sir Henry Craik (Home Member): No, no.

Dr. Khan Sahib: So I cannot see how you can associate those two things. Well, Sir, if you are not going to let me speak further,—there are lots of things,—I will close my speech with these few words, that unless the Honourable Members of the Government try to get to the root cause of the evil, it is impossible to create any feeling of goodwill or to bring about any peace. (Loud Applause.)

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, I had no desire to take part in the general discussion of the budget, but, Sir, I must raise my voice of protest (*Cries of "Hear, hear"* from the Official Benches) against the kind of language which has been used by an exponent of the art of non-violence in language, deed and thought. The previous speaker, Dr. Khan Sahib, Sir, if I remember the words aright, used these words:

"The members of the Treasury Bench, being thieves, do not like to expose thieves, because they share in the booty."

(Laughter.)

From that, Sir, we can get some idea of the organisation the previous speaker represents. From the violence of his language (Hear, hear), the inference of violence in other matters is not a very distant one. Sir, we have heard of corruption in Government service. Surely, in a service

which represents thousands of people, there must be some amount of corruption, but the general language which has been used by the previous speaker is certainly most objectionable.

The Honourable Sir Henry Craik: Hear, hear.

The Honourable Sir Nripendra Sircar: I would remind him, Sir, of what we have been told about corruption in the Congress, repeatedly by Mahatma Gandhi.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): We are honest enough to own it, but you are not.

Munshi Iswar Saran (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): On a point of order, Mr. President. Whether the remarks of a particular Honourable Member are right or wrong is certainly a matter in regard to which difference of opinion can exist, but I wish to ask, in all seriousness, whether the conduct of the Congress is the question which we are here to consider. The Congress may be right, the Congress may be wrong, but I ask you in all seriousness to give me a ruling whether any Member of the Government is entitled to get up and abuse the Congress in this fashion. (Hear, hear.)

Mr. President (The Honourable Sir Abdur Rahim): This is not a point of order. No doubt strong language has been used on one side, but it is for the other side to consider whether equally strong language should be used by the other side or not. (Hear, hear.) (Loud Applause.)

The Honourable Sir Nripendra Sircar: As I understand the arguments of relevancy used in this House, it is quite possible to say that this is a relevant argument on the budget, but I do not propose to do that, and I do not propose to take up the time of this House too long, as I only want to record my protest.

Munshi Iswar Saran: Because the President won't let you go on.

The Honourable Sir Nripendra Sircar: Well, there is no ruling against me, but I will not go on longer even if the President will allow me. I would remind this House once more that when the vile and irritating language was used by the previous speaker, we raised not a single interruption; but people, who are over-sensitive themselves about the slightest criticism, themselves raise a terrible howl when anything is said in reply from the Government Benches, (*Cries of "Hear, hear"* from the Official Benches.)

Mr. A. K. Fuzlul Huq (Bakargunj *cum* Faridpur: Muhammadan Rural): On a point of order, Mr. President: on what item of the budget is the Honourable Member speaking?

The Honourable Sir Nripendra Sircar: I think, Sir, it is the necessity of spending more money on police for keeping some people in order (Laughter), but, as I said, while I have not got much to say, I do desire, Sir, to keep my protest on record, against the kind of language which is used in this House. (Hear, hear and Loud Applause.)

Seth Haji Abdoola Haroon (Sind: Muhammadan Rural): Sir, some of my Honourable friends have already spoken on the budget. I do not mean to say that the budget is very bad, but I do wish to say that the budget estimates are not correct and they have been framed in such a way that the Members of this House cannot criticise the Honourable the Finance Member and say that he has not reduced the taxes. Sir, I want to give you only one example to show how the Finance Member has estimated the several heads of income. I wish to put before the House only one item. The Finance Member has estimated an income of Rs. 175 lakhs from the sugar import duty. In this connection, I would like to read to the House a telegram which I received only two days ago from the Indian Sugar Mills Association. It runs thus:

"India Sugar Mills Association invites attention to very low estimate of rupees 1.75 lakhs made Honourable Finance Member as proceeds from import duty on sugar based on estimated import of only 90,000 tons. Association firmly believes that imports of sugar will be over two lakh tons. Imports during eleven months this year exceed two lakhs tons already. Import revenue from sugar will thus be about Rs. five crores. Association suggests that Government should give assurance that in event of import duty yielding higher amount, excise duty would be proportionately refunded to factories in order to relieve industry of heavy burden. Association also urges Government to utilise for improvement in cane cultivation at least half of the surplus of rupees 75 lakhs earmarked extra for debt reduction."

This is the opinion of the Association. But as a businessman who has a little experience of sugar industry, I may say that next year the amount of sugar that will be imported into this country will be not less than three hundred thousand tons, and, from that source alone, the income of the Government will be not less than Rs. 5½ crores. The predecessor of the Honourable the Finance Member, Sir George Schuster, last year estimated an income of Rs. 2.05 lakhs and he himself admitted that the estimate was very low, but he wanted to impose the excise duty. Today we find that, instead of Rs. 2.05 lakhs, we have received Rs. 3.75 lakhs.

Sir, if the budget estimates are going to be placed before the House in the manner in which they have been placed, I am afraid there will be no relief in the taxes at any time. Of course, the Government place the surplus money before the House, but they distribute it according to their own choice. On account of the low estimate of the budget, they imposed an excise duty on sugar last year with the result that Europeans and Indians joined together and approached the Government last November and asked them either to increase the import duty on sugar or to reduce the excise duty. But in this budget we find nothing of the sort. Not only that, the Government always claim that they are the good supporters of the cultivators. Sir, I would like to tell the Government that if they continue their policy of imposing the excise duty on sugar, then, I am afraid, within two or three years, most of the sugar factories will close their doors. They are not only putting the excise duty, but side by side they expect the agriculturist to improve the quality of cane in this country. Sir, the official report says that the cane has become diseased and the percentage of sugar in it is decreasing year by year. Therefore, it is essential that the Government should come forward and help the cultivator. If they are not going to reduce the excise duty, they must at least help the sugar cultivator to improve the quality and quantity of his cane. Sir, last year the Honourable the Finance Member promised to pay Rs. seven lakhs to the provinces for the purpose of improving sugar-cane

cultivation, but, in this budget, I find that they have paid only five lakhs and a few thousands of rupees. When they are getting about six crores of rupees in the shape of import duty and excise duty from the sugar, they are not willing to pay even 60 lakhs of rupees. Sir, my Association has suggested and I wish to suggest the same that, after distributing the money from the surplus fund, there are still 75 lakhs of rupees left which the Government want to spend on the reduction of debt. I suggest to my Honourable friend, the Finance Member, that he should give this amount to the sugar cultivator in order to improve the sugar cultivation in this country. If that is done, I hope the sugar industry will not think it necessary to approach the Government for further protection. Of course, Honourable Members are always complaining that the sugar industry has got a protection of 200 per cent. or 175 per cent.

The Honourable Sir James Grigg (Finance Member): The industry has been given the protection to the extent of 250 per cent.

Seth Haji Abdoola Haroon: I am very glad to hear that from my Honourable friend. But I may inform the House that the sugar duty was the revenue duty, and it was already imposed in 1930. In 1932, Government formally passed a Bill and said that they gave this protection to the sugar industry. But properly speaking, no sugar protection was given and this import duty was imposed before the Sugar Protection Bill came in this Assembly. I request the Honourable the Finance Member that he must consider the point that sugar-cane cultivation should be improved in this country, so that we may not have to come to Government for further protection. If you look to the history of Java, you will find that, 30 years ago, that country was in the same position as India is in today. Java could not produce more than two to three maunds per acre and they could not give an yield of more than eight to nine per cent, but, after spending a lot of money on the improvement of sugar-cane cultivation, they are dumping their sugar all over the world. Sir, my other point is that the Government of India have distributed 40 lakhs to the Road Board. I have no objection to this. But I may inform the House that the Government have already appointed Mr. Stubbs, an expert Road Engineer in Sind, and he has already submitted his report to the Government. The Government of India must be fully aware as to how the Bombay Government are treating Sind. Sind is treated as a step child by the Bombay Government. If you look to the condition of Sind, you will scarcely find any good roads. The Government have lent a large sum of money for the construction of the Sukkur Barrage, and though the barrage has been completed, the Government have not built any roads.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): They have built roads for the use of officials only.

Seth Haji Abdoola Haroon: Yes, these roads are on the banks of the canals and only the Public Works Department or the Government officials could take their car on these roads, while the public could not use these roads.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): But Members of the Assembly are allowed to take their cars on these roads.

Seth Haji Abdoola Haroon: Yes, that is so. The Government have spent 26 crores, but they have not considered the necessity of good roads all through Sind. I must warn the Government that without laying out good roads all through the country, the chances of the success of the Sukkur Barrage are very remote. Owing to lack of proper communications, the zamindars cannot bring their produce to the marketing centres and in this way the barrage would be an utter failure.

Mr. Lalchand Navalrai: I also doubt about the success of the Sukkur Barrage.

Seth Haji Abdoola Haroon: You may doubt, but I do not do so; the only thing required is proper roads. Now, the zamindars bring their produce mostly on camels and they pay four to six annas per maund for cotton or wheat. It means that so far as wheat is concerned, the cultivators have to pay about 20 per cent. of the cost of wheat as charges for conveying the goods to the markets. If, as is proposed in the Government of India Bill before the House of Commons, Sind is separated and formed into a separate province, then the whole burden will fall on the shoulders of the Government of India for making the administration of Sind financially sound.

Another point that I wish to touch upon is the forward policy of Government in the Frontier. From a perusal of the figures in the civil budget, I find that about 1,80 lakhs is spent on the Frontier Constabulary or watch and ward, and a huge sum of two crores is lost every year on the strategic railways. Besides this, the Government are spending lots of money on the construction of roads and their maintenance. I am not able to find out what amount the military is spending on this forward policy of the Government in the Frontier. But, as a businessman, I can surmise that the Government must be spending not less than 10 or 15 crores every year and even more as my Honourable friend, Mr. Das, says, on the upkeep of the roads on the Frontier, on the maintenance of a big army to guard the Khyber Pass, on transport and on several other allied things. To our knowledge, this policy has been going on for the past 75 or 80 years. I do not know how many hundreds of crores we have spent on this policy during all this period. As a businessman, I must suggest to the Government that they must reduce their expenditure under this item. Why should Indians be made to pay for this forward policy of Government? If I had the power, I will take one step to reduce the expenditure, and it is this. I will go to my Honourable friend, Dr. Khan Sahib, and ask him to be the gate keeper or the *durwan* of the Frontier. I will ask him to watch the interests of India on the Frontier. I will tell him that we are spending now such huge sums on the watch and ward, but I want you to guard the Frontier and keep a watch over our enemies and tell us at the proper time if the enemies march on our Frontier, so that we might come to your aid in making the enemy retreat from our Frontier. Of course, I am only a businessman, and this is my suggestion. I do not know anything about politics or about military affairs. My Honourable friend, Dr. Khan Sahib, also said that there is no fear from Afghanistan at present. I also find that there is nothing to be afraid of from Russia. Lately, I read in the newspapers that the Government had acquired some territory on the Kashmir borders. If such a policy is to be continued, I do not know how long India has to find money for such a policy.

Mr. H. A. F. Metcalfe: On a point of explanation. The Honourable Member has been entirely misinformed. The Government of India have acquired no territory at all from the Kashmir State.

Seth Haji Abdoola Haroon: I do not know whether they have acquired or not. I saw in the newspapers that Government occupied some portion of the Kashmir territory.

Mr. H. A. F. Metcalfe: I will explain to the House what the real facts are if the House so desires.

Seth Haji Abdoola Haroon: I am suggesting that if this kind of forward policy is discontinued, it will greatly relieve the burden on the Indian tax-payer. With these words, I sit down.

Mr. N. M. Joshi (Nominated Non-Official): Sir, only a few minutes ago, my Honourable friend, Dr. DeSouza, stated that this budget was a popular budget. He said: "it is a democratic budget". Sir, I do not see any change in the policy underlying this budget to call it a democratic budget. The policy of the Government of India in framing their budgets has for a long time been the same policy. The present Finance Member has simply continued that policy. That policy is that Government take money from people by way of taxation without any consideration for the ability of the people to pay. Then, Sir, they spend the money, not according to the needs of the people, but according to their political influence. Those who have more influence will get money and those who have none will not get money, whatever may be the need. Sir, this is the general policy of the Government of India and they have continued this policy for a number of years. The natural result of this policy is that the wealth of the country is being concentrated in the hands of a few people, and this disparity of wealth and the resources possessed by the people is increasing year after year. If the Government of India follow the right policy and if the Honourable the Finance Member makes a beginning of following the right policy, they can do a great deal to bring about a better distribution of wealth in this country. Sir, by a right system of taxation the Government of India can make the distribution of wealth at least more equitable. Considering the budget from this point of view I find that the Honourable the Finance Member, when he had a surplus this year, instead of trying to lighten the burden on the poorer people by removing or at least reducing certain indirect taxation which falls on the poor people like the salt tax, the tax on kerosene and matches, etc., takes shelter behind the pledges given by his predecessor and reduces the income-tax. Naturally the result is that when already, even as admitted by the Taxation Inquiry Committee, the indirect taxation in India is much larger than the direct taxation as compared with the proportions of these two systems of taxation in other countries, the Honourable the Finance Member does not reduce the burden on the indirect tax-payer but he takes the occasion to reduce the burden on the direct tax-payer. Sir, I cannot congratulate the Honourable the Finance Member on the policy which he is following. If he had the interests of the people of this country at heart he should have reduced at least some indirect taxation and waited for the reduction of the direct taxation till there was a proper balance between the direct and indirect taxation in this country.

[Mr. N. M. Joshi.]

Before going to deal with the general expenditure, I shall say a few words about the use which the Finance Member has made of the surplus of the last year. I feel, Sir, that the use of one crore of rupees of the surplus for rural uplift is a good thing, but at the same time I should like the Government of India to see that the responsibilities of the Provincial Governments in this respect are not weakened. If the granting of this dole is likely to weaken that responsibility the Government of India instead of doing any good to the rural population in this country will have done them some harm. As regards the use of this crore of rupees, I hope the larger portion of this money will pass into the pockets of the poor people. But let me warn the Government of India and this Legislature that they cannot improve the condition of the rural population in this country by merely giving them small doles of money. The most serious problem of rural economy in this country is the indebtedness of the population, and, instead of giving a dole of this money, if the Government of India had dealt with that question and given relief to the rural population they would have conferred a greater benefit upon the rural population. I hope, Sir, the Government of India and the Members of this Legislature will realise the seriousness of this problem. I was sorry to hear one of the Members on the Congress Benches belittling the importance of the relief of indebtedness. He said, if you relieve indebtedness it is at the cost of some other people. Of course if you give money to the poor people the money will have to come from somebody, and there is nothing unjust in getting that money from those people who are able to pay.

Then, Sir, the Government of India are spending a part of their surplus on building roads in the North-West Frontier tribal area. Sir, so far as the roads are a civilising influence I consider the money spent on roads as money well spent. I feel, Sir, that if the Government of India, instead of spending crores of rupees for the defence of the frontier, spend even half of that amount in civilising the tribes on the frontier by giving them means of livelihood, by developing those areas economically, by starting some industries even by giving them subsidies, it will be a better method of making our frontier safe than by keeping a large army. I hope the Government of India will investigate the problem of finding means of livelihood for the tribes on our frontier. These tribes commit thefts and plunder people on the plains not because they like plundering but because I am convinced that they have no means of livelihood. If we, the people on the plains, spend a part of our money in developing their country economically and find means for their livelihood, I am sure that will be a much better way of stopping plunders by the frontier tribes.

I would like to say a word about the new expenditure which the Government of India are incurring during the current year; and, while on that subject, I would suggest to the Honourable the Finance Member that in preparing statements as regards new expenditure, both voted and non-voted, it would be more convenient if he gives a summary of the items of new expenditure. He has presented us with several volumes of the proceedings of the Standing Finance Committee. They are interesting and I have read them; but it would have been more convenient if he had given us a small concise statement of the items and the total amount sanctioned by the Standing Finance Committee. As regards several of the items sanctioned by the Standing Finance Committee I do not wish

to make many remarks. But I would like to say a word about the money sanctioned by the Government of India for Bengal. I spoke on this subject last year, and let me assure my friends from Bengal that if Bengal has a real need I shall certainly not object to the Government of India paying whatever they need; but my objection to the grant which the Government of India have made is that this grant is not made after an impartial investigation of the needs of the various provinces. If the Government of India had made an impartial investigation, after the Meston Award, by means of a committee presided over, say, by a High Court Judge, and if they had decided that Bengal deserves a contribution from the Government of India I would not have grudged it. But I am against the Government of India making contributions to the provinces according to their own sweet will on political grounds

Dr. P. N. Banerjee: (Calcutta Suburbs: Non-Muhammadan Urban): What did Sir Walter Layton say?

Mr. N. M. Joshi: To make a large grant to Bengal, because Bengal cannot increase her taxation, and on account of the fear of terrorism in Bengal is a premium placed upon terrorism. I, therefore, feel that the Government of India should give up this policy of making contributions to the provinces on political grounds

An Honourable Member: It is economic.

Mr. N. M. Joshi: If Bengal's need is economic, there should be absolutely no objection to the needs of all the provinces being examined by an impartial tribunal, but it is wrong for the Government of India to follow a policy of making contributions according to their sweet will to the provinces. Our country has suffered a great deal on account of communal jealousies; and I am apprehensive that if the Government of India once begin this policy of giving doles to different provinces, we may suffer as much from provincial jealousies. I, therefore, hope that the Government of India will place this matter before an impartial tribunal and do justice to all provinces

Dr. P. N. Banerjee: We do not object.

Mr. N. M. Joshi: I do not wish to say anything more on this subject.

Then, I would like to say a word about one item of new expenditure. The Government of India have sanctioned some money for starting an industrial research institute. They propose to appoint an advisory council for that industrial research institute. I feel India does need an industrial research institute, but I hope when the Government of India establishes the advisory council, they will see that all interests which are concerned with industries will be represented on the advisory council.

As regards the general policy of expenditure I would like to say that on the whole the Government of India is following a wrong policy and that money is spent according to the political influence of the party. For the last several years I have been pressing the Government of India to do justice to their lowest classes of employees who are supposed to belong to the inferior services. The men belonging to the inferior services do not get adequate pension. Whatever may be their salary, they get a monthly pension of Rs. 4. I have been asking the Government of India that they should take up this problem. Every time they say it

[Mr. N. M. Joshi.]

will be taken up when they have money. I can understand the Government of India pleading financial stringency, but there must be some priority of claims. Have the Government of India considered the priority of claims according to the needs? I have gone through the volumes of the Standing Finance Committee—there is Rs. 12,000 recurring expenditure sanctioned for improving the gardens at Delhi and Simla, and a lakh of rupees for an aeroplane: these are for Government House. I do not suggest that these are very large sums; but at the same time if we are going to incur new expenditure, according to the urgency and need, then I feel that the expenditure for improving gardens and the expenditure for a new aeroplane could have waited till the inferior services got increased pensions. I hope that the Government of India and specially the Finance Department will follow a right policy in this matter. They are trustees of the public money and they must spend the money according to the needs and the urgency of the needs of the people and not on grounds of political influence.

May I, in conclusion, say a few words about the policy of the Government of India with regard to the economic development of the country? It seems there are some people who are under the delusion that the development of agriculture and the development of industries could be separated and that they are at variance with each other. I feel it is a great mistake to make that supposition. I would like the Government of India to give equal attention to both the improvement of agriculture and the development of industries. Last year, when I spoke on my Resolution for the relief of unemployment, I suggested to the Government of India that they should follow a bold policy of developing industries in this country. I also suggested that besides developing industries they should follow a bold policy of undertaking public works so that people in the country will get sufficient employment. Unless the Government of India spends its money to create new employment in this country, I feel the finances of the Government of India will not improve sufficiently. But, Sir, I would like to say just one word as regards the policy of developing industries. I am not going into the question of the basis on which the industries should be established or developed. But, Sir, I would like to suggest to the Government of India that they should, while trying to develop the country economically, take sufficient measures for the protection of the working classes in this country. When you develop industries on capitalist lines you cannot escape from the evils of unemployment, from the risk of unprotected sickness and unprotected old age. It is the duty of the Government of India when developing industries to make proper provision for social services by which the unemployed will receive sufficient relief, and the workers will also receive assistance, both medical and maintenance during sickness, and their old age also will be properly protected

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already spoken for twenty minutes.

Mr. N. M. Joshi: I hope, Sir, the Government of India, in framing their Budget, will follow a right policy, so that the taxation will fall upon people according to their ability to pay it, and they should follow a bold policy of spending more money on social services, so that they may bring about a more equitable distribution of wealth in this country. Sir, I have done.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Mr. President, I thank you for giving me an opportunity to speak immediately after my friend, Mr. Joshi, has spoken. Before I make certain observations in connection with what has fallen from my friend, Mr. Joshi, I should like to make a few remarks on the budget which is before us. Sir, the presentation of the budget is admittedly a most important event in the administration of every Government, but in India, unfortunately, this event is not looked upon with the same fervour and enthusiasm as in other countries, here it is not awaited with high hopes or expectations of relief as is the case in other countries, because in those countries people expect relief in various forms from their Finance Ministers, but in this country people await the budget with grave anxiety, with grave concern, only to know what fresh fetters are going to be forged for them or what fresh burdens are going to be imposed upon them. (Hear, hear.) That is the position.

Now, Sir, I must at the outset thank the Honourable the Finance Member for the very lucid, very fine and very candid speech he made in presenting his budget. I thank him all the more for pressing into his speech the minimum of prophecy and platitude. Now, Sir, what, after all, is the relief that this Budget gives? Does this budget reflect the real condition of the people of India? I say that it reveals and also conceals the real position of India. It reveals at least this much that the Indian tax-payer has been bled white all along to such an extent that every article of his bare necessities of life has been taxed heavily, and this dead level of taxation on all necessities of life has been going on uninterruptedly, unchecked, unrelieved by any stroke of bold policy for the last so many years. And what does it conceal? It conceals the appalling poverty of the masses of India, poverty which is so colossal that it is impossible for anybody to integrate. That is the position. And what is the relief that the Honourable the Finance Member has proposed? He has proposed relief to the pampered services by the restoration of the cut in salaries. I do not grudge the Honourable Members over there and the whole army of Government servants, who are all highly paid, the relief that has been afforded to them. I know there have been grumblings going on, and the Government evidently are more afraid of these grumblings, but I submit that if your servants are grumbling, the people of India are groaning under the heavy weight of taxation, and the cruel irony of fate is that the Government is dead to all these groans. It is deaf to all these groans. That is the position. What, after all, are the poor people going to get from this budget. The poor man's salt is taxed, his food and bread are taxed, his fire is taxed, his light is taxed, in fact every conceivable thing under the sun which the poor man looks to as his prime necessity is taxed. That is the position. I would ask the Honourable the Finance Member whether this was really an opportune moment to redeem the so-called pledge given by his predecessor to the services. Could not this have been postponed to a few years more, or could it not have been carried out gradually and on a progressive scale giving relief first to those who are down in the ladder and gradually extending it to those who are on the top of it? My friend, Mr. Satya Narayan Sinha, told the House yesterday the history of these pledges, how several of the pledges more solemn, and more sacred, how some of the pledges given even by His Majesty the King Emperor have been treated as a scrap of paper, but when you talk of pledges given to the services, the Honourable

[Pandit Lakshmi Kanta Maitra.]

the Finance Member is anxious to redeem them for the sake of the service people first.

I will now turn to the aspect of the budget that affects my province, namely, Bengal. I am provoked to say something about my province, because my friend, Mr. Joshi, said something about the relief that is given to Bengal. I am afraid my friend is under a misapprehension. He talked of figures and complained that the Finance Member has given to Bengal a portion of the jute duty. I find, Sir, there is a good deal of misconception about this matter relating to the jute duty. I think Honourable Members of this House are aware that this export duty on jute was imposed on the people of Bengal as a war measure, to meet the cost of the war, when the budget was a deficit budget, and this duty was imposed in 1916, and I think a sum of three to four crores represents this jute tax. Now, this tax for the last 19 or 20 years has come up to something like 60 crores. Bengal has contributed very nearly 99 per cent. of it, and what is this jute tax? It is a direct tax on an agricultural product—a staple crop of the Province, and, Sir, it has the same incidence as the land revenue. Formerly, when prices of jute were ruling high, when there was an excellent market all over the world, this jute duty was more a consumer's tax, but, Sir, in these days of economic depression—and, I am sure, Honourable Members must have read in the press how the Government of Bengal are taking steps to ameliorate the condition of jute producers, because these people who cultivate jute are not able to get a proper return, not even the cost of production, and therefore, in these days of economic depression, this tax is more in the nature of a land tax and producer's tax. Sir, land tax is a provincial revenue, and, therefore, if the Honourable the Finance Member has given to Bengal and to other producing units something in the neighbourhood of a crore and half of rupees, it is not a dole or a favour, it is a recognition of an equitable principle, a bare act of financial justice, and I thank him for conceding it. Bengal has a legitimate claim to the whole of this jute duty, and she must have it. My friend, Mr. Joshi, made an observation that if Bengal were to stand on her own financial legs, she should go in for more taxation.

Mr. N. M. Joshi: Mr. President, I made no such remark. I merely said that there should be an impartial inquiry, and nothing more.

Pandit Lakshmi Kanta Maitra: I am not afraid of an enquiry. I may tell him for his information.

Mr. N. M. Joshi: Exactly. Then, why are you speaking against me? I am only asking for an enquiry.

Pandit Lakshmi Kanta Maitra: About this jute tax, is it realised.

Mr. N. M. Joshi: Are you afraid of an enquiry?

Pandit Lakshmi Kanta Maitra: No, not at all. I welcome it. I may submit that the incidence of this export duty on jute now comes actually to something like 18 per cent. That is the position. Bengal is not suffering because of the dearth of her resources. She is very rich in the matter

of her resources, and still, why is she bankrupt? It is because of the financial adjustment, or, I may say, the maladjustment and inequity of the Meston Award. It is the peculiar misfortune of my province that whenever an instalment of reforms comes, she is always adversely affected. When the Montagu-Chelmsford reforms came, there was this Meston Award which crippled her resources. You will find the figures in Sir Walter Layton's report to the Simon Commission where he stated that, out of the total revenue raised in the province of Bengal, nearly 70 per cent. went to the Centre. That is the position and that is why Bengal is going bankrupt. That is why, on account of the Meston Award, the whole reform scheme has been wrecked on the financial rock. Now, there is going to be another instalment of the so-called reforms and it is Bengal again that is going to be affected terribly by this monster of the Communal Award. That is the fate of Bengal. I submit for the consideration of this House and also of the Honourable the Finance Member that I do not look upon it as a dole as some of my friends seem to think. I claim it as of right. I am not afraid of any tribunal being set up to go into the question of the equitable and legitimate dues of Bengal. I have no doubt that before such a tribunal Bengal's case will be proved beyond the shadow of a doubt—that Bengal has made the greatest contribution to the Central revenues and the tribunal will give its verdict in her favour that Bengal has been bled white in order that the Central Government may function.

Mr. N. M. Joshi: That is the right spirit.

Pandit Lakshmi Kanta Maitra: I am always actuated by the right spirit. I will now come to the question of salt revenue. Sir, it must be remembered that there is a national sentiment behind this. On this question of salt, I think one of the greatest political battles known in Indian history was fought, and yet it has come to stay. It has become the mainstay of Government revenue, and, added to it, there is the additional import duty on salt. Why should my unfortunate province suffer more? The point is that we, the people of Bengal, cannot produce our own salt, that is the position now, and we have to depend upon the imported salt from outside.

Mr. Lalchand Navalrai: You want foreign salt?

Pandit Lakshmi Kanta Maitra: Please do not interrupt. You are impatient. You do not stop to hear me to the end. When I was speaking that Bengal had to depend upon imported salt, I meant salt produced from sources outside Bengal and even outside India. This additional import duty is imposed on the consumers of Bengal, and the loss to them comes to several lakhs. That is the truth. But, what I submit for the consideration of this House is that, for the greater good of the whole nation, we shall suffer the iniquitous import duty to stand, provided the Finance Member will earmark the revenue so derived exclusively for the development of the salt resources of the province of Bengal. ("Hear, hear" from the Opposition Benches.) I submit for his consideration that he might appoint a Government Committee,—I do not mean a Committee of this Legislative Assembly, but a Committee composed of some Members of the Legislative Assembly from Bengal, some Members from the Council of State, some Members of the Bengal Legislative Council, some representatives of commercial interests and some Government experts or Government

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men as the Finance Member may like. This Committee will go on and investigate the question of the development of the salt resources of Bengal and will grant subsidies and help and also other means of assistance so that Bengal may be self-contained in the matter of her salt supply. That is my submission. The Honourable the Finance Member is a very young man. He has a promising career before him, and I hope he will pay heed to this legitimate demand of Bengal. We agree to allow the continuance of the import duty in the greater interests of the country, but I hope that the Finance Member will give Bengal a chance to develop her own salt resources, because, though at present we do not manufacture salt in Bengal, there was a time when Bengal was not only self-contained in the matter of salt supply some half a century ago, but she exported salt outside. How that industry came to be crushed is a very doleful story, and I shall not go into it now. It met the same fate as our other industries. This morning, I have received several telegrams urging upon me to support the import duty on salt and to press upon the Government, at the same time, to appoint a Committee for earmarking the amount so raised and for spending it exclusively on the development of the salt resources of Bengal. I think that is an eminently reasonable proposal, and I hope the Honourable the Finance Member will not object to it.

I will touch on some other matters before I close. This Government granted protection to the sugar industry of this country by raising a high tariff wall, and, as a result of that, various sugar factories have been started. But before they could stand on their own legs, the Government saddled the industry with the excise duty and the result is that an indigenous nascent industry is being throttled at its very inception. I ask the Finance Member to save this industry from ruin, in which crores and crores of rupees have been sunk by Indians.

A good deal of controversy has been raging round the question of the exportation of gold. The Honourable the Finance Member seems to think that gold is like any other commodity, and that the surplus commodity is being shipped out of India. We on this side of the House beg to differ from him. We believe that it is really the distress gold that is being drained away. Ever since Great Britain went off the gold standard, crores and crores of rupees worth of gold have been drained away and the nation is living on its capital. Times without number the public demanded some sort of an embargo on the export of gold, but Government have not paid any heed. Sir, it is for you to consider whether it is really good for this poor country to throw away its ultimate reserves of gold.

Coming to the reduction of the silver duty, I can say this that this will have an immediate adverse effect on the poor people who have their reserves in silver ornaments and silver wares.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already spoken for twenty minutes.

Pandit Lakshmi Kanta Maitra: One minute more, Sir. In the present budget, there is a tendency to recovery to normal times, and it is my deliberate conviction that the receipts have been under-estimated in order that greater relief may not be claimed. I submit for the consideration of the Honourable the Finance Member that a permanent fund may be

started for the amelioration of the rural masses and that the surplus should be put in there, so that it may form the nucleus of a fund wherewith some relief could be given to the vast masses of the agricultural people, and, I am sure, that if the Honourable the Finance Member has done that, if he has been able to give some more morsels of food to the hungry and starving people of this country, he will have deserved the blessings of this country. (Applause.)

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume general discussion of the budget. Mr. Vissanji.

Mr. Mathuradas Vissanji (Indian Merchants' Chamber and Bureau: Indian Commerce): Mr. President, the budget presented by the Honourable the Finance Member wisely offers very little scope for adverse criticism; and, on that account, the Finance Member may be congratulated. He has, however, shown surpluses for the three years for which he has presented accounts, Revised Estimates, and Budget Estimates, which are arrived at, without making full and proper provision for the reduction or avoidance of Debt. This renders the credit of the Government vulnerable, and makes these surpluses to that extent unreal. I am aware, Sir, that the policy of curtailing the provision for reduction or avoidance of debt was introduced under the stress of repeated deficits and continued depression, by the predecessor in office of the present Finance Member; but I cannot hold that policy to be either wise or just, and so, while that policy is maintained, I cannot regard the surpluses as real, or as indicating a permanent improvement of our revenues or of national credit.

The matter is, Sir, a subject for profound reflection, not merely because such manipulation on the expenditure side would needlessly weaken our financial stability and public credit; but also because it indicates a vagueness and uncertainty of the basic policy, which cannot but be open to criticism. No one would grudge the additional amounts, over what was budgeted for at the last moment, to relieve the ravages caused by the earthquake in Bihar, from the surplus accruing in the accounts of 1933-34. Even in the current year, the proposal to allot a crore of rupees to works of permanent utility in provinces will cause no opposition from any quarter in this House. The development of roads, whether by means of a substantial contribution from the surplus to the Road Fund, or by actual construction of roads in a province like that on the North-West Frontier, must be equally welcome. But, I question the wisdom, and the financial justice, of devoting large sums to the defraying of the cost of transferring the Pusa Institute to Delhi, or the development of Civil Aviation from the surplus. Certainly the only thoroughly commendable use of the surplus is in that small amount of Rs. 75 lakhs of the accrued surplus of 1934-35 which is devoted to the reduction of debt. While the surplus is so artificial as the one now accrued, while depression is still upon us, while a permanent improvement in the general financial position has yet

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to be achieved, orthodox and conservative Finance would advise the utilisation of such adventitious surpluses to strengthen credit or reserves, instead of being used up in a project which may not prove directly remunerative, or at least not remunerative for a long time.

In this position of the country's finances, I cannot but question the wisdom or justice of restoring, as the Government have hastened to do, the salary cut, on public servants necessitated by the dark days of the depression. The depression is not yet ended, whatever be the signs of recovery the financial authorities have found in the current events. On the contrary, the Finance Member has to admit the continuance of that tragic phenomenon, and express regret that we on this side can contribute so little that is constructive or positive to remove that depression. Under these conditions, while the country's trade is still languishing, and the price level still very low, I see no reason why the extremely highly-paid servants of the Indian Government should be given such a costly relief. The Honourable the Finance Member has himself admitted that the decision to restore the salary cut would add to the financial embarrassments of many a Provincial Government. If the Government of India are unable to finance the entire restoration of the cut from their own funds, if the level of prices and cost of living or the condition of trade and industry in the country show no change comparable to the position before the depression began, how can the authorities justify the haste with which they have decided to restore this cut? Even in the budget of the Government of India, including the Commercial Departments for which that Government is responsible, the full salary cut, when removed, would account for an addition of over 3½ crores to the total expenditure. In the present budget, without counting the railways, it accounts for an addition of nearly a crore; while if we include the railways (92 lakhs) and consider the entire ten per cent. cut, as originally imposed when the depression was at its worst, the addition to the total public expenditure on this account may justly be taken to be in the neighbourhood of four crores per annum. I cannot, however, see such an improvement in the general financial position of the country, such an amelioration in the general economic condition of the people of this country, as would make such a step both just and reasonable. The prices of India's principal produce still continue at an abnormally low level and so also is the cost of living. Under those conditions, the restoration of the balance of the cut sounds premature, uneconomic, burdensome and indefensible.

This impression of the budget presented by the Honourable Member deepens when one considers the other considerable items on the expenditure side. The Army Budget shows an increase of 60 lakhs including the salary cut being restored for which I can find no justification. Apart from the arguments already advanced, which render the restoration of the cut in general indefensible, I find that even the British Government, whose budgetary condition is far more prosperous than that of this country, and whose capacity to adopt constructive measures for their removal of the depression is much more considerable and effective, has only partially removed the cut they had imposed on their public servants, including the British troops serving in India. If such a strong, national and prosperous Government as the British do not yet see their way to a complete restoration of the salary cut in their domestic economy, how can the Indian Government afford such a luxury?

The Army charges again, show an increase of another 67 lakhs on account of postponed services, as the Honourable the Finance Member describes them. I am aware, indeed, Sir, that this amount is not an actual addition to the total expenditure on the Army, since 20 lakhs out of these 67 are found by increased receipts in the Army Department, and the balance counterbalanced by economies in other directions. But the fact that other economies of these dimensions are still possible makes me doubt if all available and possible economies have been effected in this most costly and unremunerative of all the departments of Government. While there is every where in the world talk of reducing the burdens of the Armaments, while the prices of material and labour are perhaps 50 per cent. below the level of ten years ago, we, in this country, are incurring such heavy additional expenditure for what is called postponed outlay on this account. I am filled with dread and apprehension, Sir, when I ponder over the Finance Minister's ominous warning that: "the figure of Rs. 44.38 crores could not be regarded as representing a new permanent level of Defence Expenditure". What then is the reasonable and permanent level of our Defence Budget? Is there any limit to your desire to spend on the department? Have you any idea of permanency in such matters at all? Have you considered that the Rs. 44.38 crores of today, at the prevailing price-level, may be regarded as equal to over Rs. 60 crores of the pre-depression level. And do you remember that even at the 1922-23 prices a 50 crores Defence Budget was considered by a Retrenchment Committee to be as much as India could, in all conscience, be called upon to bear? India has no militarist or Imperialist ambitions. India has no ancient gates to guard against on her frontiers. She does not dream of keeping even Burma within her frontier by force of arms—for example. Why then do you need such a costly defence provision. How then could the Honourable the Finance Member expect us to congratulate, or even to sympathise with him, when he presents such a budget pregnant with threats of impending additions yet to our unending military burdens?

The disappointment at this the first budget of the present Finance Minister would be greater to anyone who considered the taxation side of his proposals. If there is a surplus, he has no heart to use it in an effective and just relief in taxation. The promises of his predecessor, and the assurances of Government, that taxation relief and salaries cut restoration would go side by side, have been belied; and no real relief in tax-burdens accorded. Without quarrelling, for the moment with the Finance Member's estimates, or his conclusion regarding the reaction on the income side because of the reduction of the Silver Duty, I must point out that serious expectations roused by answers of Government Members themselves to Questions in this House have been belied by the refusal to reduce the Post Office Charges, which fall on the poor man in the shape of increased price of the postcard, and on the business community in general. A budget that speaks of a surplus, and yet accords no relief to such cases of public burdens that fall so heavily on the country's commerce and economic recovery, cannot claim to be either just or economical. Even in those cases where relief of a sort is accorded, one can see it is negligible, half-hearted, hesitating; and without any benefit to the tax-payer worth the name. The retention of a thousand rupee limit for taxation of incomes, even though the rate of the tax is to be lowered by a third, or the reduction of the excessive surcharges on income and super-taxes is unfair to the poorest strata of the income-tax payer, especially in contrast with the haste to accord relief to the public servants in the matter of their salaries. This is too transparent an attempt

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to endeavour and please all sections, with the result that none is pleased and all are disappointed. I am by no means sure that the Honourable the Finance Member would have lost so heavily had he restored the half-anna postcard, for instance; even if he cannot yet restore the quarter-anna postcard and the half-anna letter. But he has chosen to try and win a good word from all; and I am afraid the result will be that none will praise him, and few would even sympathise with him.

I cannot, likewise, agree with the suggestion that the duty on salt imported from foreign countries should be extended only for one year. I am aware of the desires of our friends in Bengal in this regard. But in view of the considerable amount of Indian capital and labour employed in the salt making industry in Aden, and, bearing in mind the implied promises of continued protection to this industry, it would, I think, be unjust and uneconomic to remove the duty on imported salt without which this industry would perish. I have also been informed that the burden of this duty on the consumers of salt in Bengal, Bihar, Orissa and Assam is lower than in any other part of India.

The proposed removal, likewise, of the export duty on raw hides will be a loss alike to the Government's revenues and an injury to the tanning industry of India which still needs the advantage afforded by this duty.

Time will not permit me to dwell upon the sidelights of the financial outlook and mentality exhibited by the Honourable Sir James Grigg on such questions as the gold exports from the country, or the need to make adequate provision for debt redemption, or even the scale and variety of the revenue duties. But I must, even in the few minutes left to me, express my sentiment that mere reiteration of such heresies, as the Honourable the Finance Member has uttered as regards the gold exports as Indian opinion regards it, will not make Sir James an Apostle, nor this *Obiter Dicta* a Gospel.

Raja Bahadur Harihar Prosad Narayan Sinha (Bihar and Orissa: Landholders): Sir, I congratulate the Honourable the Finance Member on the budget which he has presented to this House. His budget speech is short and precise. He has not taken recourse to high-sounding words and theories, but goes straight into facts and narrates them in the simplest and most straight-forward manner. It is this which imparts an atmosphere of reality to the whole thing and makes us easily know where we stand.

After years of recurring deficits, it is gratifying to find a budget with a real surplus. Things came to a crisis in 1931 when the then Finance Member found it necessary to impose heavy additional taxes to balance the budget. Things have improved since then and it is gratifying to find a budget embodying not a make-shift, but an intrinsic balancing. Partial relief has been given to those on whom additional burdens were imposed in 1931. I need not say how much I wish that the Honourable the Finance Member had been in a position to relieve the people of all these additional burdens, to abolish surcharges on income-tax and also to raise the minimum of taxable income from one thousand to two thousand again. The salt tax also presses heavily on the poor and it would have been a great boon to them if at least the additional import duty on salt had been abolished. Caution is a great virtue in a financier, but the Honourable the Finance Member has been over-cautious in calculating the total revenue. Otherwise he would have been able to go much

further in the way of further relieving the people of the additional burden imposed in 1931. However, the budget speech of the Honourable the Finance Member is more interesting in what it promises for the future. And we sincerely believe that under his able guidance the finances of the country will be so carefully managed as to prevent in the future the necessity of resorting to further and extraordinary methods of taxation in the Provinces.

Sir, coming to the way in which the surpluses of the years 1933-34 and 1934-35 are proposed to be disposed of, it is gratifying to find that a substantial amount is going to be spent on the relief of the earthquake sufferers of my Province. The terrible havoc which the last earthquake caused in my Province is now well-known, and, representing the landholders of this unfortunate province, I cannot but warmly thank the Honourable the Finance Member for this relief to the Province in its moment of dire need. I would only request the Honourable the Finance Member to make some special concession to the unfortunate sufferers in the matter of assessment of income-tax. Along with loss of lives there has been a great loss of business too, and any relief in the matter of income-tax is sure to earn the lasting gratitude of the poor and unfortunate sufferers.

Sir, the most welcome feature of the budget is the allotment of one crore of rupees, out of the surplus, to the uplift of the people in the rural areas. By making this allotment the Honourable the Finance Member has shown an imagination on which I cannot help congratulating him. The note of sympathy which in his budget speech he has struck for the welfare and prosperity of the cultivators cannot but excite a feeling of admiration for him. It is a known fact that real India lives in villages and any scheme proposed for their uplift must be welcome to all lovers of the country and especially to the landholders, a class whom I represent, because in the prosperity and well-being of the cultivators lies the prosperity and well-being of the landholders. To the rural population, landholders and tenants alike, the problem of bread and other amenities of life is of greater moment than politics, and so, from their point of view, the money will be well-spent if it were devoted to the promotion of economic and similar other objects, such as facilities of water-supply, construction of culverts where required for the purpose of drainage, distribution of improved varieties of seeds, better marketing system for agricultural produce and providing occupation for the peasants during seasons when they may not be engaged in the fields.

I am happy to find that a sum of 10 to 15 crores out of this is to be devoted to the development of the co-operative movement on sound financial foundation. The co-operative movement occupies a very high place in the civilised world of today. It is a movement full of potentialities for the good of the people, and I as a representative of the landholders cannot but welcome an effort on the part of the Government of India to put it on a sound financial basis. But I would like also to utter a note of caution here. It cannot be doubted for a moment that the entire co-operative movement has been set out on a wrong course. There is not only no continuity in the financial policy of the banks, but the movement has also largely failed in its purpose of improving the economic conditions of the cultivators. Now that the Government is coming to the assistance of the rural co-operative banks, I suggest that

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before financial assistance is given to these institutions, measures will be taken for reforming the entire system of administration of these banks, making it impossible for them to fritter away their financial resources, as in the past, on objects which cannot even remotely be said to advance the economic interests of the cultivators.

Sir, there has been a tendency in the past to consider the landholders and tenants as occupants of two hostile camps, and in many cases, the funds of the rural co-operative banks have been employed in ways which have served to emphasise this difference between them. I maintain that they are rather the two sections of the rural population, and their interests, instead of being opposed to each other, are interdependent. This aspect of the place of the zamindars in the social structure of the village needs to be kept prominently in view in dealing with co-operative banks. The zamindars cannot prosper unless their tenants are free from financial difficulties nor can the tenants be economically happy unless the zamindars are equally so. These banks deserve the support of the landholders, and so, on their behalf, I welcome this allotment for the development of the co-operative movement, but the zamindars want to be assured that the funds of the banks will be employed exclusively for the promotion of the economic interests of the rural areas as a whole and not for emphasising and accentuating a supposed difference.

I know, Sir, a beginning has already been made by the Government to help the cultivators by finding out a market for their produce, but much still remains to be done in this direction. To help the cultivators and improve their lot it is also necessary that the results of agricultural researches should also be placed within their easy reach. I know Agricultural Research Institutes are meant to supply this need. In this connection I cannot but object to the allotment made for shifting the Imperial Research Institute from Pusa. We fail to understand, Sir, why it was removed from there. It was removed against the united wish of the Government and the people of the Province. All classes of people united in the opposition. I don't think there was any use spending so much money over shifting the Institute from there, when that money could have been well utilised in making further grants for rural reconstruction or in lifting the burden off the head of the poor by abolishing the additional salt duty. We hope, however, that Pusa will become an important sub-station of the Institute.

Sir, as a further relief to the cultivators, especially of my Province of Bihar, I would also suggest that an import duty should be levied on rice and every facility afforded for the export of Bihar rice. Only the other day, we had a discussion on an allied subject in this House, and so I need not refer to it here in detail. Bihar is a rice-growing Province, and if my suggestion is accepted it would be of very great help to the agriculturists there.

As the condition of the rural areas is now happily occupying the prominent place in the programme of the Government, it will not be out of place, Sir, to draw the attention of the Government to the need of land mortgage banks at this juncture, as landholders are seriously feeling the effects of the recent depression. I have already said above that the welfare and prosperity of the zamindars depend upon the welfare and prosperity of the tenants and *vice versa*. This world-wide depression has

engulfed both of them and there is no knowing when the tenants will be able to get off its clutches. This makes the landholders look with apprehension to the future. So, Sir, now is the time for land mortgage banks to be established so that the cloud of anxiety under which even big landholders are at present living may be lifted, and the future of India's greatest industry, and with it of the tenants, may be assured.

The programme of broadcasting in rural areas will, I am sure, provide for a closer contact between workers in the laboratory and the tillers of the soil. With the help of this agency much useful information can be disseminated amongst the mass living in the rural area easily and will cost little. So, this programme too is sure to be of great help to the cultivators, and, combined with the programme of the rural reconstruction, will do much to improve their lot.

Sir, while dealing with the programme of the rural reconstruction, I cannot help inviting the attention of the Government of India to the necessity of doing something for the class which I have the honour to represent. The landholders have an important role to play in society. Society is dynamic and it must move. But without meaning any disarrangement to anybody, I would say, that there is always a section in every society which wants it to move only too fast. The zamindars too want progress, but they want a well-balanced progress. So, these zamindars supply that element in society which has always been found to be necessary in the interest of ordered progress. It is this which makes their place in the frame-work of the State a matter deserving utmost consideration at the hands of the Government of India. For some time past all has not been well with this class. Due to causes which I need not enumerate here, forces of disruption have set in, and the ancient aristocratic families are in the danger of becoming extinct. In the larger interest of the country it is necessary that the protection of this class should be made a matter of Imperial concern, and necessary laws should be enacted to check the forces of disruption. I think land alienation laws are engaging the attention of the Government and such laws are very necessary for the protection of this class. Many of the aristocratic families are at present governed by the law of primogeniture. It is very necessary that an all-India Act should be passed making this law applicable to other aristocratic families too to save them from extinction. It is also very necessary that arrangements should be made for the proper training of the youths of this class in the art of management of their estates. These are only by way of illustration. In the short time at my disposal it is not possible for me to refer in detail to the various problems which have to be faced if this class is to be saved. All I would like to say is that in order that the programme of rural reconstruction may be complete and its purpose fully achieved, it is very necessary that the problems affecting the zamindars should be taken up in a spirit of sympathy, so that their future may be assured and their utility as an economic force enhanced in the interests of society.

Sir, I have finished. I have already said that the importance of the budget speech lies less in what it proposes to do in the next financial year but more what it suggests for the future. The last paragraph of the Honourable Member's speech is full of meaning. I would only close my speech with a hope that in any future plan the interests of the landholders class also will have due consideration at the hands of the Government of India.

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Mr. Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadian): Sir, in the morning the atmosphere in the House was a little hot. Some guilty conscience had pricked certain individuals and they got excited at the mere utterance of a plain truth. I hope I shall get a calmer atmosphere as the Honourable Members have now returned after Lunch.

Sir, I must, first of all, protest, and that also vehemently, against the abominable rule which prevents me from speaking in my mother-tongue. Sir, this is the second and the last day for the discussion of the General Budget. Speaker after speaker has stood up and discussed it. I have heard expressions of horror at the export of gold and at the gold policy of this Government. Sir, with due respect to the well-known speakers of this country, I say they might have done better, they might have done a greater service to the country, had they discussed the very existence of this Government. Sir, instead of wasting their time in quoting figures, they might have done well to discuss the right and title of those gentlemen who have come forward with the budget. What is this budget and who presents it and with what right? Sir, we know that budgets are presented before the representatives of the people by the Government of a country; and no money can be raised save and except with the sanction of those representatives. Here let the representatives of the people either pass the budget or throw it out, the so-called Government will raise the money and use it in the manner they like. Is it a Government or is it a budget? (Laughter.) Sir, we know that Government is a political organisation which has been established in a country according to certain laws, and those laws are nothing but the will of the people expressed in terms of laws. We hear, Sir, that in the British Parliament a new law is being enacted for the government of India. Does the British Parliament represent the people of India or the will of the people of this country? The answer will be, no. Well, Sir, then, in fact, there is no law in this country, and, similarly, in the absence of any law, there is no Government, and, in the absence of a legal and lawful Government, the question of budget does not arise. (Laughter.)

Dr. Bhagavan Das (Cities of the United Provinces: Non-Muhammadian Urban): This is a matter for groaning rather than for laughter.

Mr. Ram Narayan Singh: For the sake of argument, I will take it that there is a Government, and my Honourable friend, Sir James Grigg, has presented the budget. He has given an account for three years, and, within this period, he has said that 400 crores of rupees have been realised and spent by this Government. But we know what happens in other countries. The people pay to the Government, and, in return, they are protected and led on the path of progress and happiness. But here we pay to this Government, but what do we get in return? I think Sir James Grigg is a gentleman (Laughter), and it is, therefore, that he feels ashamed of stating what his Government have been doing for the people of this country in return for the money they have got. I say, we pay to this Government only to be robbed: we pay to the Government to be oppressed: we pay to this Government only to be tortured in all possible ways. In short, we have been rearing in the form of this Government poisonous snakes in our houses only to be bitten by them. But the thing is this: the gentlemen on the opposite Benches cannot realise what we

feel: it is not their fault: it is natural with them. This reminds me of a line from Tulsidas which runs:

"Bhanjñi kã jãñẽ prasava kee peera."

It means, "How can a barren woman know the pangs of child-birth?" (Laughter.) Those people who get fat salaries, live in palatial buildings and enjoy all the pleasures of life, cannot understand the feelings of a suffering people.

The worst sufferers in this country are the people of those tracts which our British masters have stigmatised as backward tracts. From clause 95 of the new Government of India Bill, it appears that the people of British Baluchistan also have a similar fate. In these areas, the laws of the various Legislatures in this country will not be applicable. All the executive, judicial and legislative functions of the State are centred in one man called the Governor or the Viceroy: and we know what is the result of this arrangement in the actual administration in those areas. All the officials from top to bottom there look upon themselves as independent chiefs: they behave towards the people in any manner they like: they never think that they have to obey certain rules and laws: they think they are responsible to none and that the people can be treated in any way they like and for any purpose they want. There has been agitation in the country against this sort of rule in those areas. I can understand the benevolent idea of a special treatment accorded to a people by way of education: but this Government has never done anything for these people. I shall quote from Sir John Simon what this Government has done till now for the people of these backward tracts. Sir John Simon in his Report, Vol. II, page 109, para. 129, says:

"The responsibility of Government for the backward tracts will not be discharged merely by securing to them protection from exploitation and by preventing those outbreaks which have from time to time occurred within the borders. The principal duty of the administration is to educate these peoples to stand on their own feet and this is a process which has scarcely begun."

This is the certificate which this Government has got from their own Commission, and I know this process will never begin till the end of this rule. There has been agitation throughout the country against such kind of rule. In the Bihar Legislative Council, they have passed the Resolution, more than once, that the same kind of administration should be extended all over the province. Only recently, this year, on the 18th of February, they have again passed a Resolution that in the Sonthal Parganas, in Chota Nagpur, in Angul and other places, the same sort of administration ought to be extended. It is too much to say that there are many people in this country who are not fit to be governed by laws: they are governed by the orders of men coming from six thousand miles away. Not only that, in this very hall in 1927, on the 10th February, a Resolution was passed, that in those areas same kind of rule ought to be established; but this Government have not done anything at all till now. The thing is this: This Government have got a different attitude at present: they are not going to do anything: we do not expect anything. At first the Government stood as adamant and as firm as the Himalayas, and they never cared for public opinion. But that stage is past—though they are not conscious of it; and now the stage has come when they have begun

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to move in response to the opinion of the public, but they are moving in the opposite direction. If the people tell them to do certain things, they do something quite different. That is the attitude of the Government and that attitude reminds me of a story which I shall relate. A man had a wicked wife (Laughter) and the wife had got into the habit of doing things entirely contrary to what her husband asked her to do. In course of time the husband learned how to behave himself towards her: he began to tell her things contrary to what he really meant and managed things in this way for some time; but it was an unnatural way of doing things: he was tired of it and he then began to think out ways and means how to get rid of her. One day the people of his village were going on a pilgrimage and he proposed to the wife, "Look here, wife: the people here are going on a pilgrimage: we should not go". The wife came forward and said, "Husband, that cannot be: we must go". Arrangements were thus made and they started on the pilgrimage. On the way, there was a deep river and a bridge over it. The husband told her, "Look here, dear wife, you cross the river by the bridge and I shall cross the river on foot". The wife, wicked and naughty as she was must insist otherwise, and she said, "No, husband: you cross the river by the bridge and I shall cross the river on foot". In this way, the poor wife was drowned and dead. I say the Government here are behaving like the wife in the story. In course of time, we, the people of India, will learn how to behave towards them. Not only that: we shall learn how to put an end to them. We hear a lot of talk about the benefits of British rule in this country. They go so far as to say that British rule in this country is a divine boon. Sir, I also believe in God. I also say that in the advent of the British people in this country there is the will of God, not by way of boons, but by way of curse. We Indians had committed national sins in the past, and God ordained that we ought to be annihilated from the surface of the earth, and these British people, according to the divine order, came like so many hangmen of today to this country to execute the divine decrees. But, Sir, these British people were, as they are even now, very clever people. They did not annihilate us according to the divine order, but they allowed us to live for service to them. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should confine himself to the budget.

Mr. Ram Narayan Singh: I beg your pardon, Sir, The budget deals with accounts and figures, but it should also deal with accounts of what the British people have done in this country. They allowed us to live to render service to them. Our sins continued for which we ceased to be responsible, and, in course of time, these sins, multiplied by our masters, began to cause suffering throughout the whole world. And, Sir, now the divine wrath is against them, there has been a divine decree that the British people shall have to leave the country and that we shall be free, and no power on earth can now stand in our way.

Now, Sir, I shall say one thing before I take my seat. The British people must know that they have morally and intellectually ceased to be the rulers of this country. We are not going to have them as our masters, but we are ready to extend to them our hand of friendship, we are ready to treat them as our friends, and, I think, they know that in India they

have not got a better friend than Mahatma Gandhi, and they ought to settle terms with him, but if they will not do it, I know the struggle will continue, nobody can stop it, but in the struggle, both the parties,—we Indians and they, the British people,—will lose. But a man loses what he actually has. While Britishers have got the sovereignty of this country, we have got only slavery therein.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has now only one minute more.

Mr. Ram Narayan Singh: Sir, I shall finish my speech shortly, but you know that I hail from a backward tract. British people have extended special treatment to the people of the backward tracts, and I think you will do well to follow their example in my case and give me special treatment in regard to time, but I shall finish my speech shortly. (Laughter.) Well, Sir, if the struggle will continue, if there is no compromise, they will lose their sovereignty and we shall lose our slavery. The sooner it happens, the better it is for all concerned.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I must join my friends in this House in offering my tribute of congratulations to the Honourable the Finance Member. The Honourable the Finance Member has tried to please all people. He has tried to please the poor man in the village, the man with a small income, the man with a large income . . .

An Honourable Member: The man with no income.

Lieut.-Colonel Sir Henry Gidney: . . . he has not done that,—but he has certainly tried to please all; but I feel he has failed in his attempt to do the impossible—to please all. The super-tax man is not happy, because he objects to the restoration of the cut. My friends opposite have belittled his very laudable efforts at village uplift, and some have indicated that it was a movement in opposition to the efforts of Mahatma Gandhi's Village Industries Association. Sir, to my mind, I should like to have seen in the budget a little more sodium chloride and a little less odium chloride and less silver. His effort, however, certainly redounds to the great credit of the Government even if on village uplift movement it has helped, even indirectly the Village Industries Association and however much the efforts of Government may be belittled, I think they should receive the appreciation of every Member of this House.

An Honourable Member: Radium chloride.

Lieut.-Colonel Sir Henry Gidney: That observation apparently indicates the limit of the radius of your own observation. Sir, not being a financier, I shall not try to deal with any such aspect of the budget. I shall confine myself to one or two suggestions which I hope will be of some benefit to the Honourable Member. I should like to have seen some measure introduced in regard to death duties. I should also like to have seen some inclination on his part to introduce some other measures of revenue, and might I suggest to him the need for the imposition of a higher import duty on patent medicines which, I think, would be a very fertile source of revenue to Government as it obtains in other countries.

[Lieut.-Colonel Sir Henry Gidney.]

It was very pleasing to me, coming as I do from Bengal, to hear the praise he gave to the Bengal Government in their efforts to economies. But might I suggest that he should communicate to the Government of Bengal the great source of revenue they would get if they imposed a duty on *pān*?

Sir, there are certain other points which I should like to bring to the notice of the Government, one of the most important of which relates to the Health Department of the Government of India. Last year, I had occasion to speak at length on this subject and to try and impress upon the Government the necessity of appointing a Minister of Health. As a delegate to the Joint Parliamentary Committee, I stressed the importance of this very point, and I believe the Committee was impressed with what I said. I have not seen any reference to it in its report. Possibly that is to come. But I should like the Government of India, if the opportunity offered themselves, to communicate my suggestion to the Secretary of State for India. However desirous this House and the Finance Member may be in protecting the wealth of this country, it is more desirable that they should give equal, if not more, attention to the health of the people. The Health Department of the Government of India is a standing disgrace to any Government that takes pride in calling itself a civilized Government. (Hear, hear.) Even the smallest Governments—to mention only two—of Iraq and Ceylon possess a Minister of Health, and here are we devoting ourselves to aerial politics, as to how we should balance the budget, while we pay no attention whatever to the health of this vast country, with the result that many millions of people are dying every year. I cannot, therefore, too strongly impress upon the Government the importance of this matter.

There is one other matter to which I should like to draw the attention of the Government, and that is the danger which, as a medical man, I feel is omnipresent and that is the introduction of yellow fever in this country. If this disease ever got entrance into this country, God help the country and God help the Legislative Assembly, you won't be here. It would decimate the country.

Sir, the point to which I desire to devote most attention is the defence estimates of this budget, but before I do so, I should like to take this opportunity to pay a public tribute of appreciation to the great care which His Excellency the Commander-in-Chief, his Army Council and his vigilance committees have, during the year, bestowed on the expenditure on the army and the able manner in which they have performed their duties. ("Question" from the Congress Party Benches.) You can question yourself if you are capable of answering it, but don't interrupt me. One has only to look into the military expenditure for the last five years to be fully convinced of the truth of what I say. His Excellency the Commander-in-Chief—I hold no brief for him,—has not only shown himself to be an ideal soldier, but an able and practical statesman of a high order. He has been responsible for a reduction of nearly ten crores within five years, and he stands out almost alone in that as Commander-in-Chief he does not blindly subordinate his own opinion to the opinion of his Council, however expert they may be in their own departments. On the contrary, he demands to be convinced himself that all has been done and that all is well and the budget that is laid before us is proof positive of the splendid way in which he has performed those duties.

An Honourable Member: Question.

Lieut.-Colonel Sir Henry Gidney: Whilst on this subject, I must say that I was rather surprised when I heard the speech of my Honourable friend, Mr. Mody. Mr. Mody, as this House knows, was a close protector at one time of cotton and the Bombay mills. He is now more concerned with ingots of steel and iron. He is one whose opinion I always valued, but I was surprised at his going off the deep end the other day when he referred to the military budget. By "deep end" I do not mean in the sense of wanting in depth of knowledge and experience; what I meant was in relation to the military budget. If I heard him aright, he said, in substance, that he desired the military budget to be reduced, so as to improve the position of utility or nation-building departments of the Government. He said that the military expenditure must be drastically cut down, because world forces were acting against the present system. He further said that the military expenditure was a stranglehold on the progress of industrial and agricultural development in this country, and he hoped that the Honourable the Finance Member would save this country from it. I always listen to what Mr. Mody says with great respect, but I wonder if he has read this blue book that has been supplied by the Army Member to every Member of this House.

Some Members on the Congress Party Benches: Oh!

Lieut.-Colonel Sir Henry Gidney: You may say "Oh", but if you are a serious seeker after knowledge and not a slave to prejudice, I want you to read that book, and I have no doubt you will be convinced of what has been done in reducing military expenditure. You may say what you like about the military budget from a political or racial point of view and objects. I have no concern with that. One must face facts, and if you are blind to facts, you cannot be argued with.

An Honourable Member: Put on specs. (Laughter.)

Lieut.-Colonel Sir Henry Gidney: Sir, I am sorry, I did not quite catch that interruption; otherwise, rest assured, I would have given a suitable retort. Sir, what do we find? Let us take the cost of the army in England. In 1934-35, the cost was Rs. 52 crores, and in India it was Rs. 42 crores. Let us take the cost of the navy. In England, in 1934-35, it was Rs. 75½ crores; in India, it was Rs. 65 lakhs, one-five hundredth part of it.

An Honourable Member: What are their respective incomes?

Lieut.-Colonel Sir Henry Gidney: Let us take the cost of the air force. In today's papers, you will find that in England the estimate is Rs. 23½ crores; in India, it is Rs. 1½ crores, one-twentieth part of it.

An Honourable Member: What is the income of Britain?

Lieut.-Colonel Sir Henry Gidney: In England, the total expenditure on defence.—sea, air and land—was Rs. 151 crores in 1934-35, and, in India, for the same period, it was Rs. 44½ crores, scarcely one-fourth. And the British figures do not include the Rs. 60 crores annual expenditure on war pensions, while pensions of all kinds are included in the Rs. 44½

[Lieut.-Colonel Sir Henry Gidney.]

crores in India. In point of facts we pay Rs. 8 crores as pension charges out of these Rs. 44½ crores. In addition, the cost of the defence services in England is going up. The student of history will realise that the defence expenditure of every other nation in the world is going up today. In Japan, since 1914, it has gone up 166 per cent. We know that in the army and air forces alone, this year, the estimates have gone up in England by seven million pounds. The cost of defence in India in 1914 was, as we all know, Rs. 29 crores, and, in 1934, it was Rs. 44½ crores, that is, an increase of about 53 per cent. as compared with an increase of 123 per cent. in England. I am not defending the Government, I am defending my own reading of the situation. The Opposition have a habit of saying to Government, "You are maintaining an army which is costing the country almost half your revenue", sublimely forgetful of the fact that that army is not only for the needs of the Central Government, but for all the provinces and the States also

An Honourable Member: And for the British Empire.

Lieut.-Colonel Sir Henry Gidney: . . . and, therefore, the revenues of the provinces, the States and the Central Government should be totalled up when proportioning the cost of the army and not only the central revenues. If you did that, you would find that the cost of the army in this country comes to a very much smaller proportion than is stated indeed (*Cries of "Oh!" from the Opposition Benches*) . . . it is almost in line when compared with the cost of armies in other countries. I go further and say that if you take the military estimates of this country on a *per capita* calculation, it comes to Rs. 1-8-0 per head in India.

An Honourable Member: What is our income per head?

Lieut.-Colonel Sir Henry Gidney: In England, it comes to Rs. 30 per head.

An Honourable Member: What are the comparative

Lieut.-Colonel Sir Henry Gidney: Let the interrupter put that fact in his pipe and smoke it!

An Honourable Member: Rule Britannia.

Lieut.-Colonel Sir Henry Gidney: Good! But I wonder how you'd "Rule India"?

In the Dominions, it comes to Rs. 3-8-0 per head. In France, it comes to Rs. 29-8-0 per head; in the United States of America, it comes to Rs. 18-8-0 per head; and in Japan, it comes to Rs. 6-8-0 per head. So, one cannot with any justification criticise the Government and the Army Department as maintaining the army in India at an exorbitant price. Mr. Mody called it the stranglehold on the agricultural and economic development of this country. For my part, I should call the army as *par excellence* the most important and necessary nation-building service in this country. Don't forget, if you had not the army, you would not be here. If you had not the army, the trade of India would be paralysed, in fact chaos would reign supreme. (*Interruption.*) It is all very well for the Opposition Benches

to talk in the abstract and without any knowledge on such an important matter. In raising your voices, you are not appealing to the Legislative Assembly when you talk in that "airy fairy" manner. You wish the outside public to hear you.

An Honourable Member: Shut up.

Lieut.-Colonel Sir Henry Gidney: "Shut-up" did you say? If you said that to me outside this House, I would soon shut you up in two seconds. Will you try it outside? (*Interruption from Congress Party Benches.*)

Mr. President (The Honourable Sir Abdur Rahim): Order. order. It is not conducive to orderly debate to speak in such language.

Lieut.-Colonel Sir Henry Gidney: Thank you, Sir. In dealing with criticisms one must put forward facts to show that the arguments advanced against me are not correct. You may say what you like about the necessity for and size of the British army. You may say what you like about the composition of the army. You can criticise *ad ibitum* the speed of Indianisation of the army and I may in certain respects join with you, but when you consider the enormous frontier line that you have got to defend in India, the enormous coast line that has to be protected, and when you consider the present condition of political and communal unrest of India, you have got to realise that an army well equipped and up to first class standard is an absolute necessity in this country and will be a necessity for years to come. You cannot have a second class army as you are suggesting. We want the very best, and this costs money. Otherwise you might as well scrap your army and settle India's future among yourselves. You cannot as amateurs run an army on political ideals and differences. You cannot have an army in the air. You must leave that to your military experts. I consider that the account given by the experts in command of the army during the past year is a very excellent one deserving our support, not condemnation. Now, Sir, I fully appreciate and sympathise with this desire for Indianisation of the army as early as possible, *i.e.* compatible with safety and efficiency. I believe that if England is honest in her intention ultimately to give India the complete control of her defences—and dominion status will be a farce unless there is complete control of the defences—an honest and serious beginning must be made at once and that beginning cannot be done on a piecemeal policy or at a snail's pace. On the other hand, it certainly cannot be done at too rapid a rate. The main difference of opinion between both sides of this House is as regards the pace at which Indianisation should take place. But, Sir, let me repeat, if the Government of India are serious in their desire to give us proper training in the art of our own defence, a beginning can be made in many ways. For instance, why does not India make her own cars for her military needs? Why cannot India make her own aeroplanes? Why cannot India make her own cannon? Why should we be called upon to spend year in and year out millions of pounds for our ammunition and other defence armamentarium? Take the Royal Indian Navy. We are told that it is an Indian navy and is almost entirely Indianised. I seriously question whether Indianisation is being really practised in that service and I say this for very serious reasons. Let me ask, why is the Army Department still indenting on England for wireless operator for the Royal Indian Navy?

[Lieut.-Colonel Sir Henry Gidney.]

Surely my Honourable friend, Mr. Bewoor, in charge of the Posts and Telegraphs, has a sufficient number of intelligent men of all communities in his Department whom he could train as efficient wireless operators? The admission came last year from his predecessor in office that he could not do so. I cannot believe this. There are other aspects in connection with the administration, as a whole, of the Army Department which makes one doubt whether it is seriously the intention of the Government in England ultimately to give us control of our defence.

An Honourable Member: What about the Commander-in-Chief's speech?

Lieut.-Colonel Sir Henry Gidney: Practical openings must be given and a beginning must be made, so that we will in time be in a position adequately to train ourselves. At present, thanks to the various explanatory letters that have been published by the Army Department, Members of this House have had their first peep into that sealed book of the Army Department. We have been allowed to read the preface. We should now like to look at the index and get a peep at the context. But I must thankfully admit that this little blue book has given us a wonderful knowledge. I ask what is the use of theory? We want to have some practical experience. But when we criticise the army, as has been done today, let us be practical and not base our criticisms on the impossible just now. I refer to a reduction of the British army. I submit with conviction that it cannot be reduced just now.

An Honourable Member: Why not?

Lieut.-Colonel Sir Henry Gidney: What a question: Surely you must feel its need? The British army cannot be reduced by a single rifle or a single man, because it is needed more today than ever to maintain the peace and tranquillity of the country. (*Cries of "Oh!"*) No one will or can deny that. Which of you will put his hand on his heart and dare to deny that if the British army left the country today, an express wireless message would be sent tomorrow begging it to come back at once? Why camouflage? Let us face facts and not shadows.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Lieut.-Colonel Sir Henry Gidney: After the mutiny and, as a result of it, there was then certainly a dire need of a system of counterpoise in the shape of a large British army. This was based on a profound distrust of the Indian. Today the necessity for a large British army in India is more than ever, but for a different reason.

An Honourable Member: Why?

Lieut.-Colonel Sir Henry Gidney: The Indian army is loyal, but rabid distrust exists between the politicians and various communities. (*Cries of "Oh!"*) Shout on, but you cannot deny that the position today is one of intense and bitter communal distrust and rivalry. The army division between the martial and non-martial races of India has been the outcome of military trials and observations.

An Honourable Member: Your own creation!

Lieut.-Colonel Sir Henry Gidney: The question of martial and non-martial races is nothing less than this, one community objects to another being recruited in larger numbers and so fears that community. It is to neutralise this communal fear and rivalry that the British army is today necessary as a counterpoise. Take away the British army from India and you will be at each other's throats and will find the rivers of India becoming rivers of blood. (*Cries of "No, no!"*) You know that is true. You can talk loudly to the public, but it is only talking in a vacuum. Let the British army go away and you will be the first to recall it. Sir, I do consider that the pace at which Indianisation is going is a safe and reasonable one and it cannot be quickened just now, and I do hope that when the Army Secretary gets up to reply, he will be able to explain and enlighten you on the few points I have raised today. It is for these reasons, I submit, according to my reading of the situation, that it would be hazardous to reduce the military budget any more without imperilling its efficiency and endangering the peace and tranquillity of India.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): It was my intention that I should restrict myself strictly to the budget. It is unfortunate that certain remarks made by the Honourable the Law Member, and not only the observations made by him, but the attitude and the temper displayed by him, cannot be overlooked by me. When an Honourable Member of his position, holding the most responsible office in this House, exhibits temper, I think we little men here cannot but make a request to him to show a little more indulgence and restraint. Sir, the Honourable the Law Member reminds me of Lord Carson who once occupied a place in British Parliament exactly similar to what he is occupying here. He is in every way qualified and competent, but perhaps lacking in the saving grace of humour. Sir, the Honourable the Law Member has all my sympathy. I know he has not had to rub his shoulders with other men as a manly public man. I know, on the other hand, he had not to resist the blandishments to which public servants, as such—I would not call them "effeminate"—are exposed. (*Laughter.*) He does not belong to either of the two normal groups. I would not use any biological simile, but the fact remains that he often exhibits impotent rage, which, Sir, does not befit him. (*Hear, hear.*) Sir, after all, does the Honourable the Law Member or his colleagues, sitting opposite, claim and assert that the ranks of the services are absolutely free from corruption? That is not what even the Honourable the Law Member dare say.

The Honourable Sir Nripendra Sircar: Yes, I don't say that.

Pandit Govind Ballabh Pant: He does not. Then, does he think that corruption can be only of the gross type? Are not there insidious ways of corruption? Sir, I was reading the life of Lord Carson recently and was struck by the fact recorded in the book that thirty Irish Members in the British House of Commons, who, as a rule, voted with the British Government, were appointed to eminent offices within a short period of a year or so. Well, is not that corruption in a subtle form? So the Honourable the Law Member need not be dogmatic in these matters. Let him look at them with a proper sense of proportion and without losing the balance.

[6TH MARCH 1935.]

[Pandit Govind Ballabh Pant.]

And, then, Sir, who set the ball rolling? Does not the Honourable the Law Member remember that the other day he indiscriminately charged everyone in the Congress with corruption of the worst type? He went out of his way, on an occasion when his remarks were absolutely out of point, and he said that the Congress people had embezzled one crore of rupees out of the Tilak Swaraj Fund.

The Honourable Sir Nripendra Sircar: On a point of personal explanation, Sir. If my Honourable friend wants to attack me, I do not mind in the least, but I do hope he will quote me correctly, and I deny that I said that it was all Congressmen who had been corrupt and who had been concerned in all these things. I said nothing of the kind.

Pandit Govind Ballabh Pant: I do not mean to misquote anybody, much less the Honourable the Law Member, who, as I said, has my sympathy, if not my respect. Sir, the Honourable the Law Member does not deny that he said that Congressmen had been corrupt. I think I remember what he said: that Congressmen had embezzled one crore of rupees, that no accounts had been published, that Congressmen had been practically exploiting others, wearing fine clothes and using motor cars and the like! My complaint against him is definite. His statement was thoroughly incorrect, inasmuch as no less a person than Seth Jamnalal Bajaj was the Treasurer of the Fund and the accounts were properly kept, audited and duly published.

The Honourable Sir Nripendra Sircar: I rise again, Sir, to correct my Honourable friend. I deny that I said that no accounts were published of the Tilak Swaraj Fund or of the proceedings.

Pandit Govind Ballabh Pant: Well, if the Honourable the Law Member is vehement in his denial, I conclude he realizes the blunders that he made. (Laughter.) Sir, let me humbly tell him that that was a momentous occasion, the debate on the Joint Parliamentary Committee Report was sure to engage attention in England, the character of Indians was on its trial, and on that vital occasion, when such delicate and large issues were at stake, he was certainly guilty of a rash and unwary—and mark. (Hear, hear.)

The Honourable Sir Nripendra Sircar: Which was never made!

Pandit Govind Ballabh Pant: There I settle my accounts with him. I have now to settle my accounts with the Honourable Member sitting opposite to me with whom I have come in close contact in another place more than once.

Sir, the budget that has been presented was received by me with a genuine feeling of disappointment, but I am here not to give expression to sentiments, but to deal with it in the cool light of reason. The Honourable the Finance Member, Sir, opened his speech with the observation that in this country the budget estimates were complicated, as they

referred to three years: the actuals for the last year, the revised estimates for the current year, and the estimates for the next year. I agree with him in that view. I feel, Sir, that if our figures were restricted to two years,—namely, the actuals for the preceding year and the estimates for the coming year then that course would provide correct data for our budget, would remove the element of uncertainty and speculation, and might, in certain circumstances, save us against unnecessary burdens of taxation. I may just give an instance. In the year 1933-34, the actuals show a real surplus of 2,72 lakhs, while the revised estimates indicated only 1,29 lakhs. Had the Honourable the Finance Member before him the actuals of the year 1933-34 when he framed the budget for 1934-35, perhaps he would have refrained from imposing some of the taxes that he then proposed. From several other points of view, too, it would be a better and financially a sounder method. Sir, in the circumstances of our country, a financial year from the 1st of October or November would be more appropriate. We are mainly an agricultural people, our indigenous bankers renew their annual accounts from either the *Diwali* or the *Dusserah*, and the monsoon is an important factor. It has been repeatedly said that in our country the budget is a gamble in rains. So if our budget year started on the 1st October or November, after the rains, that would suit this country better, and such a suggestion had, in fact, I think, been made by the Welby Commission. I do not know if the Honourable the Finance Member will give any thought to this matter. As we are situated, we are tied down to the fetters of the English practice connecting the advent of the New Year with the fool's day. I wish that the Birthday may be changed to the wise man's day according to the Indian calendar from that of the fool's. Sir, the Honourable the Finance Member has, in my view, over-estimated expenditure and certainly under-estimated revenue. There are signs of recovery. The experts testify to this welcome change. The volume of exports and imports has gone up. The goods traffic in trains is improving. All these things point to a greater surplus in the coming year than we have actually realised in the last or in this year. In fact, our surplus has been steadily going up. It was 2,72 lakhs last year, while it is bordering on 3,50 lakhs this year. I think the Honourable the Finance Member would have been well-advised in calculating a larger amount of surplus. I know that financiers have the weakness of under-estimating revenue where the claims of exemption from taxation confront them, as they have the weakness of over-estimating expenditure where the claims of retrenchment are likely to be pressed upon them. So I am not surprised at the attitude taken up by the Honourable the Finance Member. Sir, I similarly think that the surplus has not been properly disposed of. I am entirely opposed to the diversion of the surplus to such purposes as civil aviation or the removal of the Pusa Institute. (Hear, hear.) I held that the entire surplus of the current year should have been transferred to the rural reorganization fund. (Hear, hear.) This is one of the subjects which constantly engaged my attention at another place where I repeatedly pressed for the establishment of a rural reorganization fund. I am glad that the beginning is being made here. I hope the Honourable the Finance Member will make it a rule to automatically transfer all surpluses to the rural reconstruction fund. I make this suggestion on more grounds than one. Sir, as I said, financiers have the habit of under-estimating revenue and generally of over-estimating expenditure. But if they know that all surpluses are likely to be transferred to a consolidated permanent fund, then that serves as a

[Pandit Govind Ballabh Pant.]

check and a restraint on them. A surplus ordinarily covers many sins like charity, and I do not want any loophole or temptation for the Honourable the Finance Member to so manipulate his budget as to conceal the surplus only to be sprung upon us in the revised budget to be appropriated for doubtful sundry objects at the close of the year.

Sir, I will not refer to many other points which have been covered by other speakers, especially as we will have an occasion to discuss them later. But I should like to point out that the Honourable the Finance Member's statement as to the actual increase in the military budget is certainly misleading. He told us that there was an increase of only two lakhs after providing for the increase in salaries. I find, in reality, as compared with the actuals of the current year, the increase borders on about 1,60 lakhs. He has not taken into account the amount that is to be transferred to the army defence reserve fund this year as well as that to be drawn from it in the budget year. Those sums we have obviously to take into account, and, if we do so, we find that the actual increase, as compared with the current year, is not 58 or 60 lakhs as he tried to make out, but in reality it is about 1,60 lakhs. I hope he will accept my statement. I am really sorry that the actual state of affairs should not have been correctly represented in the budget. Sir, I am not going to refer to other items in the budget at this stage, as I want to address myself to questions of fundamental policy, as to what is the real financial policy of the Government of India? What does it stand for? After all, the matter of budgeting is in a way a mere matter of arithmetic, and any Finance Member can, in a country that is under subjection and under a Government resting on bayonets and rifles and with a people under disarmament, always balance any budget and establish equilibrium in figures for he can impose any amount of burdens on the people. But that is not what budgeting really means in the modern sense of finances and in the sense advanced financiers use the expression. In fact, if there is one dominant characteristic of our budget, it is one of Imperialism. The budget, in all its salient features, reminds us of the Imperialist regime to which we are subject and under which we breathe and exist today. The top-heavy administration, the fabulous salaries and emoluments of the higher ranks with similarly miserable pitances of the lower ranks, the restoration of salary cut, the drain of gold, home charges and the continuous, perpetual drain in so many other ways point to this stranglehold of Imperialism. Along with these I might mention the pegging of the rupee to the paper sterling detached from gold standard and retention of gold reserve in London.

We are told that the Honourable the Finance Member has balanced his budget, but what does that mean? How has he done it? I remember a couplet that I had read in one of the Sanskrit books in my younger days. It means that the sovereign like the rain god absorbs superfluous and surplus moisture in order to irrigate the arid lands for the production of rich, fresh and plentiful crops. But what has been done here? We all know what has happened during the last five years. Prices have gone down by about 50 per cent. I have the index figures with me. We find that the revenue budgeted this year is more than the revenue of every year since 1921-22 when the present system of accounting started, except 1933. We find that the expenses of collection are about 25 per cent. more

than in 1921-22 and 50 per cent. more than in 1923-24; please note, in spite of the colossal fall of an unprecedented character in prices. We find, further, that during the last five years, the Government of India proposed fresh taxation measures with a view to raising 48 crores of rupees per year from time to time. That is the tragic tale. While we asked for bread, we got stones. While people were starving, Government were adding to their burdens. That shows the state of their mind; the outlook and the angle from which they look at the affairs of this country. They initiated measures aggregating in additional taxation burdens to the tune of 48 crores in the course of five years at a time when the country was passing through the severest stress and unprecedented economic slump. I am reminded of the way some people manage their dairies. I will not speak of a Chicago stock house or of a slaughter-house, as that has a bad odour about it. So I will take the illustration of a dairy. Suppose a man keeps a dairy and he earns thereby a certain amount of profit each year and pays a certain amount by way of wages and emoluments to the staff in charge of the dairy, and the rate at which milk sells is four seers to a rupee. Assume that the price of milk goes down from four seers to eight seers per rupee. Still, the keeper of the dairy, or, in case it is held by a company, let us say the company, decides that the servants and the staff would continue to receive the salary that they had been receiving, but that the cattle will be provided with only half of the fodder that they had been getting and the calves will be weaned and will not be allowed any drop of milk. You can run a dairy like that; you can earn all the profits that you had been doing, but how will it re-act on the cattle? Sir, I repeat here what I observed last week regarding railway finance, that the general financial policy of the Government is equally perverse, equally anti-national and equally detrimental to the larger interests of this country.

A word more as to what we want and what we think can be done. I am convinced, Sir, that this is not the time when petty patchwork can cure the body-politic. Today the world stands for new ideals. It has devised new measures and new standards. It is not a time for a sordid outlook or matter of fact methods. My Honourable friend, the Finance Member, though young, happens to possess a great dread of jails. I have been there more than once, and I am not afraid of them. I would advise him to shed off that fear and to plunge into the right path and to march forward with a determination to raise the wealth and productivity of this country and to introduce a higher standard of living among the masses along with easier rates of taxation than he found when he reached here. Sir, first of all, the Imperialistic outlook has to be abandoned. Modern science and modern economics have proved that those shibboleths, which obsessed the generations before us, have really no substance and no reality whatsoever. The twin spectres of the growth of population in a geometrical progression and of diminishing returns of exhaustible resources have been exorcised completely by modern economics. There might have been some sort of biological pretext for an Imperialist policy when men were under the dread of a growing population and diminishing returns. But today we find the problem in England is not how to stem the tide of the growing population, but how to maintain it. The problem in the world is not how to produce more, but how to restrict production. Today our impoverishment is of our own choice. Today science has added to the bounty of providence and there is happiness ensured to everybody if men cease

[Pandit Govind Ballabh Pant.]

to be stupid and petty-minded and do not isolate themselves from the realms of light and bliss that lie before humanity through sheer conceit, prejudice or panic. In all earnestness, I ask the Honourable the Finance Member to look at things from a chastened outlook and to plan out a big scheme for mechanisation, for industrialisation and for rural reorganisation of this wonderful country. It can be done only on national lines now. At present our taxes are mostly indirect, and 75 per cent. of them are being raised by indirect means. They react on our productive capacity. They hamper the growth of trade, and retard the progress of industries. And wherein lies the remedy? It lies only in the nationalisation of the key industries; it lies only in the State taking an active part in the reconstruction of the economic life of the country. If there was a Swaraj Government, I would have most humbly suggested to that Government to float a loan of a hundred crores forthwith in order to rebuild the economic life of this country. (Applause.) Unfortunately, it is not so; we live under a foreign rule. So, it is but a dream, and, however much our friends may blame us for our negative attitude, unless we remove this stupendous impediment and this tremendous obstacle, no progress is possible. (Applause.)

The Honourable Sir James Grigg: Sir, though I shall have many other opportunities during the course of our debates on the Finance Bill to follow my Honourable friend who has just spoken into the dreamland which he has just painted so glowingly, I must excuse myself from doing it this afternoon. I am a little staggered at being asked to raise a hundred crores in new loans every year to help the impoverished people of India, and I should like a little more time to think about it . . .

Pandit Govind Ballabh Pant: When we come to the discussion of the Finance Bill.

The Honourable Sir James Grigg: . . . and specially I should like to learn from my Honourable friend the exact method by which he proposes that it should be done. Sir, the parts of my budget speech which have excited most comment have been two passages which are only incidental to the story I had to tell and not an integral part of it. These are the passages about gold exports and about the revision of revenue tariff, and, perhaps, I might now amplify my remarks in the light of the comments which have been made on them since.

Take the export of gold first. The argument against me appears to be as follows. The people are very poor; they are compelled to sell their gold; therefore, you must discourage them from selling their gold. Now, I could have understood it if the argument had been that people are very poor, you must try to make them less poor so that they will have no need to sell their gold. Indeed I would have agreed with that argument. But I am bound to say that I have not yet heard any practical, immediately practicable, suggestion from the Party opposite for making the lot of the cultivator less hard. Now, what good are you going to do for the cultivator by making it impossible for him to sell his gold or even by making it more difficult? Here, perhaps, I might be allowed to deal with the two suggestions which have been made in this connection separately. The first suggestion has been the imposition of a moderate export duty on gold. Now, assuming that the export still takes place, obviously the incidence

of a moderate export duty is upon the ultimate seller, that is the cultivator. In other words, he gets a lower price and the Government has simply imposed another tax on the poor which does not seem to me to be a very good way of helping them. Next, we can consider a prohibitive export duty or embargo—they come to the same thing. Both of them will ensure that the holder of gold cannot sell it at all. If he is a poor cultivator who is in great distress, he cannot make both ends meet, and he is not to be allowed to sell his last reserves. Incidentally these reserves are at present being sold at a very high profit, it may amount to as much as 70 per cent. Not being allowed to provide himself with resources by dipping into his reserves, where can he turn? Obviously he can only turn to the money-lender, who will lend him money, it is true, but at a very high rate of interest. In other words, instead of being allowed to sell his gold at a very handsome profit, he is forced to borrow from the money-lender and thus add to his burden of debt and to his burden of interest. (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must be allowed to proceed without interruption.

The Honourable Sir James Grigg: That does not seem to be a very agreeable alternative to allowing him to sell his gold. But suppose he is not so poor and it is not a case of having to sell his last reserves. The only effect of the prohibition then is to deprive him of the chance of selling his gold, again let me say, at a very handsome profit indeed and of investing the proceeds in other forms of property, many of which yield a return which enables him to improve his lot. This has been the case with a good deal of the gold export, and this cannot be doubted, particularly in view of the growth of cash certificates and deposits in the post office savings bank. But the advocates of prohibiting the export of gold have got another shot in their locker and we have not yet disposed of all their arguments. They say, very well make it impossible for them to export gold, but not to sell it. In other words, let the Government buy the gold and use it for settling its balances of international trade and for strengthening its reserves. Here, of course, the argument assumes an entirely different aspect. It is no longer a case of depriving the cultivator of the possibility of realising his reserves or turning them into interest bearing securities, it is a question of what the Government is to do with the gold when they have got it. Here perhaps to simplify the argument, we can leave out of account the gold which the Government use to settle its balances on international account. In so far as that is concerned, Government has merely introduced into the chain an extra bullion dealer, and the general result is no different from before. We will just concentrate on the metal which is left in the hands of Government. The first question is, how do Government pay for this gold? Leaving out of account all technical jargon and all the intervening processes, I suppose you can say that Government simply pay for the gold by printing currency notes against it. There is another complication here which I may mention in passing, namely, that under the existing law, notes can only be issued against the gold up to the old parity of price, which, in fact, means that Government can only under the present currency law issue about 2/3rd of the notes required to pay for the gold. It must, therefore, borrow the remaining 1/3rd; it must borrow from the public and pay interest on it. So that is not a very profitable transaction to Government. But, in order not to load the scales of argument, I will leave this

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[6TH MARCH 1935.]

[Sir James Grigg.]

point out of account, though, I would assure the House that it is a point of no small magnitude. The position now is roughly that Government would be acquiring 20 or 30 crores of gold every year and printing currency notes against it. It is very difficult to say what the precise result of this would be. We might have been a little more in a position to make a forecast if the "New Deal" had had a little longer to work itself out; but nobody can say that it is not imaginary finance with a vengeance. I should think that the most likely result would be the price fall in exchange which accompanies all violently inflationary movements. And this would leave us with only two alternatives. Either we protect the exchange by exporting the gold which we have been so busy to prevent other people exporting and which we bought by printing currency notes, or we could abandon the present rupee ratio. Perhaps this abandonment of the present ratio is what the advocates of stopping gold exports want, but, if this is so, let me say at once that I will have no part or lot in any such policy. For I am absolutely and honestly convinced that this would be disastrous for India, it would be disastrous for the poor of India particularly, and more particularly, disastrous for the poorer cultivators.

Now, I hope I have said enough to explain why I said that the continuance of gold exports does not alarm me unduly. We have already exported something over 200 crores, and there are still left, out of the imports of gold during the last 30 years, nearly 500 crores. There are, therefore, ample reserves left in the country. In so far as gold which is being exported is not distress gold, it is being sold at a very large profit and is being replaced by other forms of property, many of them yielding an income. This is to be welcomed and not deplored.

Pandit Lakshmi Kanta Maitra: Is this 500 crores exclusive of the amount already drained away?

The Honourable Sir James Grigg: Yes; the figures were given by my predecessor, I think, in connection with the 1932-33 budget.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): These 500 crores were imported since when?

The Honourable Sir James Grigg: In the last 30 years, 700 crores were imported out of which 200 crores have been exported.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Is it not 222 crores?

The Honourable Sir James Grigg: Yes, I said something over 200 crores. In so far as it is distress gold, we can deplore the fact of the distress and it is one respect in which both sides of the House can heartily unite. But I think we can equally be glad that there is a reserve to meet it. And it is no good trying to cure the illness by concentrating our attention on the outward and visible symptoms of it. The illness is not the export of gold, the illness is poverty. (Hear, hear.) And that is the problem to be tackled, though, I daresay, Honourable Members opposite either will not agree or will say that we are tackling it the wrong way. But Government are tackling it. (Cries of "Oh! Oh!")

Pandit Lakshmi Kanta Maitra: Will it be tackled by a further drain?

The Honourable Sir James Grigg: In the first place, they are tackling it directly by measures of agricultural research, a scheme for agricultural marketing, grants to the handloom industry and to the sericultural industry, the foundation of a dairy institute, the foundation of a bureau of industrial research, and many other measures which have been explained to the House, from time to time, by my Honourable colleagues. They are also, I may say, coming to the assistance of the hard-pressed provinces by putting aside a crore of rupees for work in the villages. But when all is said and done this is only one end of the problem. At the other end there is the need to enlarge India's export trade. This is, as I have said already on several occasions, a very slow and a very discouraging process. It requires a larger measure of international good-will than now appears to be forthcoming; and unpalatable as it may be to some Members of this Assembly, in the long run it requires that India should be prepared to increase in return her takings of the products of other countries.

I now turn to the other non-integral part of my budget speech which has attracted some attention, namely, my remarks about the revenue tariff. The Honourable the Leader of the European Group asked what I have got in mind. The only thing I can say to him at the moment is that I have come firmly to the conclusion that no serious revision of the revenue tariff is possible unless you have got some money to play with. But certainly the two principles which Sir Leslie Hudson adumbrated, namely, a free list for those articles which are required in the development of India's internal economy and for the rest of the field as large and as wide a measure of uniformity as is possible,—certainly, I say, these are logical and healthy principles which would have to be taken into account in any scientific revision of the revenue tariff. But here let me mention one kind of view which, if a view can show it, showed its head in Mr. Mody's speech and which showed its whole body in some of the communications which I have had from outside this House. This view in effect is that the revenue tariff is so high that it has in effect become a protective tariff; that vested interests have grown up under this wrongly called revenue tariff and that, in consequence, there must be no question of taking off any of the surcharges in this sphere. Well, if this view is accepted, all I can say is, first, that it is a poor look-out for the central revenues if the process of diminishing returns is to be allowed to develop until it is incurable, and secondly, that it is a poor look-out for the person whom the Party opposite so much despises, the consumer.

And now let me turn to the criticisms which have been passed on the budget proper. The first of these concerns what is called the inflated military budget. Well, Sir, I understand we are to have a full-dress debate on this subject later in the week, and perhaps I can conveniently wait for our friends, the enemy, to shoot first. (Laughter.) The second is as to the reliability of our estimates; and here perhaps I might be allowed to say that the criticisms seem to me really to cancel themselves out. Sir Ghulam Hussain Hidayatallah—and he was followed by Mr. Vissanji—said—I may not be quoting their exact words, but the general purport of them—that the budget was a sham and a delusion, because so many liabilities had been postponed or ignored. On the other hand, Sir Leslie Hudson—and I think he was followed by Mr. Sami Vencatachelam Chetty

[Sir James Grigg.]

and others—I am not quite sure that my friend, Pandit Govind Ballabh Pant, did not also have some acid remarks to say on this—said, that I had deliberately embarked on a career, a long course of economic planning to fake the estimates.

Pandit Govind Ballabh Pant: I said that the increase was greater than you had stated, on the military side.

The Honourable Sir James Grigg: He said that we had under-estimated the revenue so as to deprive the taxpayer of his just desserts: and for this purpose the taxpayer is the payer of income-tax and super-tax surcharges and—to paraphrase Mr. Chetty—perhaps also the man with an income of less than Rs. 2,000—I ask you to note the word ‘perhaps’. I might leave Sir Ghulam Hussain Hidayatallah and Mr. Vissanji on the one side and Sir Leslie Hudson and Mr. Chetty on the other to fight this out between themselves: but this would not be much fun for me and so I think I had better join in. To the best of my belief, the estimates I have presented to the House are fair and just. Pandit Pant spoke of the encouraging factors that are visible in India. It is quite true there are encouraging factors: there are encouraging factors in the world at large; but there are also extremely discouraging ones, and the recent action of Italy in putting the stopper on imports from foreign countries, is one of them: there is no doubt that that had an effect on Indian trade: it must have; and while these sudden and almost unexplained embargoes on the entry of goods of other countries, including ours, while the world continues to be liable to these sudden embargoes, nobody can say that the situation in the world is so encouraging that you can afford safely to estimate on a basis of extreme optimism.

One estimate in particular was criticised very heavily by Seth Abdoola Haroon. I said in my budget speech that the estimates for sugar must be highly speculative. Mr. Haroon said that I was wrong to the extent of 200 per cent. But since the budget estimates were made, in fact only this morning, we have had the advantage of seeing the latest estimates of the Sugar Technologist for the crop in India and on the examination of his figures we see no reason to alter our estimates at all, and no reason to suppose that they are seriously wrong. But supposing that we are wrong and that the estimate for sugar is too low, well, then there will be a surplus at the end of the year; but *pace* Sir Leslie Hudson, it will still be a non-recurring surplus; for the ultimate fate of our import revenue from sugar is quite certain: the law of diminishing returns is there operating quite inexorably; and if this ultimate result is not achieved in one or two years, it will certainly be achieved in three or four years, and, by that time, the revenues from the import duties are doomed to eventual extinction, and, in my view, it would be absolutely wanton to base a permanent reduction of taxation on such an ephemeral source of revenue: and, however much surcharges may be emergency taxation or temporary taxation, nothing can alter the fact that you cannot take them off until you can see a permanent surplus of revenue to enable you to do so. That means that they cannot be reduced until there is in sight a permanent surplus sufficient to do so: and a permanent surplus is not a purely fortuitous one; and if I may say so, a surplus is nonetheless fortuitous if it is repeated once. I know that my friends in the European Group are pressing me to exercise my

imagination, and, in particular, to imagine that permanent and temporary are the same thing (Laughter); but they are not and if I err, I prefer to err on the side of caution, particularly.

Mr. F. E. James (Madras: European): The surcharges are permanent.

The Honourable Sir James Grigg: I said nothing of the sort: I said that they would be removed when there was a permanent surplus of revenue to enable it to be done. As I said, if I err, I prefer to err on the side of caution, particularly in view of the fact pointed out by Sir Ghulam Hussain Hidayatallah that there are liabilities we are not now meeting, and there are other liabilities, namely, those connected with the separation of Burma and the inception of provincial autonomy, which we know we have got some time to meet.

So much for the two main criticisms of the budget, one of which I have postponed dealing with. Now I may perhaps come to one or two small points which have been raised during the course of the debate. First of all, perhaps I may say a word about the one particular in which Dr. Khan actually impugned on the contents of the budget: and that was in relation to the money to be set aside for the development of the North-West Frontier tribal areas. He was grossly inconsistent, if I may say so without any desire to be offensive. He first started attacking the Government for standing still and being impervious to new ideas; and then he abused us for wanting to pursue a forward policy in the tribal areas and entering into negotiations with the progressive party among the Afridis. In fact he lined himself up with the die-hard party among the Afridis. That really is a curious reversal of logic.

The second point raised by Mr. Haroon related to the question of sugar research. He seemed to be under the delusion that Government were spending no money at all on sugar research. I have looked up the figures since he spoke this morning, and I found that up till the end of 1938, the Imperial Council of Agricultural Research will have spent something like Rs. 24 lakhs on sugar research. In addition to that, Government have agreed to provide Rs. 1½ lakhs initial and Rs. 2½ lakhs recurring for a period of five years, or a total of Rs. 14 lakhs at least, for a sugar research institute. Those two sums come to Rs. 38 lakhs, and it certainly cannot be said that the Government are not doing their duty in the matter of sugar research.

One other very small point I might mention. A good deal has been said about the burden on the smaller income-tax payer. I think it is necessary to preserve a certain sense of proportion in this matter, and perhaps I may be allowed to give the House two figures as to the actual amount of income-tax paid at two points between one thousand and two thousand rupees. On an income of Rs. 1,200, that is Rs. 100 a month, the tax this year would be Rs. 12-8-0, and under the new Finance Bill that will be reduced to Rs. 8-5-0. That is well under one per cent. of the total income. On Rs. 1,600 the tax at present payable is Rs. 33-5-0, and the reduction under the Finance Bill will be Rs. 11-2-0, leaving Rs. 22-3-0 or something between one and two per cent. of the total income. So, in any case, the burden is not very heavy, and it is being substantially reduced, the whole tax is being reduced by one-third.

[Sir James Grigg.]

Sir, as I said in my Budget speech, the proposals do not satisfy me, but I am bound to say that as a result of the debate of the last two days, I do not think my dissatisfaction has materially increased. In essentials, the Budget proposals have emerged unscathed, and almost unchallenged, which rather looks as if nobody has got anything very much better to suggest.

An Honourable Member: Wait and see.

The Honourable Sir James Grigg: Sir, I should like to be allowed to thank the House generally for the extremely friendly tone it has adopted towards the budget proposals in general and myself in particular. There have been perhaps one or two slightly superior remarks, but on the whole I have very little indeed to complain of and a great deal to be extremely grateful for. Sir, let me end by repeating once more that I am not satisfied with the budget proposals, and I do not regard these attempts as anything but a beginning, and I hope that in future years the budgets will, first of all, provide adequately for all our liabilities, secondly, for further relief to taxpayers, and, if I may say so, the most important of all, will show further visible and outward signs of the concern of the Government of India for the welfare of the poor. (Cheers.)

The Assembly then adjourned till Eleven of the Clock on Thursday, the 7th March, 1935.

LEGISLATIVE ASSEMBLY.

Thursday, 7th March, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Ram Chandra, C.I.E., M.B.E., M.L.A. (Government of India: Nominated Official):

INCORRECT REPORT OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY BY THE PRESS.

The Honourable Sir Nripendra Sircar (Leader of the House): With your permission, Sir, I should like to draw your attention to a certain statement appearing in the press as regards statements supposed to have been made by you. I am not drawing your attention to other mistakes. I have got a transcript of the shorthand notes, and this is what you actually said:

"Mr. President (The Honourable Sir Abdur Rahim): This is not a point of order. No doubt strong language has been used on one side, but it is for the other side to consider whether equally strong language should be used by the other side or not."

The statement in the *National Call* of today is

Some Honourable Members: Louder please.

The Honourable Sir Nripendra Sircar:

"The President pulled up the Law Member by stating that the Law Member could not very well object to the language of another Member if he preferred to use the same language himself."

You said nothing of the kind, you did not pull me up, but said something which is the opposite of it. Then the paper says:

"Thereupon, the Law Member remarked he had nothing to say,"

which is wholly untrue. I do not want any protection, so far as I am concerned, against any press, but I draw your attention to the fact that the statement attributed to you is the very opposite of what you actually said.

Mr. President (The Honourable Sir Abdur Rahim): I am glad the Honourable the Leader of the House has drawn my attention to what has appeared in the *National Call*. What I said on the occasion has been correctly reported in the official report and what is put into my mouth is exactly the reverse, as was pointed out, of what I said.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Is a copy taken by the Reporters supplied to the press?

Mr. President (The Honourable Sir Abdur Rahim): It is understood no copies are supplied. The Chair takes it, the press correctly take down what passes in this House.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): May I ask whether there is any power or any authority to control the press from deliberately putting words into the mouths of Honourable Members who may not be by any means so important as yourself or the Leader of the House, but ordinary men like myself who may get up to speak and into whose mouth the press will deliberately put words which they may never have uttered? Is there any remedy?

An Honourable Member: Issue a contradiction to the press.

Mr. President (The Honourable Sir Abdur Rahim): The only remedy that the Chair knows of at present is that the President issues passes to the press gallery and in case of any serious misconduct it is certainly within the power of the President to refuse or withdraw any pass that has been issued. Beyond that the Chair is not prepared to say whether the President has any other power. But, in this case, the Chair does not think it is necessary to take any such extreme step.

QUESTIONS AND ANSWERS.

CREATION OF CATERING DEPARTMENTS ON STATE RAILWAYS.

700. ***Mr. Ahmad Ebrahim Haroon Jaffer:** (a) Are Government aware that there is no special catering department on any State Railway to supervise the wholesomeness of food-stuff sold at the Railway stations and Refreshment Rooms and to direct and control their vending?

(b) Is it a fact that the present executive agency of the Railway to whom the above work is entrusted are required to do this work in addition to their legitimate duties?

(c) Are Government aware that the sale of unwholesome food-stuff at Railway Stations and the method of its keep and sale have been criticised by Railway passengers in the Press as well as in their complaints to the Railway authorities?

(d) Are Government aware of the vital importance of the efficiency of these catering arrangements at Railway stations to the health, safety and convenience of the public while in travel?

(e) Are Government aware that a special catering department was created on the Eastern Bengal Railway for the effective management of this work?

(f) Are Government aware that as a result of the system introduced by this Department there was public satisfaction with regard to the sale of food-stuff at Railway Stations, and is it a fact that it was a source of income to the Railway?

(g) Do Government propose to have a regular catering department on every Railway, specially trained to supervise, direct and control the sale of food-stuff at the Railway stations?

Mr. P. R. Rau: (a) There is no special catering department as such, but control is exercised through inspection by officers of the Traffic and Medical Departments.

(b) The work is a part of their legitimate duties.

(c) Government are aware that there have been complaints.

(d) Yes.

(e) and (f). I would refer my Honourable friend to the reply I gave on the 5th March, 1935, to his question No. 699.

(g) As the House is aware, Government propose to review the whole question of catering as soon as certain information called for by them has been received.

Dr. Ziauddin Ahmad: May I ask one question? I understand that the matter was referred to the advisory committees of various railways. Have the Government any information as to whether the advisory committees have already considered the proposal, and, if not, when they are likely to consider?

Mr. P. R. Rau: Which matter? Is it the abolition of the food inspectors?

Dr. Ziauddin Ahmad: I understand that the whole question of catering was referred to the advisory committees of various railways. May I know whether the Government have got any information whether the advisory committees have already considered it, or when they will consider this question?

Mr. P. R. Rau: If my Honourable friend is referring to the general question, Government have received reports from about seven or eight railways after consulting their local advisory committees, but not from all.

Mr. Lalchand Navalrai: May I know from the Honourable Member why these advisory committees should not be associated with catering and inspection of catering arrangements?

Mr. P. R. Rau: I should think that this is part of the executive functions of the railway.

Mr. Lalchand Navalrai: When the public is suffering so much and when there are complaints, why should not the advisory committees also be joined to enquire into these matters?

Mr. President (The Honourable Sir Abdur Rahim): That is merely arguing.

Mr. Lalchand Navalrai: I am putting a question. Is the Honourable Member prepared to associate the advisory committees?

Mr. P. R. Rau: The advisory committees act in an advisory capacity. They have no executive functions.

Mr. Lalchand Navarai: But is the Honourable Member prepared to give them some hand in the matter, so that they might advise the Agents?

Mr. P. R. Rau: Certainly. They are entirely at liberty to advise the Agent in any matter they like.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Lieut.-Colonel Sir Henry Gidney: A supplementary question, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The next question has been called.

FARE AND FOOD CHARGES FIXED FOR HAJ PILGRIMS.

701. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware that the charge fixed at Rs. 178, including fare for every pilgrim going to Haj, is considered very excessive by pilgrims so travelling?

(b) Are Government aware that the Government of India Haj Enquiry Committee had recommended Rs. 165 per pilgrim as fare, including food charges in paragraph 135 of their Report of 1930?

(c) Have Government taken any action to carry out the said recommendation of the Haj Enquiry Committee's Report? If not, why not?

Mr. Ram Chandra: (a) Government have seen a resolution to this effect passed at a public meeting of the Mussalmans of Bombay, held on the 22nd December, 1934.

(b) Yes.

(c) As a result of negotiations between Government and the shipping company, the fare has been reduced considerably.

Dr. Ziauddin Ahmad: May I now what is the meaning of "considerable"? From what figure to what figure?

Mr. Ram Chandra: When the Haj Enquiry Committee submitted its report, it was Rs. 195 at that time and did not include food charges; it is now Rs. 178 and includes food charges.

Maulvi Muhammad Shafi Daudi: Is it not a fact that the Haj Enquiry Committee had taken all points into consideration and then recommended Rs. 165 as the fair rate for a pilgrim?

Mr. Ram Chandra: The difference between the figure recommended by the Haj Enquiry Committee and the figure which has now been fixed, namely, Rs. 178, is almost entirely due to the rise in the sanitary dues at Jeddah which is due to the fluctuations in exchange.

Maulvi Muhammad Shafi Daudi: May we know what further considerations were before the Government in order not to accept the recommendations of the Haj Enquiry Committee?

Maulana Shaukat Ali: This Rs. 178 includes food also?

Mr. Ram Chandra: Yes.

Maulana Shaukat Ali: And food both times?

Mr. Ram Chandra: Yes.

Dr. Ziauddin Ahmad: Is it not a fact that the Haj Enquiry Committee recommended Rs. 165 including food?

Mr. Ram Chandra: Yes, that is so. But at that time the sanitary dues at Jeddah amounted only to Rs. 15. Since then, owing to fluctuations of exchange, the sanitary dues which are fixed in gold are equal to Rs. 26 now.

Mr. Ahmed Ebrahim Haroon Jaffer: Is there any possibility of this being reduced in the near future?

(No reply.)

Mr. President (The Honourable Sir Abdur Rahim): Next question.

UTILISATION OF THE CABINS OF THE LOWER DECK AS FIRST CLASS ON BOARD THE NEW VESSEL S. S. "ISLAMI".

702. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware of the fact that accommodation for 100 first class passengers has been made on board the new vessel S.S. "Islami", in which cabins of the lower deck have also been treated as those of first class?

(b) Do Government propose to take steps to have the lower deck cabins treated as second class?

Mr. Ram Chandra: (a) First class cabin accommodation is provided on the S.S. "Islami" on two decks namely, the promenade deck and the upper deck. No such accommodation is located in the lower decks.

(b) Does not arise.

Maulvi Muhammad Shafi Daudi: Why should the cabins in the lower deck be allowed to be converted into first class?

Mr. Ram Chandra: There are no cabins on the lower deck. The first class cabin accommodation is either on the upper deck or on the promenade deck which is still higher.

AMOUNT OF FIRST CLASS ACCOMMODATION FOR PASSENGERS RETURNING FROM HAJ.

703. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware of the fact that first class passengers, while returning from Haj, do not get accommodation in the first class cabins and have to travel on deck?

[7TH MARCH 1935.]

(b) Is it a fact that the Agents of the Steamship companies take in writing from first class passengers a certificate, waiving their right of refund of first class fare while travelling on deck on return journey, when in fact the Steamship companies cannot provide first class accommodation on return journey?

(c) Do Government propose to take steps to see that refund is allowed to passengers who are made to sail on deck for finding no accommodation in the first class?

(d) Are Government prepared to have the necessary grievances redressed before the coming Haj Pilgrimage?

Mr. Ram Chandra: (a) Government are aware that a number of first class pilgrims have returned as deck passengers by the first available boat instead of waiting at Jedda for higher class accommodation to which their tickets entitled them by later boats.

(b), (c) and (d). Government understand that since 1933 the shipping company have been allowing refunds in such cases. In order to remove the shortage of first class accommodation, the company have also added this year to their fleet a new ship "Islami" which provides accommodation for 100 first class passengers.

Dr. Ziauddin Ahmad: May I know what is the answer to (b):

"Is it a fact that the Agents of the steamship companies take in writing from first class passengers a certificate waiving their right of refund of first class fare?"

Mr. Ram Chandra: Government have no information whether such a guarantee was taken in writing.

Mr. Ahmed Ebrahim Haroon Jaffer: Will Government take steps to find out?

Mr. Ram Chandra: It does not seem necessary, as Government understand that the steamship companies have been allowing refunds since 1933.

RATES CHARGED FROM HAJ PILGRIMS FOR FOOD.

704. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Is it a fact that the following rates are charged from Haj pilgrims for food for classes marked against each:

Rs. 76 for first class;

Rs. 51 for second class; and

Rs. 20 for deck?

(b) Are Government prepared to arrange to charge the following rates from the passengers of the classes marked against each:

Rs. 50 for first class;

Rs. 30 for second class; and

Rs. 16 for deck?

Mr. Ram Chandra: (a) and (b). The amount charged for the supply of food on the double journey between Bombay and Jedda is Rs. 78 in the case of first and second class pilgrims and Rs. 20 in the case of deck passengers. The Government of India do not consider that a reduction in this scale is feasible at present.

Mr. Ahmed Ebrahim Haroon Jaffer: Why is the charge for first and second class the same?

Mr. Ram Chandra: The food supplied to first and second class passengers is the same. Therefore, there is no difference.

SERVICES OF LADY DOCTORS FOR TREATMENT OF LADIES ON HAJ STEAMERS.

705. ***Mr. Ahmed Ebrahim Haroon Jaffer:** Are Government prepared to consider taking necessary steps to move in the matter of engaging the services of lady doctors for treatment of *pardanashcen* ladies on the Haj steamers every year?

Mr. Ram Chandra: The Government of India do not consider it to be reasonable to ask the steamship companies to incur the extra expenditure which acceptance of this proposal would involve. This was also the view of the Haj Enquiry Committee.

DECCANI MUSLIM SOLDIERS AND OFFICERS IN THE INDIAN ARMY.

706. ***Mr. Ahmed Ebrahim Haroon Jaffer:** Will Government be pleased to state:

(a) the number of Deccani Muslim soldiers and officers in the Indian Army;

(b) the number of Deccani Muslims recruited to the Indian Army in all its ranks from the year 1929 to date;

(c) whether it is a fact that the military authorities have decided not to recruit any Deccani Muslims in the Indian Army; if so, why;

(d) whether it is also a fact that the Deccani Muslims are being gradually retrenched from the Indian Army; if so, why; and

(e) whether Government are prepared to reconsider their policy in this matter with a view to continue recruiting Deccani Muslims in the Indian Army?

Mr. G. E. F. Tottenham: (a) 400 on the 1st January, 1935.

(b) 520.

(c) and (d). Yes. The class is being allowed to waste out of the army on account of the difficulty experienced in obtaining sufficient suitable recruits.

(e) No.

Mr. Ahmed Ebrahim Haroon Jaffer: There are a sufficient number of Deccani Muslims coming forward for recruitment?

[7TH MARCH 1935.]

Mr. G. R. F. Tottenham: The Honourable Member's information appears to be opposed to the information that I have on this subject.

Mr. Lalchand Navalrai: May I know from the Honourable Member if Government are prepared to revise the list of martial people?

Mr. G. R. F. Tottenham: No, Sir.

Munshi Iswar Saran: Am I to understand that there is no prohibition against the recruitment of Deccani Mussalmans in the Indian army?

Mr. G. R. F. Tottenham: Until recently, they have been recruited in a certain number of cavalry regiments, but the information given by the military authorities is that a sufficient supply of suitable recruits is not forthcoming. Therefore, they are being allowed to waste out of the army.

Mr. Ahmed Ebrahim Haroon Jaffer: May I know how many are officers and how many soldiers of the 400 mentioned in reply to part (a)?

Mr. G. R. F. Tottenham: I should require notice of that. I did not get the figures separately.

WATER-COURSES FOR IRRIGATION OF LAND IN THE DELHI PROVINCE.

707. ***Mr. M. Asaf Ali:** (a) Is it a fact that the water-courses for irrigation of land in the Delhi Province have recently been narrowed, and the area under irrigation in 1934-35 has consequently shrunk as compared with the area under irrigation in 1930-31?

(b) Is it a fact that the prices of agricultural produce in the Delhi Province have in comparison with the prices of 1930, fallen, and that the water rate for irrigation has not been proportionately reduced?

The Honourable Sir Frank Noyce: The information has been called for and a reply will be placed on the table of the House in due course.

INDIANS AND BRITISHERS WITH KING'S COMMISSION IN THE INDIAN ARMY.

708. ***Mr. M. Asaf Ali:** (a) Will Government be pleased to state how many Indians have received King's Commission since 25th August, 1917?

(b) (i) How many of them are still serving in the Army; (ii) how many have retired in due course; and (iii) how many have retired before completing their career or been dismissed, and after what period of service and why?

(c) How many Britishers have received King's Commission during the same period, in the Indian Army?

(d) How many of these British Officers have retired or been dismissed before completing their career?

Mr. G. R. F. Tottenham: (a) 248.

(b) (i). 196.

(ii) None.

(iii) Retirements and Resignations—47 of which:—

Under 5 years' service	...	...	...	17
Between 5 and 10 years' service	...	...	...	17
Between 10 and 15 years' service	...	...	...	12
And Over 15 years' service	...	...	...	1
Total				47

Removals	...	...	...	...	2
Under 5 years' service	...	...	...	...	1
Between 10 and 15 years' service	...	...	...	...	1
Total				...	2

Deaths	...	...	...	...	...	3
Total						52

* The reasons for which the officers were removed or applied to resign their commissions or to retire from the service are confidential.

(c) and (d). The information is not readily available. During the war years, officers were recruited in wholly abnormal numbers, while after the war, in 1922 and 1923 alone, the services of over 2,000 British officers were dispensed with prematurely, in order to bring the establishment of the Indian Army down to normal. Even if I were to collect the information, it would, therefore, be useless for purposes of comparison.

Mr. M. Asaf Ali: May I know why this particular information is confidential? Any political reason, or military reason, or other reasons?

Mr. G. R. F. Tottenham: The personal reasons why different officers retire from the service are not generally made public.

Mr. S. Satyamurti: May I know if there is any truth in the belief that these Indian commissioned officers are discouraged, and are encouraged to get out of the service?

Mr. G. R. F. Tottenham: There is no truth in that.

Mr. T. S. Avinashilingam Chettiar: Are they compulsorily retired?

Mr. G. R. F. Tottenham: A certain number of them have been removed. I said that there were two who have been removed compulsorily. The remainder either retired or resigned.

Mr. T. S. Avinashilingam Chettiar: Were they compelled to retire or to resign by the military authorities themselves?

Mr. G. R. F. Tottenham: Retirements and resignations are voluntary. It is perfectly true that in certain cases an officer is given the option of resigning or being proceeded against, which may result in his removal. I cannot say from these figures in how many cases that occurred. No doubt there were some. That applies to British officers also.

Mr. T. S. Avinashilingam Chettiar: Apart from private reasons, were there any other reasons?

Mr. G. R. F. Tottenham: I cannot give the reasons. They are treated as confidential.

Mr. T. S. Avinashilingam Chettiar: Any general reasons?

Mr. G. R. F. Tottenham: There are no general reasons. They are individual reasons.

Mr. S. Satyamurti: May I know if there is any difference in the treatment of Indian and British commissioned officers?

Mr. G. R. F. Tottenham: There is absolutely no difference. It is our policy to maintain exactly the same standard of efficiency for Indian and British officers.

Srijut N. C. Bardaloi: After attaining the rank of Captain, how many of them are made to retire?

Mr. G. R. F. Tottenham: I have just given the figures. As the Honourable Member is no doubt aware, there is a time scale of promotion in the Indian Army. It takes nine years to be promoted Captain. The figures I have given are between 5 and 10 years' service, 17, and between 10 and 15 years' service, 12. Therefore, presumably about 12 were in the rank of Captain.

Srijut N. C. Bardaloi: Were any Indians retired just before attaining the rank of Major?

Mr. G. R. F. Tottenham: Sir, I told the House the other day that certain Indian officers had been promoted to the rank of Major already. I should like to qualify that statement to some extent. What I was thinking of was services like the I.M.S., where many Indian officers have been promoted to the rank of Major. In the Indian Army combatant forces, there is a time-scale system of promotion and it requires eighteen years to be promoted to the rank of Major. That is exactly the same for Indian and for British officers. Now, Indianisation was started seriously some-where about 1920. Therefore, the Honourable Member will see that no Indian officer has yet had enough service to be promoted to the rank of Major. Such officers will come up for promotion to the rank of Major in about 1938.

Srijut N. C. Bardaloi: Is there any examination of competence for promotion to Majorships—do they have to pass any qualifying examination for such promotion?

Mr. G. R. F. Tottenham: They have to pass promotion examinations for promotion to the ranks of Captain and Major.

Srijut N. C. Bardaloi: How many passed the Major's examination before being retired?

Mr. G. R. F. Tottenham: I must have notice of that question.

Sardar Sant Singh: How many of these officers have been dismissed, and how many have been discharged?

Mr. G. R. F. Tottenham: I have just given that information in reply to the question. I have said that two were definitely dismissed and the remainder, that is, 47, have either retired or have resigned their commissions voluntarily.

Sardar Sant Singh: Those that were discharged were discharged on the ground that their services were no longer required, or on account of court-martial proceedings being taken against them?

Mr. G. R. F. Tottenham: Two of them were dismissed as the result of disciplinary action—I do not know whether it was court-martial or disciplinary action proceedings.

Sardar Sant Singh: If an officer is made to retire, do they frame any charge against him and give him an opportunity to meet that charge?

Mr. G. R. F. Tottenham: Certainly, Sir.

Sardar Sant Singh: Is it not a fact that many officers are made to retire without any charge having been framed against them?

Mr. G. R. F. Tottenham: Certainly not.

Munshi Iswar Saran: Will the Honourable Member kindly supply this information if it is convenient: how many officers were asked to retire without being dismissed? Have I made myself clear?

Mr. G. R. F. Tottenham: Sir, I will see if I can get that information, but I think I am correct in saying that, out of these 47 retirements and resignations, about 20 were asked to resign their commissions, and the remainder did so purely voluntarily.

Mr. T. S. Avinashilingam Chettiar: May I know if there are any general reasons for their being asked to retire?

Mr. G. R. F. Tottenham: There are no general reasons: they are individual reasons.

Srijut N. O. Bardaloi: Was any court of enquiry held regarding the retirement of any of them?

Mr. G. R. F. Tottenham: As I have just explained to my Honourable friend, Sardar Sant Singh, there were only two cases of definite removal from service as the result of disciplinary proceedings. In those cases either a court of enquiry or a court-martial or some departmental proceedings were no doubt held.

Sardar Sant Singh: May I ask one supplementary question more? Is it or is it not a fact that a person who is made to retire asks for a court of enquiry, and a court of enquiry is not given to him, and if he is made to retire without his being able to submit his case to such court of enquiry?

Mr. G. R. F. Tottenham: I am not sure that I follow the Honourable Member's question, but no one is made to retire without being given full opportunity to defend himself.

PAYMENTS MADE TO INDUSTRIAL EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI, FOR THEIR ATTENDANCE ON CLOSED HOLIDAY AND SUNDAYS.

709. ***Mr. D. K. Lahiri Chaudhury:** (a) Will Government be pleased to state how payments are made to the industrial employees of the Government of India Press, New Delhi, for their attendance on closed holidays and Sundays?

(b) Is it a fact that for some time the industrial employees of the said Press were paid at the following rates for their attendance on closed holidays and Sundays?

CLOSED HOLIDAYS.

<i>Period.</i>	<i>Payments.</i>
Day-(8 hours basis)	Pay for the day <i>plus</i> 25 per cent.
Overtime for 2 hours in excess of the normal working hours of the day	Pay for 2 hours <i>plus</i> 50 per cent.
Overtime in excess of 2 hours after the normal working hours of the day	Pay for overtime <i>plus</i> 75 per cent.

SUNDAYS.

Day-(8 hours basis)	Pay for the day <i>plus</i> 50 per cent.
Overtime for 2 hours in excess of the normal working hours of the day	Pay for 2 hours <i>plus</i> 75 per cent.
Overtime in excess of 2 hours after the normal working hours of the day	Pay for overtime <i>plus</i> 100 per cent.

(c) If the answer to the above be in the affirmative, do Government propose to investigate for report as to how such huge excess payments were made to the employees of the said Press against the Standing Government Orders on the subject? Who were responsible for this?

(d) Will Government please state when this irregularity was detected and what was the actual amount paid in excess to the employees, and also whether the amounts paid in excess were recovered from the employees concerned or written off?

The Honourable Sir Frank Noyce: (a) All work done on Sundays for which no compensatory holiday is given or on closed holidays is treated as overtime. For work on such Sundays salaried industrial employees receive a bonus of 50 per cent. over their proportional rates of salary and piece-workers a corresponding amount over their class rates. For work on closed holidays the rate of bonus is 25 per cent.

(b) Yes.

(c) The overpayments were made on account of misinterpretation of Government orders by the Press Management and were objected to by the audit authorities. The matter was set right on a reference to Government.

(d) In 1932. Figures of the actual amount paid in excess to the employees are not available. The amounts paid in excess were waived.

COST OF LABOUR FOR JOB EXECUTED DURING SPECIAL OVERTIME HOURS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

710. ***Mr. D. K. Lahiri Chaudhury:** (a) Is it a fact that a Department is required to pay the cost of labour for the job executed during the special overtime hours in the Government of India Press, New Delhi? If so, how were the costs realised from the Departments?

(b) Is it a fact that lately in the Government of India Press, New Delhi, while an employee was paid for overtime hours *plus* 50 per cent. allowance for working special overtime for a job, in realising the cost in cash from the Departments concerned only 50 per cent. (allowance) was realised? If so, will Government be pleased to state why the full amount of the cost of the labour, *viz.*, pay of the employees for overtime hours *plus* 50 per cent. allowance is not realised from the Departments concerned?

(c) Is it a fact that previously full cost of labour was realised from the Department concerned? If so, will Government be pleased to state since when this change has been made and under whose orders?

(d) What is the total amount thus realised from the Departments concerned?

(e) Was this ever detected in Audit?

The Honourable Sir Frank Noyce: (a) A Department is required to pay only the extra charges on account of special overtime worked on its behalf in the press. These charges are realized by the press in cash on presentation of bills.

(b) Yes; for the period of special overtime worked, the employees are paid at the ordinary rates *plus* 50 per cent. As the additional percentage represents the extra charge which would not have been borne by the press, if the job had been executed during ordinary working hours, a Department is required to pay only this percentage.

- (c) No. The second part does not arise.
- (d) Rupees 680 were realized from Departments during 1934-35 as extra charges for special overtime.
- (e) Does not arise.

**SYSTEM OF PAYMENT IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI,
AFTER THE REDUCTION OF WORKING HOURS.**

711. ***Mr. D. K. Lahiri Chaudhury:** (a) Is it a fact that there are two classes of employees in the Government of India Press, New Delhi, one whose pay is fixed on eight hours' basis, and the other whose pay is fixed on ten hours' basis—the latter being fixed higher than the former in proportion to the number of working hours? If so, will Government be pleased to state why on the reduction of working hours to nine hours a day under the Revised Factories Act, payment to the Press employees concerned continued to be made on ten hours' basis?

(b) Is it a fact that the piece-workers' earnings in the Press are diminished by the reduction of working hours but those working on fixed salaried basis are unaffected? If so, what steps do Government propose to take in order to observe uniformity in respect of payment to two classes of employees in the Government of India Presses?

The Honourable Sir Frank Noyce: (a) The position is not exactly as stated by the Honourable Member. Certain employees are entitled to overtime payment for working on any day in excess of the normal working hours calculated on the basis of 48 hours a week. As explained in the reply I gave on the 26th February, 1934, to the Honourable Member's starred question No. 289, certain heads of industrial sections were hitherto required, if necessary, to work up to ten hours on any day without receiving overtime allowance. The position of these men has, however, been altered by the new Factories Act and the question is receiving the attention of the Controller.

(b) The Factories Act has not made any reduction in the normal hours of work. The reduction in overtime permissible affects equally the rank and file of the employees whether they are employed on salaries or on piece rates, and in any case Government cannot recognise any right to overtime work. The latter part of the question, therefore, does not arise.

**ARRANGEMENTS MADE BY THE BENGAL AND NORTH WESTERN RAILWAY
DURING THE LAST ARDODHYA YOGA.**

712. ***Mr. B. B. Varma:** (a) Are Government aware that the Ardodhya Yoga which occurs once in several years, fell after 27 years this year on the most important day of the Magh Amavasya, which occurred on the 3rd February, when thousands of pilgrims go to bath in the Ganges and other sacred rivers?

(b) Are Government aware if the Bengal and North Western Railway Company, made any special arrangements to meet the huge rush of

(c) Are Government aware that pilgrims were put to great hardship for want of accommodation in the trains and were packed like sardines in their compartments?

(d) Are Government aware that railway tickets were freely issued without any regard whether there was any accommodation or not, and as many as 75 second class passengers were packed in one compartment and the Railway authorities paid no heed to the request of prominent respectable gentlemen to run special trains or attach special carriages to the train, and that many gentlemen were left waiting at Sonapur and Muzaffarpur stations for over 24 hours for want of accommodation in the train?

(e) Are Government prepared to take necessary action to stop such behaviour on the part of the Railway authorities?

Mr. P. R. Rau: (a) I am quite prepared to accept the Honourable Member's statement.

(b), (c), (d) and (e). I lay on the table a copy of a report from the Agent, Bengal and North Western Railway. Government consider that though it is possible the Bengal and North Western Railway Administration under-estimated the probable rush, they did all in their power to deal with the situation in the best way possible. The fact that the number of pilgrims carried was over two lakhs, that every available passenger coach was used, and that the special trains run to meet the rush numbered 116 is evidence of this.

Copy of letter No. 17540/T.18-6, dated the 19th February, 1935, from the Agent, Bengal and North Western Railway, to the Secretary, Railway Board.

With reference to your memorandum No. 6152-T., dated 16th February, 1935, I beg to remark as follows:

(a) and (b). The festival known as Ardodhya Yoga fell on 3rd February, 1935, coinciding with the Magh Mela at Allahabad. Special trains as well as all available spare stock on the Railway were utilized to cope with the traffic. Whilst a considerable traffic in Pilgrims was to be expected towards Allahabad, no information could be obtained as to the extent or incidence of pilgrim traffic peculiar to the Ardodhya mela. As the rush developed, particularly in Tirhoot, stock concentrated for Allahabad traffic was transferred to Tirhoot in addition to stock already sent there to strengthen regular trains, every available carriage and type of passenger carrying stock being brought into use. The total number of special trains run on the Tirhoot section of the Bengal and North Western Railway to meet the rush was 116.

(c) The overcrowding of trains to Ghat stations was unavoidable. But overcrowding was not due to the action of Railway servants, but because trains were rushed at all stations on the route, and it was not found possible to exclude pilgrims from stations or from trains.

(d) It is not possible to stop the issue of tickets because particular trains are known to be short of accommodation, nor would this prevent passengers from boarding such trains, as is shewn by the fact that over two thousand passengers were found travelling to Ghat stations without tickets. It is difficult to believe that seventy-five passengers could force their way into a second class metre gauge compartment. This statement would seem to be an exaggeration.

(e) There was no callous behaviour on the part of the Railway authorities. As stated in para. first above every available passenger coach was in use, and it may be noted that no goods vehicles were used for the carriage of pilgrims. The number of pilgrims carried was approximately 2,30,568.

Prof. N. G. Ranga: Only it failed here in this case?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

RECONSTRUCTION OF THE NARAINPUR (BAGAHA) BRIDGE ON THE BENGAL AND NORTH WESTERN RAILWAY.

713. ***Mr. B. B. Varma:** (a) Will Government be pleased to state if the Bengal and North Western Railway are going to reconstruct the Narainpur (Bagaha) bridge on the Gandak river on Narkatiaganj-Gorakhpur line?

(b) Are Government aware that due to abandonment of this bridge, the trade of Champaran District with the United Provinces suffers a great deal?

Mr. P. R. Rau: (a) The latest proposal is not to reconstruct the Bagaha Bridge but to build a new bridge some 100 miles down the river as part of the Chekie-Sidhwalia project. The question is under consideration; but it is doubtful whether the project will be sufficiently remunerative.

(b) I am quite prepared to take it from the Honourable Member that the construction of the bridge would assist local trade.

WANT OF LATRINES IN THIRD CLASS CARRIAGES ON THE BENGAL AND NORTH WESTERN RAILWAY TRAINS.

714. ***Mr. B. B. Varma:** Are Government aware that there are no latrines in the third class carriages of the Bengal and North Western Railway trains as follows?

- 21 Up—Muzaffarpur-Narkatiaganj,
- 23 Up—Muzaffarpur-Narkatiaganj,
- 24 Down—Narkatiaganj-Muzaffarpur,
- 22 Down—Narkatiaganj-Muzaffarpur,
- 35 Up—Baigania-Narkatiaganj,
- 31 Up—Darbhanga-Narkatiaganj,
- 34 Down—Narkatiaganj-Baigania,
- 36 Down—Narkatiaganj-Darbhanga,
- 1 G Up—Bhiknathori-Narkatiaganj,
- 3 G Up—Bhiknathori-Narkatiaganj,
- 2 G Down—Narkatiaganj-Bhiknathori,
- 4 G Down—Narkatiaganj-Bhiknathori,
- 1 D Up—Narkatiaganj-Bagaha,
- 3 D Up—Narkatiaganj-Bagaha,
- 2 D Down—Bagaha-Narkatiaganj,
- 4 D Down—Bagaha-Narkatiaganj,
- 1 R Up—Raxaul-Segauli,
- 3 R Up—Raxaul-Segauli,
- 25 Up—Jainagar-Segauli,
- 2 R Down—Segauli-Raxaul,
- 4 R Down—Segauli-Raxaul,
- 26 Down—Segauli-Jainagar.

Mr. P. R. Rau: Government have no information, but are making enquiries from the Agent, Bengal and North Western Railway.

Maulvi Muhammad Shafi Daudi: Is this a matter over which such a long time should be taken to find out whether some trains on the Bengal and North Western Railway have no latrines?

Mr. P. R. Rau: The information is not available in the office of the Railway Board.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that the same trouble is experienced in many other railways also?

Mr. President (The Honourable Sir Abdur Rahim): Order, order: That question does not arise.

Mr. Sri Prakasa: Will Government instruct the railways to construct these latrines?

Mr. P. R. Rau: Government prefer to await the report from the Railway Administration showing the circumstances in which latrines are not provided in these trains.

Mr. Sri Prakasa: The Honourable Member can take it that this is a fact and issue the necessary instructions.

Dr. Ziauddin Ahmad: Is it not a fact that Government are now considering a new design of the third class carriages which will meet all the requirements of the third class passengers?

Mr. P. R. Rau: A new design is under consideration.

COTTON QUOTATIONS GIVEN BY THE BOMBAY BROADCASTING COMPANY.

715. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether the Bombay Broadcasting Company were giving till the 1st of June, 1934 the quotations at 9 p.m. every night on the opening of the cotton market at New York and Liverpool ruling rates and Bombay broach quotations, and the next morning the closing quotations;
- (b) whether they have stopped the morning quotations from the 1st of June, 1934;
- (c) whether they are now giving quotations only at 1 p.m. every day;
- (d) whether it is a fact that owing to weather conditions it is not heard in Madras and other places; and
- (e) whether Government propose to take steps to direct the Company to give the morning quotations as usual?

The Honourable Sir Frank Noyce: (a) The facts as stated by the Honourable Member are correct except that broadcasting at Bombay is carried out by the Indian State Broadcasting Service.

(b) The broadcasting of the early morning quotations was stopped from the 1st July, 1934.

(c) Quotations are still given at 9 P.M. as well as at 1 P.M.

(d) Reception conditions vary considerably but it is probable that the morning broadcasts can be received rather more distinctly than the other broadcasts in certain places and at certain times of the year; at no time, however, can good reception be expected at places as distant from Bombay as Madras.

(e) The Government of India are at present carrying out a detailed investigation of the question of the broadcasting of commercial information and their decision will depend on the result of that investigation.

Mr. S. Satyamurti: Are Government investigating the question contained in part (e) also, among other things?

The Honourable Sir Frank Noyce: In regard to part (e), I have said that the Government of India are carrying out a detailed investigation.

Mr. S. Satyamurti: I want to know if they are carrying out a detailed investigation in this matter also.

The Honourable Sir Frank Noyce: Government are carrying out a detailed investigation in the matter of broadcasting commercial information. I do not know to what matter specially my Honourable friend is referring.

Mr. S. Satyamurti: I am referring to morning quotations particularly.

The Honourable Sir Frank Noyce: That is part of the investigation.

Mr. Ahmed Ebrahim Haroon Jaffer: Will the Honourable Member consider the proposal of broadcasting the Assembly proceedings?

(No answer.)

Mr. S. Satyamurti: Sir, I am tired of asking questions contained in parts (a) and (b), and, therefore, I wish to ask only part (c) of my question.

POSITION OF GOVERNMENT AFTER THE VERDICT OF THE LEGISLATIVE ASSEMBLY REJECTING THE INDO-BRITISH PACT.

716. ***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

[(a) whether the Government of India are considering their position after the verdict of the Legislative Assembly rejecting the Indo-British Pact;

(b) the reasons why they decided not to accept the verdict of the Legislative Assembly; and]

(c) whether they were over-ruled by the Secretary of State in this matter?

The Honourable Sir Joseph Bhoré: (c) The normal practice is not to disclose the nature of communications which have passed between the Secretary of State and the Government of India. As a special case, I am giving a categorical reply on this particular occasion. The answer is in the negative.

Mr. S. Satyamurti: May I take it that the Government of India were consulted by the Secretary of State, before he made the statement in the House of Commons saying that the result of the vote is nil?

The Honourable Sir Joseph Bhoré: I must adhere to the procedure which I have just now indicated, namely, not to disclose what has passed between the Secretary of State and the Government of India.

Mr. S. Satyamurti: I wish to ask your ruling, Sir, in this matter. I submit that what is contained in the Standing Order is this—that, in matters of controversy between the Secretary of State and the Government of India, questions may be asked only as regards questions of fact. In this matter, there is no controversy, because the Honourable the Commerce Member has said that there is no question of the Secretary of State having over-ruled him. Therefore, there is no controversy. I am, therefore, submitting to you that we are entitled to an answer to our question, as to whether the Secretary of State consulted the Government of India, before he gave the answer in the House of Commons that the result of the vote is that the agreement stands.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks that question was raised before. It is quite open to Honourable Members to put questions as regards the communications that have passed between the Government of India and the Secretary of State, but at the same time, the Chair thinks, the Governor General has authority to disallow any information being given which he considers to be detrimental to public interest. And when Honourable Members, sitting on the Treasury Benches, representing the Government of India, refuse to disclose any communication that has passed, it is to be presumed that they do so on grounds that it will be detrimental to public interest to disclose any such information.

Mr. S. Satyamurti: I accept your ruling, Sir, but I wish to make one submission. I only want the Honourable the Commerce Member to consider this matter and I beg of you not to make any presumption. They must take the responsibility of stating from the Treasury Bench that, to answer the question whether the Secretary of State was consulted before or after his statement in the House of Commons, it would be detrimental to public interest. I beg of you to say that it would be against the rules and the Standing Orders if you were to presume that they did so because they thought that it would have a detrimental effect upon public interests.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has already given its ruling, and, if necessary, it will re-consider the matter. But the Chair does not think that it has been ever the practice to compel Members of Government to disclose information which they consider to be detrimental to public interest.

RESULT OF THE WORKING OF THE OTTAWA PREFERENCES.

717. ***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether Government have examined the result of the working of the Ottawa Preferences up to date; and
- (b) whether they will place the results of the enquiry on the table of the House?

The Honourable Sir Joseph Bhoré: (a) and (b). The attention of the Honourable Member is invited to the Report on the working of the Scheme of Preferences resulting from the Ottawa Trade Agreement up to the end of the fiscal year 1933-34, copies of which are in the Library of the Legislature. This report was taken into consideration by a Committee appointed by the Legislative Assembly for the purpose which submitted its report on the 31st August, 1934. A similar report for the year ending 1934-35 will be prepared in due course.

Dr. Ziauddin Ahmad: Is it not a fact that this report was presented to the last Assembly at the very end of the Session and that it was not discussed as there was no time for that Assembly to discuss it?

The Honourable Sir Joseph Bhoré: I think that is a fact.

Dr. Ziauddin Ahmad: In view of the fact that the report was not considered by the last Assembly, will Government allow the present Assembly to discuss it?

The Honourable Sir Joseph Bhoré: I do not think that there was ever an undertaking given that an opportunity would be afforded to discuss these separate reports. The whole question, as I have already intimated to the House, will be placed before the House next year when all these reports can be considered.

Sardar Sant Singh: Is it not a fact that a day was allotted in the last Simla Session for the discussion of this report?

The Honourable Sir Joseph Bhoré: I am not aware of that.

Mr. Sami Vencatachalam Chetty: When the Government placed the report before the previous Assembly, why should they decline to place it before this Assembly?

The Honourable Sir Joseph Bhoré: It was never placed before the last Assembly in the sense that it was placed for discussion. It was only presented to the Assembly.

Mr. T. S. Avinashilingam Othettiar: Did not the Honourable Member say in reply to a question by Mr. Mathuradas Vissanji that he will bring up this report for discussion this year during this Session?

The Honourable Sir Joseph Bhoré: I said nothing of the kind. I said next year.

Mr. S. Satyamurti: While this report was placed before the Assembly last year, are Government prepared to place now before the House the report for the subsequent year?

The Honourable Sir Joseph Bhoré: The report, I take it, will be prepared after the figures come in, and my belief is that the agricultural figures will not be available until the end of May. As soon as the report is ready, it will be made available to the House.

Mr. Sami Vencatachalam Chetty: To whom did the last Committee report?

The Honourable Sir Joseph Bhoré: To the Assembly.

Mr. Sami Vencatachalam Chetty: Then, if they reported to the Assembly, is it not the duty of the Government to present it to the Assembly for their consideration?

The Honourable Sir Joseph Bhoré: I do not follow the argument of my Honourable friend.

Mr. Sami Vencatachalam Chetty: If the report had been intended for the Assembly, should not the report be placed before the Assembly for their consideration?

The Honourable Sir Joseph Bhoré: The report has been placed for the information of the Assembly. The consideration of the report will come when the whole question is raised before the Assembly next year.

Dr. Ziauddin Ahmad: Is it not a fact that an assurance was given by the Government that the report will be considered by the Assembly and that the Government also undertook to allot a day for that purpose?

The Honourable Sir Joseph Bhoré: Will my Honourable friend bring to my notice the occasion on which the alleged assurance was given?

Mr. H. P. Mody: Does not the report say that there were not sufficient materials for the purpose of arriving at a definite conclusion?

The Honourable Sir Joseph Bhoré: That, I think, is quite correct.

Sir Cowasji Jehangir: May I ask on a question of principle, if this Assembly appoints a Committee to investigate a certain matter and that Committee reports, is it not the duty and the privilege of this House to consider that report as soon as that report is available?

The Honourable Sir Joseph Bhoré: I am not prepared to answer what is or what is not the privilege of the House. But what I say is that these reports are annual reports, which will be placed before the House for its consideration which must come within a certain limited time.

Sir Cowasji Jehangir: The answer to my question which the Honourable Member has given implies that Government have a right to hold up a report and not allow this House to consider it. I want an answer to this question.

The Honourable Sir Joseph Bhoré: Not in the least. The report is not being held up. As soon as it is ready, it is presented to the House.

Sir Cowasji Jehangir: But it is not considered by the House.

The Honourable Sir Joseph Bhoré: For the simple reason that consideration will come at the end of the period when this House itself decided that consideration should take place.

Mr. T. S. Avinashilingam Chettiar: Do not Government contemplate the view that if we find the Agreement to be against our national interests, we may give notice of the termination of the Agreement, and this step we cannot take unless the report is discussed by the House?

The Honourable Sir Joseph Bhoré: It is open to my Honourable friend to give notice of a motion if he can find a suitable occasion for doing so.

DUTY ON WHEAT IMPORTED INTO INDIA.

718. ***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether there is any proposal to extend the duty on foreign wheat imported into India beyond the 31st March, 1935;
- (b) if so, what action they will take in the matter; and
- (c) if not, why not?

The Honourable Sir Joseph Bhoré: (a), (b) and (c). I would refer the Honourable Member to the reply given to part (a) of Sardar Sant Singh's starred question No. 467 on the 23rd February, 1935.

Mr. Lalchand Navalrai: May I know if the Honourable Member has received representations from the commercial communities to extend this Wheat Import Duty Act further?

The Honourable Sir Joseph Bhoré: I have received representations from many commercial bodies.

Mr. Lalchand Navalrai: Is the Honourable Member considering them?

The Honourable Sir Joseph Bhoré: Yes, Sir. Certainly.

Mr. Lalchand Navalrai: What is the result?

The Honourable Sir Joseph Bhoré: My Honourable friend must wait and see.

Mr. Lalchand Navalrai: How long have I got to wait?

The Honourable Sir Joseph Bhoré: Not necessarily longer than the end of the Session.

Mr. S. Satyamurti: In view of the fact that this duty expires on the 31st March, 1935, may I know whether Government propose to extend it beyond that date?

The Honourable Sir Joseph Bhoré: If Government propose to do so, action will be taken before the date of the expiry.

Seth Haji Abdoola Haroon: If the import duty is taken away, are Government aware of the price at which Australian wheat will be imported into India?

The Honourable Sir Joseph Bhoré: Government are aware of all relevant factors.

Mr. S. Satyamurti: And yet will not come to any conclusion?

Dr. Ziauddin Ahmad: Did Government consult the Agricultural Department on this particular question, and what was their opinion?

The Honourable Sir Joseph Bhoré: I am not prepared to disclose what the Government have done in the way of consulting opinion in this matter. The facts are before them, and, as I have already said in my reply to Sardar Sant Singh, they are considering the matter and they will take the necessary action if they think action is required to be taken at once.

Sardar Sant Singh: Have Government received any representation from the Punjab Government on this subject?

* **The Honourable Sir Joseph Bhoré:** I want notice.

STATE OF HEALTH OF CERTAIN STATE PRISONERS DETAINED UNDER REGULATION III OF 1818 IN THE BOMBAY PRESIDENCY.

719. ***Mr. S. Satyamurti:** Will the Honourable the Home Member be pleased to state the state of health of Messrs. Manoranjan Gupta, Arun Ch. Guha, Bhupendra Kumar Dutta and Satya Bhushan Gupta, now detained in the Bombay Presidency under Regulation III of 1818?

The Honourable Sir Henry Craik: I would refer the Honourable Member to the reply given by me to part (c) of Mr. Basanta Kumar Das' starred question No. 385 on the 21st February, 1935.

Mr. S. Satyamurti: What is the latest information about their health?

The Honourable Sir Henry Craik: No information later than that.

Mr. D. K. Lahiri Chaudhury: Will Government obtain the latest information and inform this House?

The Honourable Sir Henry Craik: No, Sir.

Mr. S. Satyamurti: Why not?

Mr. D. K. Lahiri Chaudhury: Why should we not get the latest information?

The Honourable Sir Henry Craik: Because none of these persons is suffering from bad health. The reports received only ten days ago are to the contrary.

Mr. S. Satyamurti: The last answer was given on the 21st February, 1935, and it is now more than ten days. I am asking the Honourable the Home Member as to the reasons why he will not enquire about their health and give us the latest information available.

The Honourable Sir Henry Craik: The information available 13 days ago was that the State Prisoners are keeping good health and two of them have gained in weight. I do not see any reason to make further enquiry after an interval so short.

DIFFICULTY EXPERIENCED BY SOUTH INDIAN PASSENGERS FROM CEYLON.

720. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they are aware that the South Indian passengers from Ceylon experience much difficulty in respect of their baggage in view of the fact that Notification No. 31, dated the 30th August, 1930 lacks detailed information of the articles that may be conveyed by the passengers;
- (b) whether Government have considered that most of the passengers coming from Ceylon are labourers and carry with them articles, such as cotton piece-goods, silk cloths, soaps, toilet requisites, gramophones, etc., for their personal use; and
- (c) whether these articles are not permitted to them free of examination by the customs authorities.

Mr. A. J. Raisman: (a) Government have in the past received representations on the subject.

(b) Government are aware of the nature of this passenger traffic and the articles usually carried.

(c) Articles which are *bona fide* personal effects and not intended for sale, are, with certain exceptions, specified in the Baggage Rules, exempted from duty within limits which the Collector of Customs considers reasonable. The baggage of all passengers is liable to examination.

Mr. S. Satyamurti: Is it a fact that, in the case of these unfortunate labourers, every one of them is subject to the examination of his baggage?

Mr. A. J. Raisman: I have pointed out that the baggage of all passengers is liable to examination.

PERMANENT LOCATION OF A PORTION OF SECRETARIAT OFFICES IN DELHI.

721. *Mr. S. Satyamurti: (a) Will Government please state the occasions on which the proposal for keeping some portions of the Secretariat Offices permanently in Delhi was made and considered by Government during the last ten years?

(b) Will Government be pleased to state the reasons which led to the proposal being dropped or deferred on each occasion?

(c) What amounts have been approved and spent during the last five years or so on the provision of:

- (i) adequate water supply to meet the requirements of summer months,
- (ii) medical and hospital facilities, and
- (iii) suitable residential accommodations, in New Delhi?

(d) When do Government propose to keep a portion or the whole of the Secretariat permanently in Delhi?

The Honourable Sir Henry Craik: (a) During the past ten years Government have considered the question twice, first in 1927-28 and again in 1933.

(b) On each occasion Government came to the conclusion that the existing arrangement is definitely the most efficient.

(c) I lay a statement on the table.

(d) Not until constitutional changes require it.

Statement.

(c). (i) A Statutory body known as the Delhi Joint Water Board is responsible for the water supply in all the Municipal areas including New Delhi. Government have sanctioned a loan of Rs. 17½ lakhs to this body for the extension of the water supply throughout the year. Up to the end of February, 1935, the instalments of the loan which have actually been paid amount to Rs. 10,46,508-5-0.

2. The following figures show the distribution of water to the New Delhi Municipal Committee during the last five years and the total expenditure incurred by the New Delhi Municipality thereon:

Year.	Final issue rate in annas per thousand gallons.	Thousand gallons Summer.	Amount. Rs.
1929-30	2.71	2,74,493	46,492
1930-31	2.61	3,13,474	51,157
1931-32	2.55	3,63,446	57,924
1932-33	2.55	3,55,318	56,629
1933-34	2.76	2,74,285	47,321

(ii) The Medical Department was transferred to the New Delhi Municipal Committee by the Central Public Works Department on the 1st November, 1931. Since then the expenditure incurred on the construction and equipment of the Willingdon Hospital amounts to Rs. 1,58,040, out of which a sum of Rs. 1,40,800 was in the form of a generous donation made by Her Excellency the Countess of Willingdon. Government have also sanctioned the construction of a hospital to be located in the vicinity of the Delhi Gate at a cost not exceeding Rs. 25 lakhs, which is intended to serve the needs of both Old and New Delhi throughout the year. Construction has already commenced and upto date Rs. 2,58,399 has been spent on this account.

The annual recurring expenses borne by the New Delhi Municipal Committee on the entire Medical Department are as follows :

1931-32 (5 months)	Rs. 47,526
1932-33	70,873
1933-34	80,301
1934-35 (Budgeted)	85,600
	Rs. 2,83,700

(iii) Rs. 48,15,345.

Mr. S. Satyamurti: Have Government considered the question, apart from efficiency, from the point of view of economy in public expenditure?

The Honourable Sir Henry Craik: Yes, Sir.

Mr. S. Satyamurti: What is their conclusion? May I know if the Government of India have come to the conclusion, on grounds of economy, that it is the most desirable arrangement to keep a capital for five months, and shift it to another place for seven months in the year?

The Honourable Sir Henry Craik: I should say that that is a very wide question, but considerations of economy were considered. If they abandoned their property in Simla altogether, that would not be an economic process.

Mr. S. Satyamurti: What are the reasons on which Government have come to the conclusion that economically it is better to have this migratory capital?

The Honourable Sir Henry Craik: I said efficiency.

Sardar Sant Singh: May I know if the opinion of the Members of the last Assembly was called for on this question?

The Honourable Sir Henry Craik: The Honourable Member had better put down a question; I am not certain.

Sardar Sant Singh: Is it a fact that Members of the last Assembly were asked to give their opinion on this matter of migration to Simla during summer?

The Honourable Sir Henry Craik: Not so far as I am aware

Sir Cowasji Jehangir: May I ask the Honourable Member whether he has attempted to visualise the effects of a Session of this Assembly in the month of August in Delhi?

The Honourable Sir Henry Craik: I think that was also a relevant consideration which was borne in mind.

Mr. S. Satyamurti: Is the Honourable Member aware that several Europeans and Indians, both official and non-official, live and work throughout the 12 months in New Delhi?

The Honourable Sir Henry Craik: So far as I am aware, most Honourable Members of the Legislature greatly prefer to have the summer Session in Simla.

Mr. S. Satyamurti: Will the Honourable Member consult this House on that matter?

The Honourable Sir Henry Craik: There are plenty of ways of bringing the wishes of this House to my notice.

Mr. S. Satyamurti: What are the grounds of economy on which the Government of India have come to the conclusion that it is better to continue the present arrangement?

The Honourable Sir Henry Craik: One obvious ground for economy is that the Government of India own very valuable property in Simla which it would be very bad economy to abandon

Mr. H. P. Mody: Is the Honourable Member aware that there is a much larger number of both Europeans and Indians who do not want to work in this delightful place in summer?

The Honourable Sir Henry Craik: Yes, Sir.

Mr. S. Satyamurti: Are Government aware that they are people who are mostly parasites, and have no idea of the poverty in this country?

The Honourable Sir Henry Craik: No, Sir.

Mr. H. P. Mody: My Honourable friend can call himself a parasite if he likes. There is no objection at all on my part.

PROTECTION TO THE INDIAN PLAYING CARD INDUSTRY.

722. ***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- whether Government are considering any proposal to give protection to the Indian playing card industry;
- at what stage the proposal stands; and
- whether Government propose to consider favourably the question of giving protection to this industry as early as possible?

The Honourable Sir Joseph Bhore: (a), (b) and (c). Government have received representations from the Indian Playing Cards Industry for assistance against Japanese competition, which are receiving attention.

Mr. S. Satyamurti: When do Government hope to come to a conclusion?

The Honourable Sir Joseph Bhoré: To the best of my recollection, that representation was received about a month ago, and my Honourable friend must give me some time to consider it.

Seth Haji Abdoola Haroon: May I ask how many playing card factories there are in India?

The Honourable Sir Joseph Bhoré: I cannot tell that straight off.

Seth Haji Abdoola Haroon: What is the amount of playing cards that has been produced in India up till now?

The Honourable Sir Joseph Bhoré: That also I cannot give my Honourable friend very definite information about.

Dr. Ziauddin Ahmad: Will the Honourable Member consider all these facts before making up his mind finally?

The Honourable Sir Joseph Bhoré: My Honourable friend must give the Commerce Member credit for considering all relevant facts before he comes to a conclusion.

Sir Cowasji Jehangir: Will my Honourable friend inform this House whether the questioner has ever played with Indian cards?

Mr. B. Das: Will the Honourable Member consult well known Bridge players of this House before he gives this protection?

Pandit Nilakantha Das: Are the materials required for manufacturing playing cards made in India?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

PERSONNEL OF THE INDIAN LAC RESEARCH INSTITUTE.

723. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- the number, the names and the qualifications of those who are now employed in the Indian Lac Research Institute;
- whether there is any proposal for legislation on lac cess to be placed before the Legislative Assembly by Government; and
- whether Government are satisfied that the Institute is serving the purpose for which it was founded?

Mr. Ram Chandra: (a) On the assumption that the Honourable Member desires information in respect of the superior technical staff of the Institute, a statement is laid on the table.

(b) A proposal to amend the Indian Lac Cess Act is under consideration.

(c) Government have no reason to think that the Institute is not serving the purpose for which it was founded. The competition of synthetic products has given greater importance to the problems of industrial utilisation of lac. Research with these is being carried on by a special staff. The Committee have decided, as stated in reply to Mr. Ram Narayan Singh's question No. 254 on the 14th February, 1935, to review the whole programme of the Institute in the light of recent developments.

Statement regarding the Indian Lac Research Institute.

Names and qualifications.

1. Mrs. D. Norris, Director and Biochemist . . . B.Sc. (Honours in Chemistry, Manchester) M. Sc. (Manchester) Associate of the Institute of Chemistry.
2. Mr. P. M. Clover, Entomologist . . . B.Sc. (Honours in Zoology, Leeds).
3. Dr. R. W. Aldis, Physical Chemist . . . B.Sc. (Honours in Chemistry, London) Ph.D. (London) Associate of the Royal College of Science (England) Diploma of the Imperial College of Science (South Kensington).
4. Mr. A. K. Thakur, 1st Assistant to Biochemist . . . M.Sc. (with distinction and gold medal) Bombay, Associate, Indian Institute of Science.
5. Mr. P. S. Negi, Assistant Entomologist . . . M.Sc. (Benares Hindu University).
6. Mr. M. Rangaswami, 1st Assistant to Physico Chemist . . . B.A. (Mysore University) Associate, Indian Institute of Science.
7. Mr. N. N. Murty, 2nd Assistant to Biochemist . . . M.Sc., Associate, Indian Institute of Science, Bangalore.
8. Mr. M. Venugopalan, 1st Field Chemist to Biochemist . . . M.Sc., Associate Indian Institute of Science, Bangalore, Associate Institute Chemistry.
9. Mr. S. Ranganathan, 2nd Field Chemist to Biochemist . . . B.A.
10. Mr. M. P. Misra, 1st Field Assistant to Entomologist . . . M.Sc.
11. Mr. S. N. Gupta, 2nd Field Assistant to Entomologist . . . M.Sc.
12. Mr. S. C. De, Analytical Chemist . . . B.Sc.

Mr. S. Satyamurti: Was there any expert inquiry at any time conducted into the working of the Institute? If so, what was the result of that inquiry?

Mr. Ram Chandra: I should like to have notice of that question.

Dr. Ziauddin Ahmad: Have Government ever received any report of the research done in this Institute? If so, will Government be pleased to lay that report before the House?

Mr. Ram Chandra: I have no information at the moment, but I will find out.

RECOGNITION OF TRADE UNIONS REGISTERED UNDER THE TRADE UNION ACTS.

724. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether all Trade Unions registered under the Trade Union Acts are recognised by the employers;
- (b) whether some railway unions so registered have not yet been recognised by the Railway Administration; and
- (c) the reasons for this non-recognition?

The Honourable Sir Frank Noyce: (a) The answer is, I think, in the negative but Government have no definite information.

(b) Yes.

(c) Registration is not the only condition specified as necessary in the Recognition Rules before a Union can be recognized; and while Government are anxious to make the recognition of registered trade unions of their own industrial employees as easy as possible, a certain amount of discretion has to be exercised before recognition can be granted.

Mr. S. Satyamurti: Is that discretion absolute as to the employers or have Government laid down any kind of general principles or directions which they have to be guided by in recognising or not recognising trade unions?

The Honourable Sir Frank Noyce: Discretion must obviously be absolute unless there is legislation on the subject.

Prof. N. G. Ranga: Is it not a fact that the railway authorities are not really anxious to encourage the growth of trade unions on the railways?

The Honourable Sir Joseph Bhore: No, Sir; I do not think there is any truth in that suggestion.

Lieut.-Colonel Sir Henry Gidney: Is there any rule prohibiting Government servants, specially those employed on the railways, from joining trade unions?

The Honourable Sir Frank Noyce: None whatever.

Lieut.-Colonel Sir Henry Gidney: Are Government aware of the fact that Railway Agents prohibit or discourage their servants from joining trade unions, and, if they are members of trade unions, they are made to feel that they are doing something wrong and are treated with disfavour?

The Honourable Sir Joseph Bhore: I am not aware of any such thing.

Prof. N. G. Ranga: What are the considerations that are taken into account in deciding which trade union is to be recognised and which trade union is not to be recognised?

The Honourable Sir Frank Noyce: I should say the main consideration is whether the trade union is one which is prepared to co-operate. Without co-operation, recognition is obviously useless.

Mr. S. Satyamurti: May I know if a trade union is recognised, if it stands up for its own members, irrespective of co-operation or otherwise, which will depend upon circumstances?

The Honourable Sir Frank Noyce: If a trade union is doing its best in the interest of its members in a spirit of co-operation, naturally it would be recognised.

Prof. N. G. Ranga: Do Government mean by co-operation that every trade union should accept every decision given by the Government of India and the railway authorities about the conditions of work, wages, etc.?

The Honourable Sir Joseph Bhore: No, Sir, certainly not.

Mr. N. M. Joshi: May I ask what meaning Government attach to the word "recognition"?

The Honourable Sir Frank Noyce: I think my Honourable friend, who was a member of the Labour Commission, which went into the question, among others, of compulsory recognition, knows the meaning of the word better than I do.

Mr. N. M. Joshi: I want to know what meaning Government attach, and not what meaning I attach to it.

The Honourable Sir Frank Noyce: There are definite recognition rules which I think have been placed in the Library of the House; and they sufficiently show what recognition means.

Prof. N. G. Ranga: Is the decision not to recognise a union final, or is it liable to be revised from time to time according to change of circumstances?

The Honourable Sir Frank Noyce: Obviously recognition can be withdrawn.

Dr. Ziauddin Ahmad: Can a trade union consisting of railway employees be recognised by Government?

The Honourable Sir Frank Noyce: Of course; a trade union consisting of any Government employees can be recognised by Government.

Mr. President (The Honourable Sir Abdur Rahim): Before I ask Honourable Members to proceed to the discussion of the demands for grants, I wish to make it clear that when, in answer to a question raised by the Leader of the House, I said that in this particular case which was brought to my notice, of misrepresentation of what the Chair had said, I did not want to take any action, I omitted to explain that I did not want to take any action in the present case, because it is the first offence of the kind that has been brought to my notice. And I want also to make it clear to the House and to the press that if any such offence is repeated, that is to say, the proceedings of this House are in any way deliberately misrepresented in the press, the Chair will certainly use all its powers in order to put a stop to it.

THE GENERAL BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President (The Honourable Sir Abdur Rahim): As regards the business of the House, the Chair has to inform Honourable Members that several of the Leaders of Parties and also representatives of Honourable Members who are not attached to any Party saw me and I have been given to understand that they have arrived at an arrangement as to how to deal with the motions of Demands for Grants. The Congress Party will take up a cut motion today regarding the Executive Council—Travelling Allowances. I may mention, with reference to that motion, that the cut motion can only be allowed to be moved with respect to the votable items and not with respect to any non-votable items, as laid down by law and established by practice: then, if any time is left, after the Congress Party's cut motion has been moved and disposed of, the Nationalist Party will move some other motion, of which I have not yet received notice. Then, on Friday, the Nationalist Party propose to take up a motion for refusal of supplies under some demand—I do not know under which demand yet, but the Nationalist Party will take up their motion on Friday. The unattached Members will take up certain motions on Saturday and, on the morning of the 11th March, that is, Monday. The European Group will move their cut motion in the afternoon of Monday; and, on the last day, that is, the 12th March, the Independent Party will move their cut motion. Any further information that may be available will be communicated to the House in due course.

As regards the time, the Chair wants to consult the House whether they want any limit to be imposed. It is the practice generally to allow twenty minutes to the Mover of a motion and fifteen minutes to the other Members, subject to the discretion of the Chair. The Chair takes it that this will suit Honourable Members, and, if that is so, that time limit will be observed.

DEMAND No. 28—EXECUTIVE COUNCIL.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 73,000 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, 1936, in respect of 'Executive Council'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 73,000 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, 1936, in respect of 'Executive Council'."

General Policy of the Executive Council in the Administration of the Country.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): Mr. President, I have the honour to move:

"That the demand under the head 'Executive Council' be reduced to Rupee One."

(1814)

In doing this, I am fully conscious somewhat of the irony of the situation which has resulted from the nature of the Constitution under which the Government of India is being carried on. If it were possible, and if it were a different Constitution, the cut motion would not apply itself to those who are subordinate to the Members of the Executive Council, and, I presume, assisting them very ably in the discharge of their administrative functions. But the convention of the House appears to be that it is only in that manner, being a votable item, it is competent to me to raise the questions which I have the honour to raise before this House. Under the Government of India Act, the estimated annual expenditure and revenue of the Governor General in Council has already been laid in the form of a statement before this House and has been the subject of a general discussion during the last two days. I have deliberately refrained from intervening in that discussion, and, whatever I have got to say, with reference to the general policy relating to the raising of monies from the Indian people or its expenditure, I reserve for another occasion which I understand is available to me when the question of the Finance Bill is before this House. But I cannot possibly introduce the subject which I wish to deal with, without, in general terms, referring to the budget that has been presented. Some time ago, I happened to read a book which I think was canvassed at considerable length in almost all the countries, because it was translated into many languages—it was a book which was a compliment to women and it was a book written by a man whose name, as an intellectual entity of the world, is not unknown. When Bernard Shaw gave an exposition of what Socialism meant, he did not do so like the earlier masters in their style: but he gave a name for the purposes of the exposition of that subject to a book which he wrote, called "The Intelligent Woman's Guide to Socialism"; and, I think he did that not so much out of compliment to women, but in order only that these subjects—adopting the phraseology which belongs to the Mover of this motion and omitting all technical jargon which it is not often possible to understand—the affairs even of a State containing a population equal to one-fifth of the human race, without much difficulty. The budget that has been presented to you—and I shall only refer to it in passing, in order only that I may come to one of the members of that family group to which I will confine myself today—I say the budget that has been presented, following the great master whom I have named, appears to me somewhat in this manner: it strikes me as a family budget; for, after all is said and done, whether it is the ways and means or expenses of an individual or family or a group or a company or a country, its main aspects must necessarily be the same. The manner and the persons from whom the money is raised and the manner in which it is proposed to be spent—and that, after all, runs through all forms known by the names of balance sheets, budgets and account keeping of every sort,—and when I consider the budget, the way in which it strikes me,—and that is how I wish to present it to the House in the somewhat familiar manner in which it is possible to look at these somewhat difficult or said to be apparently complicated issues.

Here is a budget in which some 86 crores are raised from the people, estimated to be got out of them during the course of the next year. A little less than that sum is also said to be spent during the same year, and the way in which the allocation of the expenditure is made reminds me

[Mr. Bhulabhai J. Desai.]

somewhat of an analogy which I hope and trust will not be treated or regarded as offensive in the least degree. I have known in organic life, either in the biological or even in the vegetable kingdom, a class of growth familiarly known as parasites, and indeed that class always comes up first for whatever source the vital elements are drawn, either by a tree or by an animal. And, in this particular case, let me, Sir, with your permission, point out the salient aspects of how these parasites propose to work. First comes along the Commander-in-Chief, but I would call him in the familiar language of the analogy which I propose to adopt, as the *Durwan* or *Chowkidar* of the house, and he says to you,—“at the risk of the security which you have, you will have to allocate to me half the money which you have raised this year”. Then comes in,—I say it without any disrespect,—a class of *Munshis*, otherwise called the Civil Government of this country, who come in for the next large share of this money. Then come in, to a certain extent, people in lesser positions, including the coachman, the transport officer. But the result of it all, that is, when all is said and done, except in some cases where it happens to be three or two crores, the bulk of the 86 crores is taken away by the persons whom I have named. Then, the family consisting of ourselves is invited to a discussion. Having determined what they wish to take, having determined how they wish to spend, having also the power to restore whatever little that remains, they say: “Now, you members of the family who have to put in the money by your toil, come along and join in our discussion, otherwise why are you here?” Indeed, I congratulate my friend, Sir James Grigg, on his sense of humour, because he said that his budget has come out unscathed and unchallenged. Unscathed it has come out, because we have no sword in our hands to cut it, at least an effective sword to cut it,—unchallenged indeed it was, because it was easy for him to say: “I want a little less than 86 crores, I will leave you a little which I shall presently consider, but why do you challenge the rest? Either you have not the power, or to the extent to which you have the power, we have a superior power to overcome you”—that indeed is the sense in which he meant it when he said that the budget has come out unscathed and unchallenged. But, at the same time, if we are here to any purpose at all, it is up to us to understand what is it that it means. It merely means this, that when the family has come round, out of all that they put, they say: “Oh, but I have a little for you for Aviation”, a class to which the bulk of the family don’t apply and don’t care for,—“I have a little for some departments in which we are carrying on investigations for your benefit, and I have out of the nine thousand lakhs, about a hundred lakhs to be distributed between the different provinces of this country in order to re-construct, ameliorate the condition of the people, the bulk of whom have provided the money”. That is the kind of budget that is being presented to the House, and it is said that we are so stupid, that we, year in and year out, complain that the budget is what it is. Stupid indeed we are. We are not stupid, because we have not the intelligence or, because we have not the emotion: we are stupid, because you dare to call us so. And this reminds me of the manner in which a question was answered by one of the Honourable Members on the other side of the House when an inquiry was made as to when, according to the estimates they had formed, the Indianisation of the Army

is likely to take place, and the only answer he gave was—and I congratulate him upon it—“none but a congenital idiot would ever believe (*Cries of “Shame” from Congress Benches*) that there was ever going to be a complete Indianisation of the army in India”. (*Cries of “Shame, shame” from the Congress Party Benches*)

Mr. G. R. F. Tottenham (Army Secretary): No, no. I rise to a personal explanation, Sir. May I explain to the Honourable Member that I never said that. What I said was that, *at the present rate of Indianisation*, nobody except a congenital idiot would believe that the army could ever be fully Indianised. That is what I said. And I wish to make it plain that I never meant those words as a reflection on the Honourable Member who asked the question or on any other Honourable Member, though it might reflect on my own intelligence to be asked whether I believed that such a thing was possible

An Honourable Member: That is a distinction without difference.

Mr. Bhulabhai J. Desai: The statement has been made, I say without any disrespect, by an Englishman who speaks his own English language, but I refuse to accept that there was any genuine amendment. I was bound to give way at your request, Sir, but I do not think that any substantial alteration in the statement I have attributed to him has been made in the re-statement that has been made by the Honourable Member. Never mind, Sir,—who is the congenital idiot? That is a problem, that is a puzzle, we shall find out in due course of time; but, if it happens to be so, all I can tell him is that we are not idiots, at all events we are not congenital idiots, and if idiots we must be, idiots we shall appear, until time arrives when either we or they shall not be here to hear such a name at all. (“Hear, hear” from the Congress Party Benches.)

Now, Sir, I have already told the House how the money is spent; I have told the House the spirit in which the whole of the Government works, and that is the reason why I rise now to support the cut that I am moving. And after all is said and done the mere fact that a subject race or their representatives have got to get up year after year to tell the same woeful tale cannot certainly lose its force merely because it has got to be repeated. I thought, on the other hand, if there was any sense, if there was any judgment in those in authority, the very fact of the repetition ought to rouse what little conscience may still be left in those who behave in the manner they do,—it is not to the individuals that my remarks are addressed, though undoubtedly sub-consciously their minds, their actions, their thoughts and their words are expressed in that manner, times without number. I have sat here for a little over six weeks; I have heard every time a question being answered, I have heard every time a request being made, and I have known and I have appreciated the spirit in which this country is being governed. It does not matter, but for the moment I am going to confine myself entirely to the administrative policy and the administrative acts of the Executive Council which the subject of the motion allows me to do. Now, in doing that, I wish to divide the subject into two parts. I propose to take first, and so far as in me lies, I shall deal with it also in a fair way,—I am one of those who believe, after the patronising sympathy we get, that there cannot be much serious difference of opinion between us and those who sit on the opposite side, that in the

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matter of the numerous branches of the national development, India is perhaps today in a most dangerously weak condition, and if we are going only to produce the money in order that the machine of the Government may run, in order that the military and civil mercenaries may thrive, it almost reminds me of what a friend told me the other day. In asking a question, in order to be able to answer it properly as to the place of sabbath, and in the language of the opponents, sabbath was not made for man, but man was made for sabbath. India was made in order only to present an ideal of supposed efficient government, in order only that they may flourish and Indians may languish. That is the nature of the budget, that is the nature and the spirit of the Government. Indeed, we would be wanting in our duty to ourselves if we engage ourselves, as we are asked to do in entering into small details—why not say how these ten lakhs are to be spent, why not say how the other 100 lakhs are to be spent, and thereby evade the larger and the more vital issues with which we need be concerned if we are going to make any real progress at all. Not that I have no sympathy with those who raise different questions under different heads, but, at the same time, I owe it to the position which I hold in this House, that I should rise above the smaller questions into which I would naturally be drawn and drawn to no useful purpose. The position, therefore, is this. We here provide all the monies that we can raise in order only that the machine of Government may run, but in so far as the people are concerned that is the problem of every Government, though it be even a subordinate Government—how does it concern itself with them, how does it concern itself with their food, with their clothing, their health, sanitation, shelter, education, everything that makes the life, not of the men who are comfortably off and cannot understand, but of the average human being in this country? It is that which is the problem. The problem is not how the outward forms of the Empire may be maintained for the benefit of the gazing world, the achievements of an Imperial Britain. That is not the problem to us. The problem to us is a single problem, notwithstanding the time that has gone, notwithstanding the multi-millions that have been raised.

The Honourable the Finance Member has been congratulated for having graciously set apart Rs. 100 lakhs for going round the provinces in order to reconstruct the village life of the people. I am one of those who believe that you have constructed it all wrong. You ought to have constructed it on the broad basis of the foundation of the village life instead of the high edifice of the outer shell that you have created. It is not for that for which we live, and that brings me to the manner in which the administration has been carried on with reference to the relation in which the Government for the time being stands in relation to the people at large. In relation to the people at large, how have they stood during the year under review? During the year under review, and perhaps a year or two before, they were faced with what they did not very much like, which indeed in the earlier stages they wanted to vilify, to laugh at and condemn, but which it took them nearly two years to fight and suppress, and I am here today. If we are to be met in the spirit in which we daily are treated and in which all our resources are daily exhausted, you will be, not we, you will be the true originators of a genuine mass revolution which would prevent you from saying what you

say and then alone would you probably be able to understand whether or not all this patronising attitude, the manner in which every rupee of mine is being spent, the manner in which every ounce of gold is taken out of the Indian mass—it is only then that you will understand what mass means, and not till then. It is they who are the authors of civil resistance in this country, who after a hundred years of a weak and paralysed mind which had been imposed upon them both by a double process of armaments and by disarmaments, a double process indeed, by which they suppressed the mind of the Indian people—and thank God, and thanks to your callous attitude, the time arrived when all sense of justice, all appeals to a sense of right, all appeals to ideas of freedom, all disappeared into thin air. It is unfortunate for us that many of those who could or might have easily rendered service to this land, are at present loyally serving a single cause, namely, the suppression of the Indian people. That is what they have achieved. I am not sorry for that achievement. I will congratulate them upon it. But I may tell them this, that freedom's battle once begun, as their poet has said, is handed down from sire to son. And you may take it from us, you may present these budgets year after year, sheltered by the Constitution which you possess, by the authority of might that you have, but we shall be here, we shall still fight the same moral fight in order only, not so much that we want anybody else's, but we want to be masters in our own home.

The other day, when His Excellency the Viceroy addressed from this place, he invited, he extended a very cordial invitation to all of us to come and see the manoeuvres, and, in doing so, he used a language which I shall never forget! "We want you to come and see how your money is being spent." Indeed he told the truth, and I am not misquoting. Indeed he said it in another sense, but I understood it in a different sense. I am here to point out in broad outline how my money is being spent, and to what extent not a single pie of it fructifies in a substantial way in order that the national development may go on. If, at the end of a hundred years, there is no response to a sense of justice, there is no response to an appeal for equity except the lip worship of partnership—I know many partnerships, I know of a partnership in which the man, though called a partner, has no voice in the management but only handles the goods and earns profit for his masters—that is the kind of partnership that we are offered, and we are asked to be content with it. That is the position in which we stand.

As regards the double policy that was envisaged, a policy in the name of law and order and a policy of enlarging the freedom of this country—as to what the latter was, we have already discussed while discussing the report of the Joint Parliamentary Committee. As regards the restoration of law and order, I am one of those who fully understand and appreciate what it means and what it involves. I am not here to go into details of the manner, the method and the measures that were adopted, all in the name of law and order, in order only that the spirit of India, which for the first time in its history, by means of a sheer non-retaliatory moral force, attempted at all events to express its earnestness and a desire for genuine freedom to manage its own affairs. Undoubtedly many a sacred word can be abused, when you have arrived at the stage of an Empire, when the despotic power grows so much, when it becomes entirely impervious to public opinion—it is then that public opinion is required to be suppressed. Public opinion in any other country is the

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greatest safeguard of its liberties, public opinion in this country was regarded as a crime, and I know very well the number of Ordinances and other laws which passed by a similar name. Undoubtedly it was a very great achievement from the point of view of those who govern. But I will leave it at that. That was the policy in so far as the spending of the money of the people was concerned. So far as our spirit went, so far as it gained momentum, that was the way in which they dealt in the name of law and order with the only genuine movement which for the first time in the history of the world attempted to raise its head in order that you may not lull yourself into a sense of security that the Indian people have the same acquiescing submissive attitude towards *Pax Britannica*. That was last year's history.

I come next to what happened in this House, when the Congress, some three years ago, said there was not much purpose to be found by remaining in the Legislatures. Our friends opposite and the Anglo-Indian Press said "What is this non-co-operating futility". I came here with the suffrage of the very people whom you have considered fit, however small they may be. Having come here, what is the meaning and the sense of co-operation that we have received? What is the sense of co-operation that we are going or likely to receive? Are we then here as mere witnesses to assertions on the other side—an impotent Opposition? Why give us the name of an Opposition? In a subject race, what other thing can an Opposition do? An Opposition can only put forward its views. It is not like the Opposition in any other country. If we were a genuine Opposition and if we were not dealing merely in forms and mockeries, these gentlemen ought to have walked out of their office, and even if they had the power to remain, if they had any sense of self-respect, they ought to have resigned. But, undoubtedly, they will remain. If we were a genuine Opposition, when we rejected a large number of their proposals from time to time, what would be the effect in any other country? Therefore, let us not make any mistake about the futility of the Opposition as shown by the manner in which they deal with you. They deal with you in the only manner in which it is possible for any subject race to be dealt with. They will not recognise that they are in the wrong and they will not give a second thought to what is presented from the other side of the House. What is the meaning of the co-operation that you want? Is the meaning of co-operation this—that we shall assent to all you say? Then, we need not be here, but if the meaning is that there is a constructive alternative, then, I can assure my friends on the other side that there are sufficient number of us here who are prepared to present a constructive alternative. I appeal to my friends on the other side either to accept it or let us try it. Let us not be told: "Oh, you are futile men unless you come and sing in our tune". That cannot very well be the position for which we stand. The country is merely held in bondage and you cannot possibly deny that its money is being spent for the purpose of that subjection and all that is left to the people of this country is to come here and enter their protest, and even that protest is not regarded very pleasantly by Members on the other side of the House. We passed a Resolution about the privileges of the House with reference to an esteemed friend of ours, Mr. Sarat Chandra Bose. How was it treated? It was turned down. We passed a Resolution with reference

to the Indo-British Trade Agreement. They could have certainly said: "We were under a misapprehension. Undoubtedly we have the power, but we must only exercise the power at all events with the assent, the consent and goodwill of the people", but what was the result? The result was that no consideration was given to it. We next passed a Resolution asking for a very small thing in itself. I know how it is exaggerated. I know how it can be exaggerated. We passed a Resolution that the ban should be removed on the Khudai Khidmatgar institutions in the North-West Frontier. What was the answer? Nothing. We passed such opinion as we in our wisdom or prudence thought fit to pass, so far as the Joint Parliamentary Committee Report is concerned. The debate was undoubtedly sent to England, but I should like to know whether we have moved a single individual or by a single inch the heart of the Government subordinate though it be, would they not have moved, if they had regarded their functions in a little more honest spirit—of regarding no other interest in the world as their own except the interest of the Indian people? Have we moved them to action, in response to all we have done? We have had the difficulties of our countrymen in other lands. What has happened? An officer was sent out with a view to investigating the conditions of the Ordinance passed in Zanzibar. The result, I dare say, is that a considerable amount of money and time have been spent in correspondence. Have the Government of India, as they might easily have done, stood out and actually threatened a retaliatory measure? We are told there is no question of retaliation, and all we can do is to request the Colonial Office, and, at the end of that request, you will say: "We regret very much. We did our best in your cause, but we are very sorry to say that the law of that particular colony must prevail". In other words, our fortunes are entirely at the disposal of the Government, in order that this may subserve their own plans. Let me, therefore, appeal to the Government of India, constituted even under this very Act itself, to concentrate themselves no longer in the futile task in which they have been engaged during the last 150 years, of raising money and spending it, all the time pretending that it is in the interest of the people. I dare say, the soldier can rattle his sword. He can also wag his tongue, but that is not a matter of any consequence. For many years now, there has not been any serious danger on the Frontier so far as one can appreciate and understand. Some of us have read history, though we do not know military strategy, and we are fully certain that the bulk of our money which might easily have been saved for nation-building purposes, for which it is time to begin, is still being spent under some cover or other in other ways and in particular in military training and equipment for Imperial purposes. It is a case in which you take all the money that you can and spend it for every purpose other than the one on which you ought to spend it, the purpose for which you exist or ought to exist. It is for these reasons that I ask the House to accept the cut that I have moved.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced to Rupee One."

Mr. A. K. Fuzlul Huq (Bakarganj cum Faridpur: Muhammadan Rural): Sir, I am thankful for this opportunity which you have given me

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to express my views on a question of such vital and momentous importance both to the administration and the people of India. Notices of various motions have been given, and, whatever the form in which the question is put, there can be no doubt that these motions are intended to express dissatisfaction with the entire policy on which these annual budgets are framed and the manner in which the money of the taxpayers is being spent by those entrusted with the administration of the affairs of this country. The Honourable the Finance Member is not in his seat at the present moment, but I wish to convey to him through the proper channel that the budget which he has presented appears to me to have been conceived in a spirit of reckless extravagance and utter callousness to the economic crisis in the country and the interests of the masses of the Indian people. The Executive Council regarding whose salary this motion is being moved

An Honourable Member: No. It is the allowance.

Mr. A. K. Fuzlul Huq: It may be anything. Well, it is something in connection with some demand of the Executive Council, and that is part and parcel of the Administration, which is hopelessly extravagant.

Now, Sir, in olden days, oriental monarchs used to have a number of courtiers called *musahebs* whose duty it was to keep autocrats in good humour by studied sycophancy and flattery. (Laughter.) When the British people succeeded to the administration of India, their imagination was fired by seeing all around them the relics of oriental pomp and splendour, and they thought they might also imitate the previous rulers of India. They wrote to the Board of Directors at home. The Board of Directors sanctioned the scheme, but they did not understand the term "*musaheb*", so they sanctioned the creation of Executive Councillors. Now, so far as the present system is concerned, I have always been of the opinion that, with the introduction of reforms in the provinces, many of the Executive Councillors have become absolutely redundant and unnecessary. Take the case of the Executive Councillor in charge of Education, Health and Lands. All these subjects are transferred subjects, and it passes one's comprehension to conceive what possible work can an Executive Councillor have in the Government of India dealing with these subjects. Then, Sir, take the Executive Councillor known as the Law Member. I do not wish to say anything in disparagement of the eminent lawyer who fills that office at the present moment, because I know personally what great sacrifice he has made in accepting that office, but nonetheless I cannot help remarking that that office also is redundant and unnecessary. Sir, we are all here as legislators. Some are born legislators, some are legislators by imitation or example, some have legislation thrust upon them, and, as for Government, they have got their legal advisers all over the country to advise them in matters of law. Considered, therefore, from any point of view, this Executive Councillor is redundant and wholly unnecessary. (Hear, hear.) Similarly with the other Executive Councillors, and I need not go into details. One Executive Councillor whom I might tolerate is the Honourable the Home Member, because he always reminds us of our own home, and, besides, with the increase of work in answering interpellations in this Assembly and with the repressive laws that are being rigidly enforced, there is some necessity for

a Member of the Government to give replies in cryptic language in order to keep people off their guard. But, in any case, the number of Executive Councillors—and I do not know the exact number,—six or seven, is wholly uncalled for, and I wonder if there are not in the Executive Council Members of Government who have not got to dispose of a file once even in the course of a week. I am not sure, but possibly that is the position.

(At this stage, the Honourable Sir Frank Noyce rose.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Mr. A. K. Fuzlul Huq: Then, leaving aside the number, Sir, the pay of an Executive Councillor is most extravagant. They are getting Rs. 80,000 a year, and I wonder what they do with this money. (Laughter.) After all, they are human beings, they wear human clothes, and I do not think they eat chops and cutlets of diamonds and rubies. Therefore, Rs. 80,000 as pay for each, raised by taxing the poor and destitute peoples of India, is most extravagant, and the giving of such pay is most cruel and unjustified in relation to the poor people of India.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): What did you do with your money when you were a Minister in Bengal?

Mr. A. K. Fuzlul Huq: I could not hear Sir Henry Gidney, or I would have given it to him.

Lieut.-Colonel Sir Henry Gidney: What did you do with your money when you were a Minister in Bengal?

Mr. A. K. Fuzlul Huq: I would have given it to Sir Henry Gidney if I knew his address. (Laughter.) Sir, I have drawn the attention of this House to the extravagance both as regards the number of Executive Councillors and the high salaries that they enjoy. Now, this question of high salaries really colours the whole administration and it really colours the whole budget. I am moving my motions Nos. 311 and 312 mostly from the point of view of extravagance in the pay and allowances of the Executive Councillors and their number.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one motion to speak to—that is the one before the House according to the arrangement between the Leaders of the Parties.

Mr. A. K. Fuzlul Huq: As I submitted in the beginning, whatever may be the full scope of this censure motion, it raises the same question as I wish to raise, namely, the policy of the Government, and whatever the effect of this censure motion on the policy of Government.

Mr. President (The Honourable Sir Abdur Rahim): So long as the Honourable Member does not claim to move any other motion.

Mr. A. K. Fuzlul Huq: No, Sir, I shall confine myself to one of these cuts, though they all raise the same question—the policy of the Government, and, as I have submitted, the extravagance in the number of

[Mr. A. K. Fuzlul Huq.]

Councillors and the policy they are pursuing with reference to the expenditure of the money they raise in this country. I do not think I need say much on a question like this on which we on all sides of the House are practically unanimous. There can be no doubt that these budgets are becoming from day to day more and more extravagant. Only yesterday I had occasion to look up the budget of the year 1913, and I found the expenditure in that year was something like 82 crores. Now, the expenditure has gone up to over Rs. 200 crores (An Honourable Member from the European Group: "Not 200!"), and I would like to see the man who can convince me that the administration has improved proportionately by even one jot. The reason is that these budgets are framed and these items of expenditure are embarked upon in a manner utterly subversive of all the principles of true economics. Sir, the most elementary principle in economics is to take a note of your income first, and to modulate your expenditure accordingly. To use a homely proverb, cut your coat according to your cloth. The Government, however, first decide upon their coat, its dimensions, colour and other particulars, and then set about to find the cloth. That, I submit, is not the proper thing to do. They decide upon the expenditure first and use their own tremendous powers to squeeze out unnecessary money out of the empty pockets of the destitute millions of India. That is a policy which we all condemn, namely, fixing upon the expenditure first and then trying to find out the income afterwards. That is the reason why all this anomaly happens. In spite of all this big revenue at our disposal, the money is not being utilised or spent for the purpose really of the benefit of the people of this country. As has been pointed out by the Leader of the Opposition, the major portion of it goes to fill the pockets of the officials and their high salaries and allowances. (Hear, hear), and the manner in which those in power, who have got the power to frame the budget, are unmindful of all other interests but their own is exemplified by the manner in which they have restored the salary cuts without consulting either this House or the interests of the real people concerned. The restoration of the cut was, of course, fully justified in the case of men on small salaries, because in their case the cut should never have been imposed, but there is absolutely no justification for the restoration of the salary cut in other cases. If there was money, that might have been utilised for such purposes as would have helped the poorer people of this country, but that was not done; it was done for their own purposes, and, therefore, I submit, that is also subversive of all sound principles of economy. Looked at from whatever point of view, Government do come in for censure at the hands of this House for the manner in which the money is raised, the manner in which that money is spent, and we have selected the Executive Councillors, because, according to the Constitution, that is the proper method by which we can raise a question which really affects the Administration as well as the people of this country. With these few words, Sir, I beg to move the motion that stands in my name.

Mr. President (The Honourable Sir Abdur Rahim): That cannot be allowed, as the Chair has already informed the House.

Mr. A. K. Fuzlul Huq: Then I support the motion before the House. (Applause.)

Sardar Mangal Singh (East Punjab: Sikh): Sir, I whole-heartedly support the motion moved by the Leader of the House. (Voices: "No, no.") I think if by the House is meant the majority of the House, then I maintain that he is the Leader of the House. Sir, in winding up the speech, the Honourable the Finance Member said that the imaginative financiers generally end up in jail. I congratulate him and the Executive Council that they have carefully and skilfully avoided ending up in jail by the end of this year, because when they were drawing up the annual budget, they took leave of their imagination altogether. In this House, it seems that the Government and the Opposition Leaders have come to a sort of understanding, and to me the understanding appears to be this, that this side of the House has agreed to pay and pay and the other side of the House has agreed to spend and spend all the year round as they like. Another clause of this agreement seems to be that this side of the House has agreed to say whatever they like, and the other side of the House has agreed to do whatever they like. In this way, the game goes on. When the Honourable the Home Member went to the Punjab in the beginning of this year, he spoke at a dinner party and extended his hearty welcome to the entry of the Congressmen into the Assembly. But after six weeks we find that whatever we say and whatever decisions we arrive at, they are all rejected by the Government without assigning any reasons. We requested the Government to release the Honourable Mr. Sarat Chandra Bose, so that he may be able to participate in the proceedings of this House. The Government have not even the courtesy to explain their position as to why it is not possible for them to concede to the wishes of the House. Then, we rejected the Indo-British Trade Agreement and the Honourable the Commerce Member has not even the courtesy to say whether they have rejected our Resolution in consultation with the Secretary of State or not. Then, Sir, we asked the Government to remove the ban from the Red Shirts. The Government have not even considered that Resolution. I ask, in all seriousness, what are we here for? Are we here to hear your taunts and to hear your stories or are we here to advise you and to criticise your actions, so that you may, some time at least, accede to our wishes also? Sir, I do not know how long this sort of practice will continue. This constant passing of Resolutions on the one side and this constant refusal on the other side will lead this Government to very difficult times. People outside are fully realising all this and if the Government do not mend their ways and listen to the advice that we from this side of the House give them, I am afraid, a day will soon come when there will be a revolution in this country and the other side of the House will all be swept away and the people will establish their own Government in this country. If the Government continue to do like that, there is no other course open to the people. Then, we also requested you, Sir, and, through you, the Home Government, not to proceed with the India Bill which they were going to do. But not a word has been heard in reply and not a single man on the Treasury Bench has given any response to our wishes, and they are merrily going on. The caravan is going on although the dogs may bark. If this is the way in which the Government propose to rule this country, then we, on this side of the House, are obliged to refuse supplies to you. We are forced to come to this conclusion. From the manner in which you are managing the affairs of this country and from the manner in which you are carrying on the administration of this country, you have completely forfeited the confidence of the country and we are perfectly justified in refusing the supplies to the Executive Council.

[Sardar Mangal Singh.]

You have imprisoned people without trial; you have passed laws without consulting the people; you are carrying on the Government in a despotic manner and, therefore, we, who represent the people, are perfectly justified in calling you to account. And if you do not listen to us, we must refuse you supplies and not give you a single pie to carry on the administration in the way in which you are doing now.

Now, Sir, speaking on behalf of my community, I have to mention some more reasons to show that you have treated the Sikhs in a very shabby manner. Take up any Government Department, and it will be seen that you have not given us our due share in the services of the country.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Take the Central Public Works Department of New Delhi.

Sardar Mangal Singh: I am coming to that. In the recruitment of Agricultural Research, and in the recruitment of Central Marketing Officers, you have not taken a single Sikh officer. You have recruited more than 30 officers this year, and you have not taken a single Sikh officer although highly qualified young Sikhs with foreign qualifications are available.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): They have not taken even a quarter of a Parsee yet.

Sardar Mangal Singh: In the Home Department Resolution you have fixed certain proportions of the minority communities. I have studied the figures, and I do feel that my Muslim friends are justified in asking some share in the services, because, at present, they do not have that share which they ought to have. Then, Sir, coming to the other minorities which are represented by my Honourable friend, Sir Cowasji Jehangir and Dr. DeSouza and myself, you have hardly given us six per cent. I wish to submit that my community is backward in education and it is not as efficient and as rich as the communities which are represented by my Honourable friends over there. (Voices: "Question.") Sir, I do not grudge that they should also get their proportionate share nor do I grudge that the Mussalmans should also get their proportionate share. What I submit is this, that my community should also get its proportionate share. During the last 15 years, you have not given us that proportionate share, because circumstances so happened that we were pitched against you on every ground. We are being told that since you are co-operating with the Congress, you are co-operating with the people of the country, therefore, you cannot expect any favourable treatment. Sir, we realise this difficulty. Some people always blame us for that. They say you are giving away the Sikh cause by co-operating with the Congress. But we cannot sell away the liberty of the country for a morsel of pottage. We will stand by our countrymen. The Government must not deprive us of our legitimate rights, and, for that reason, I am not going to play treacherous to my country. (Hear, hear.) Well, Sir, take the figures of any Department, and you will find that in every one of the Departments, the Sikh representation is very inadequate. In the matter of the new Constitution, the Government have treated the Sikhs most

shabbily. Take the case of the Central Legislature as well as the Provincial Legislatures. Our representation has been reduced in the Provincial Councils and it has also been reduced in the Council of State and in the Federal Assembly. In fact, our representation has been reduced everywhere. We were not a party to the Lucknow Pact, and we were not given our proper share. We bitterly complained at that time and we were told that next time our case would be considered. But when that next time came, our representation was decreased still further. In the Punjab, we increased in the last census from 11 per cent. to 13 per cent., but our representation did not increase proportionately. In the Central Legislature, our representation has been decreased. In the future Council of State also, our representation has decreased. I, therefore, standing here and speaking in the name of my community, do strongly protest that the Sikhs have not been properly treated in this matter. Replying to a question the other day, the Honourable the Home Member said that he recognised that there were differential rules in the different provinces about the possession and carrying of a *kirpan* by the Sikhs. There are different rules in the Bombay Presidency, there are different rules in the Central Provinces, there are different rules in Burma, there are different rules in Delhi here, and different rules in the Punjab and in the North-West Frontier Province. Here, in this Chamber, I can carry a *kirpan* three feet long. I can carry a *kirpan* of the same length in Multan, but if I cross the boundary and enter into Sind, I am at once hauled up before a Magistrate and punished. I ask in all seriousness from the Government of India, why is this anomaly allowed to exist? I very often go to Sind on business. If I carry a *kirpan* three feet long, I will be punished. I always carry a *kirpan* of this size. (The Honourable Member showed his *kirpan*.)

Captain Sardar Sher Muhammad Khan: You cannot wear it here.

Sardar Mangal Singh: I have been wearing it from the very beginning and I shall wear it in future. If I walk into Sind with the *kirpan* that I am at present wearing, I will be arrested and punished. I ask the Government of India seriously to consider whether I am considered to have changed my religion as soon as I enter a different province. Why should not the Government of India advise and instruct all Local Governments to make their rules in conformity with the rules which they have made in the Punjab and the North-West Frontier Province?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Sardar Mangal Singh: I have finished, Sir. The bulk of the Sikh population live in the Punjab and the North-West Frontier Province. When there is no danger in these provinces where the majority of the Sikhs live, I ask, what is the danger in the Central Provinces or in the Bombay Presidency where only a few hundred Sikhs live if they carry *kirpans*? I say it is only to taunt us and to make us realise that because we are co-operating with the Congress, we are not heard by the Government. I say you will hear us, we will continue to co-operate with the Congress and you shall hear us, otherwise you shall have to vacate your places from those Benches.

[Sardar Mangal Singh.]

Another point that I wish to touch upon is this. It was more than seven years back that the Maharaja of Nabha was deported, and, up to this time, we have not been told how long he will be kept in exile. What are the reasons for his deportation? Are Government prepared to take us into their confidence?

Dr. Ziauddin Ahmad: I rise to a point of order. Is the Honourable Member in order in discussing questions relating to an Indian State?

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member is in order in discussing questions relating to the Indian Princes.

Sardar Mangal Singh: I bow to your ruling Sir. I want to refer to certain things relating to the Army, but I find the Army Secretary is not here.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): The Maharaja of Nabha is not at present a ruling prince

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair has given its ruling and it cannot be questioned.

Sardar Mangal Singh: I was going to submit, Sir, that the military pensioners were deprived of their pensions during the Akali movement and that their cases may be considered now and their pensions restored. With these few words, I support the motion moved by the Honourable the Leader of the Opposition, and I hope that all the Members will support him and thus reject the supplies for the Executive Council until they mend their ways or they are ended. (Applause.)

Mr. Muhammad Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): Sir, I am indeed very much grateful to you for giving me this opportunity of taking part in this debate. I have got a difficulty in me that I cannot raise my voice sufficiently loud to be heard in all parts of the House, but, nonetheless, I shall endeavour, during the short time at my disposal, to make the fullest and proper use of it. I have listened with very great amount of interest to what the Leader of the Congress Party had to say in support of his motion. Personally speaking, there is none here in this House, least of all an elected Member who has any feeling but that of kindness and respect for the noble man, the Leader of the Congress Party, for his sobriety of judgment and his far vision of things. But if I have followed him closely and if I am allowed to have my say, with regard to the reasons which actuates him at this critical juncture in the history of our country to move this motion by way of refusal of supplies to the Executive Council, I must most humbly say that I differ from him. My reasons are these.

Here, since 1921, every one must have noticed the way in which things were shaping themselves. As a matter of fact, it is a matter of history as to the way in which the Congress movement has taken its shape. I have got a very large number of friends amongst the members of the Congress, and my relations with them have never been anything but that of one of

cordiality, even though I differ from them on important political matters. If, on this occasion, I do not support them and if I am not in a position to vote with them, the reasons are that I am rather sceptical about many matters which are happening in this country. I am a very conservative sort of man in these political matters. As a matter of fact, I am always chary as to how I put my feet while making a pace. I have always been of the opinion that it will not be right and proper to get along in an inordinate hurry with any particular object even in constitutional matters, and, if, as in the present instance, the Government of India, composed as they are at present—I must say here, Mr. President, that I do not hold any brief for them—if the Government of India acting as the Agents of the Government of England sitting six thousand miles away have not tried to the best of their judgment to follow the dictates of a Sovereign Government, as the Congress think, I being a member of a non-sovereign lawmaking-body, feel that it will not be right, at least for me, Mr. President, to pass any such censure for their laches; for all of their works must have been done with the only object of doing good to this country. This is my idea. One might perhaps say that if there was a re-orientation of the policy of the Government of India to-day, better things might have come out. But I may perhaps very pertinently ask the Honourable the Mover of this motion whether they are not giving a premium to constitutional agitation, and, as a result of that, we have got at least a crore of rupees to improve the condition of the village people. So, Mr. President, as I said before, if the Congress Party is trying to follow that policy now and if the constitutional policy looms brighter in their methods now, even the present Government of India, as it is composed, will not be lethargic in putting in some more hopeful signs which may please the Congress. Certain Honourable Members who have preceded me have mentioned many matters which are certainly relevant, but I should not like to fish in troubled waters except to mention in passing that, as I owe a debt of gratitude to my constituency, I would be failing in my duty if I did not take advantage of this occasion and say something on their behalf. And submit that Government would do well to look round and come to a definite solution on matters which are responsible for so many cuts and questions in the House. Unless it is possible for Government to come out with a bolder policy, I think the goal even of the Congress Party is no likely to be achieved. And my one word to the Congress Party would be that, if they want to bring about a balance in the administration, they as a majority party should come to the rescue of the Government of India and help them in the solution of these matters.

There are one or two other matters which are of crucial importance so far as I am concerned. With regard to the civil aviation policy, I may say that it requires re-orientation. I have put down some cuts in regard to that matter

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must remember that this is not a motion in which any particular grievance can be ventilated. It is for refusal of supplies to the Executive Council.

Mr. Muhammad Anwar-ul-Azim: Thank you, Sir. My submission is that certain matters which should have been looked into by Government have not been so looked into so far.

[Mr. Muhammad Anwar-ul-Azim.]

Sir, I think there is a great force in what Sardar Mangal Singh said in regard to the position of his people, and, he has my good wishes, and like him, I want to say something about the position of my people and the constituency I represent here. Our complaint is that we are not properly represented in the Government of India Secretariat. This was, as you will remember, debated last year also in the Simla Session, and the Honourable the Home Member came out with some excuses. But if we represent about 42 per cent. of the Muslim population of this country, it would not be improper on our part to ask them to be just and kind to us at least in the matter of balancing the administration. I am not afraid of pleading the cause of my people although there may be leaders on the front Benches who are afraid of bringing that matter to the notice of Government. My last appeal to Government is that when a class of people helps them to bring in order and progress, it is just and fair for them to expect that their just demands will receive more favourable consideration at their hands.

Sir, I do not know whether, as an unattached Member, I shall have a chance of speaking about the position of the small province on the frontier, namely, Baluchistan. I have a cut motion with regard to that, but my position is that if the Government in England are so generous as to bring about a millenium by the introduction of the Federation, even including the Indian States, they should not grudge this privilege to the small frontier province of Baluchistan. They have fought for them and given their lives for them in season and out of season; and if the Government in England are generous enough to give a first-class Constitution to Burma, I submit that it will not be graceful to be tardy and niggardly in refusing the reforms to the people of Baluchistan. I happen to have some Baluchi friends, and my impression is that they are all first-class loyal people, and if you give them a chance, I can assure the Government of India that they will give a very good account of themselves. If Government on the contrary keep them under Ordinances and are always suspicious about them, I can assure you, it will have a very bad repercussion and the history of Ulster may be repeated there. With these words, Sir, I feel very sorry that I am not in a position to support the motion of the Honourable the Leader of the Opposition.

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

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I am sure the cut motion which has been so ably moved by the Leader of the Opposition and the way in which he has moved it and the way in which he has expressed himself will carry weight with this House in carrying it, inasmuch as it is not directed towards any individual of the Government of India, but is meant to oppose the policy of the Government of India so far as the budget proposals every year in this House are concerned. We know it all for a fact that these budgets should be produced in order to ameliorate the condition of the masses of our country. We all know that the fountain head of all revenues is the

masses. We all know also that the way in which the expenditure is being incurred by the Government of India is not at all satisfactory and it has never been satisfactory so far as the masses and the public of India are concerned. These cut motions, it may be said, are not only to criticise the Government but these are also a sort of censure on the present policy of the Government of India. I say it on the floor of this House that these cut motions are really meant to censure the Government of India for their niggardly policy towards the masses, and I shall presently show in what way it is niggardly and how it is considered by the masses of India to be a sort of tyrannical policy.

This policy of the budgetary position of the Government of India, we feel, is not only extravagant, but, to a certain extent, it amounts to criminality. We find that there is always an increase in taxation: there is always increase in the indebtedness; there is always an increase in the army; there is always an increase in the forward policy of the Government of India; there is always an increase in the salaries and allowances of the officials: it may be that the salaries of the Executive Council Members is not always increased, but that is because it has already reached a point from which it is difficult to increase, and, I am sure, if it could be increased, it would have been increased. At the same time, our friend, Sir Leslie Hudson, the other day, in this House, said that the Honourable the Finance Member could be likened to Mr. Snowden. I wish our friend were a Snowden in this country. We all know what services Mr. Snowden has rendered to his nation. I wish the Honourable the Finance Member could prove while he is in India that he could be a Snowden; but our own belief is that he can never be. The policy of the Government of India is that of Whitehall and the policies enunciated in this country cannot make even a fresher from England or even one of that blessed service, the Indian Civil Service, sympathetic to the conditions prevailing in this country. I have been hearing encomiums after encomiums, praises after praises and thankfulness to the Honourable the Finance Member for a small item—a drop in the ocean—which he has very kindly set aside for the whole country this year. That is the item of a crore of rupees, and, I know and believe that it has been done with the agreement and consent of the Executive Council of the Government of India. I find that if we divide this one crore among the 700,000 villages of India, it comes only to about Rs. 14 per village or something like that. Do the Government of India really realise what this Rs. 14 is going to give to each village? Do the Government imagine really that it will bring any sort of amelioration in the conditions prevailing among the tenantry or the landlords residing in these 700,000 villages of India? Again, if you divide it on another basis of acreage—I am not a mathematician like my friend, Dr. Ziauddin Ahmad—but if you take it according to gross acreage of land under cultivation at present—which, I think, is about 260 millions of acres—it comes to about 2½ pias per acre. If I am wrong in my figures, my friends may correct me: and this, I say, is a dribble, a drop in the ocean and is certainly not in consonance with the large amount of revenue which the Government receive from the poor villagers of this country. When I realised this in my own heart, I found that it was really a disgrace for us here today to sanction this one crore for the whole of this country, with millions and millions of people. When you derive large incomes from the villagers, you ought to give something at least to them to eat and to clothe their children. I attribute the whole of the situation to the ignorance of the Government of India of the real conditions of the people of this country.

[Mr. Muhammad Azhar Ali.]

Sir, if they had sense enough in them, and if they had only realised what they were doing for the people of India, they would have learnt that the public opinion says that what they have allotted for the village uplift movement is merely to retard the progress which the country is likely to make under the guidance and leadership of Mahatma Gandhi. The figures which I have quoted to show that there is to be no proper organisation except *Tehsils* which is going to undertake this village uplift movement; but it is proposed to put a sort of brake in the way of those who really want to ameliorate the condition of this country. Sir, I remember the days when *takavi* was distributed by the Government and the way in which it was realised from those who took through the Co-operative Department, and I also remember the extent of suffering that the people generally had to face under that *takavi* system. I feel, therefore, Sir, that the amount allotted by the Government for the so-called benefit of the people will not help them in the least; on the other hand, this sort of tardy attempt on the part of the Government to help the poor villagers is bound to give them the greatest possible trouble. At present these poor people are sitting quietly at home, no doubt they borrow money from the money-lender, but they are not worried by anybody except perhaps the bankers, but the moment this money is distributed, the moment this money filters through to the villages, I assure the Government that it will lead to great trouble and worry to the poor villagers. Of course, some of this money will go into the pockets of the village *patwaris* and *kanungoes* and some other small and high officials, but if this money is to be realised, I am sure, it will lead to the same trouble which occurred when attempts were made to realise the *takavi* loans.

Sir, I do not want to discuss the Ottawa Agreement, but I say that it was drawn up with the consent of the Executive Council and if only the Executive Councillors had realised what would be the result of such an agreement and if they had only advised the Government at Home of the disastrous effects of the Ottawa policy, things would have been otherwise. What has happened since the Ottawa Agreement was passed? Our exports have decreased and our treasuries have become depleted. Every one knows how gold is going out of India, every one knows how silver will suffer now by the so-called relief of taxation and every one knows how the agricultural prices have fallen; how our industrialists are suffering. Go to any shop at Connaught Place or Chandni Chowk, and ask any trader how he gets on, and you will find that everybody will say that there are absolutely no profits. Now, what do you find in the Government of India Bill which was drafted with the aid of the Executive Councillors? You find there is absolutely no trust in Indians, while we are expected to trust and obey the iron rule which is at present going on in the country. In these circumstances, how can you expect Members on this side to vote for such items as are mentioned in the budget. Now, why is it that even the Indian Members of the Executive Council are not representing the true conditions prevailing in India to our rulers in England? It is because they do not care, they get very high salaries, they live in palatial houses, they get every kind of comfort, with the result that they are out of touch with the masses, and they cannot realise what the sufferings of the poor people are, they are absolutely callous to the real conditions prevailing in this country. I have not much to complain of those British friends who have come all the way to rule over us, but my grievance is against our own Indian friends, our Indian

Ministers,—I don't mean the present Ministers only, but I mean the former Ministers and those who will succeed the present ones,—they may not be called Ministers, but they may be called by some other name,—but all the same they will form part of the Government machinery.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Muhammad Azhar Ali: Sir, I have not much to say now. All I say is that the tactics hitherto employed by the Government will no longer appeal to the masses, and I am sure that we, the representatives of the masses, who are true to their salt, who are true to their constituencies, are bound to oppose these budgetary items.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to support the motion moved by the Honourable the Leader of the Opposition. Sir, our grievances against the Executive Council are many. Some of them have been related by my friend, Mr. Fuzlul Haq, Sardar Mangal Singh and others, and it is really impossible to deal with all these grievances at length within the limited time at our disposal, but, Sir, I have noted a few of our principal grievances,—for instance, the policy of taxation, the continuance of the emergency taxes, of emergency surcharges, the policy of repression in general and the treatment of detenus and political prisoners in particular, the policy of non-Indianisation of the superior services, the want of a constructive economic plan to raise the level of commodity prices and their inertia to fight the agricultural distress and economic depression, their policy with respect to the export of gold, their attitude towards the unemployment problem in the country, their policy of trade agreements with foreign countries in defiance of public opinion, their attitude towards the Legislature and their indifference to it, in fact their supreme contempt for public opinion on all matters. These are some of the grievances, but there is one other grievance which I want to emphasise today in this House, I am referring to the attitude of the Executive Council in regard to the communal decision of His Majesty's Government so far as the Punjab and Bengal in particular are concerned.

Now, Sir, the foundation of the whole structure of this new Constitution is communal electorates. That is a system of electorate and representation which has been condemned by the Montagu-Chelmsford Report, condemned by the Simon Commission, condemned by the Joint Parliamentary Committee Report, condemned by all Nationalists, Muslims included, condemned by the Congress, condemned by the Liberals, condemned by the Hindus and the Sikhs, and, last, condemned even by the Bengal Legislative Council. What, after all, do the Bengal Hindus want? They do not want any weightage, either because they are an influential community or they are a minority community. All they want is joint electorate without reservation of seats, and that on the population basis. I do not think that any dispassionate and unbiassed critic can find fault with that programme. What, however, are the provisions made in the Communal Award with regard to that province?

Mr. President (The Honourable Sir Abdur Rahim): The Chair understands that the motion is for the refusal of supplies. If the Honourable

[Mr. President.]

Member supports that, there is no question of ventilating a particular grievance, as the Chair has already pointed out. Of course, the Honourable Member is entitled to support or oppose the motion; that is another matter. But this is not the motion under which a particular grievance can be ventilated,—the Chair thinks there will be other occasions if the Honourable Member wants to, but not under this particular motion. This motion is for the refusal of supplies altogether.

Mr. Akhil Chandra Datta: I bow down to your ruling. Only with your permission, let me give my reasons. I say I support this motion for refusal of supplies. . . .

Mr. President (The Honourable Sir Abdur Rahim): On one of these grounds?

Mr. Akhil Chandra Datta: Yes, because I have got grievances, I have got many grievances, and this is one.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member can go on.

Mr. Akhil Chandra Datta: The provision for my province of Bengal is communal electorate for the majority community; reservation of seats for the majority community; weightage for some minority communities, Europeans for instance; weightage for the majority community, but no weightage for the Hindu community; Hindu representation not even on population basis. The result is a fixed Statutory majority, and that too, on communal electorate, unalterable by an appeal to the electorate. I may inform Honourable Members of this House that all the enlightened Muslims, all the nationalist Muslims, the All-India National Muslim Conference, the Bengal National Muslim Conference, the United Provinces National Muslim Conference and the Punjab National Muslim Conference—they have all declared themselves in most unmistakable terms for the joint electorate and have condemned separate electorates. Now, Sir, under the existing Constitution—I know that this is rather an unpleasant matter. I know it, I feel it, but my only justification is, as Honourable Members are aware, that I have come on the ticket of the Nationalist Party.

Pandit Govind Ballabh Pant. (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): But all this is not relevant here.

Mr. Akhil Chandra Datta: No. There is no question of relevancy. I feel that I shall be failing in my duty if I do not present the case of Bengal on this point. Now, instead of giving my own opinion and my own submission on this matter, I shall take the liberty of referring to the opinion of as many as nine Members of the Joint Parliamentary Committee.

Sir Cowasji Jehangir: I rise to a point of order. We have already received a ruling that on a cut motion the future Constitution cannot be discussed. My Honourable friend is evidently going into the future when he talks of the Communal Award, which is a question of the future and not of the present.

Mr. Akhil Chandra Datta: My grievance is against the present Executive Council as regards their attitude with respect to this matter. The other day, they cast their vote in favour of that Communal Award, and, therefore, I have a grievance against the Executive Council.

President (The Honourable Sir Abdur Rahim): As regards the point of order raised by the Honourable Member, Sir Cowasji Jehangir, the Chair thinks that what Mr. Akhil Chandra Datta is endeavouring to do is to give reasons in support of his attitude that the supplies should be refused for the Executive Council. Among other grounds, he says that the Executive Council has failed to discharge its duty with respect to the Communal Award, that is to say, it has perhaps failed to recommend to the Secretary of State, and, by its vote, has given its support to the Communal Award. From that point of view, the Chair is not prepared to say that this question is irrelevant.

Mr. Akhil Chandra Datta: Now, I was placing before the House the considered judgment of as many as nine Members of the Joint Parliamentary Committee. They say:

"It is one thing to concede separate communal electorates for the purpose of giving minorities reasonable representation in the various Legislatures; it is an entirely different thing to employ the system for the purpose of conferring upon a majority community in any particular province a permanent majority in the Legislature unalterable by any appeal to the electorate. Such a course has never hitherto been adopted. It was considered and rejected by the Statutory Commission who declared that a claim submitted to them which in Bengal and the Punjab would give to the Moslem community a fixed and unalterable majority in the general constituency seats, was one which they could not entertain; 'it would be unfair', they wrote, 'that Muhammadans should retain the very considerable weightage they now enjoy in the six provinces and that there should at the same time be imposed, in face of Hindu and Sikh opposition, a definite Moslem majority in the Punjab and in Bengal unalterable by any appeal to the electorate'. This is the position which will arise if the distribution of seats proposed in the White Paper for the Legislative Assembly of Bengal, is given effect to."

It will be interesting to know who these nine Members are. Among them, there is the Marquess of Salisbury, Lord Zetland, an Ex-Governor of Bengal. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. Akhil Chandra Datta: My Honourable friends are relieved. Just one or two words in this one minute. One ground given in the Joint Parliamentary Committee's Report is that the people have given their acquiescence. In this connection I would simply point out the result of the last election in Bengal. All the Hindu seats have been captured by the Nationalist Party, not one excepted. It will not be improper to refer to the verdict of the Bengal Legislative Council. Then, there is the clear attitude of the Punjab, Sind and Berar on these questions. Just one more word, and I shall have finished. Who is responsible for this? The common fallacy is that it is purely a fight between the Hindus and the Muslims. I say "No". It is not, because the maximum demand of Mussalmans in Bengal was for representation on a population basis. That was the resolution of the All-India Muslim Conference held at Delhi in January, 1929, but, as a matter of fact, something more has been given to them. As many as

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[Mr. Akhil Chandra Datta.]

ten seats have been given to them in the Provincial Legislature in excess of the population ratio. Is it out of love for the Muhammadans? I appeal to my Muhammadan friends to consider whether that is out of love for them that this excess representation has been given to them in the Award. I say, it is not out of love. It is out of a sinister motive, namely, to divide the communities and to keep them in a position of armed neutrality, so that a united nation may become impossible, so that there may never come a time for responsible government.

An Honourable Member: Who is responsible for this?

Mr. Akhil Chandra Datta: Sir, my time is up, and so I cannot deal with the matter fully. I hope I shall have occasion, hereafter, to discuss this matter with that fulness which its importance demands.

Mr. F. E. James (Madras: European): The speech of my Honourable friend, the Deputy President, illustrates the difficulty which is bound to exist in dealing with this particular motion. The motion relates not so much to specific matters as to a large number of general matters which have been raised in the course of this discussion, and my Honourable friend, the Deputy President, has added to the already long list of matters which are to be considered when voting for this particular motion, the very difficult question of the Communal Award. I do not propose to follow him in that strain. What I do propose to do is to deal with the speech of the Leader of the Opposition, the leader of the Socialist Party and to point to two particular phases of his speech, with which I shall attempt to deal in the very brief time at my disposal.

Now, Sir, the speech of Mr. Bhulabhai Desai can be divided into two parts. The first part was of a very general nature expressed in language which was perhaps much more venomous than the language which we are accustomed to hear from him—general statements dealing with the budget, condemning the whole system whereby the finances of the country are managed, failing to put forward any alternative proposal, in fact disclaiming either any intention of doing so or any responsibility for doing so and dealing with the position of the Government as though the Government were in fact a Government responsible to the Legislature. It was only in the second part of his speech, which occupied by far the least time, that he dealt with specific matters in regard to the action of the Executive Council relating to certain Resolutions or motions which have been carried by a majority in this House. Now, Sir, I remember Session, when I said that we welcomed the presence of our Congress friends in this House and hoped that, as the Session progressed, we should come more and more to understand our respective points of view. I still hold that view and what I say now is in an endeavour to ascertain from the responsible spokesman exactly what is the role they are now playing in this House and what is the role they intend to play in this House. The members of the Congress Party cannot have been unaware of the constitutional position of this Assembly under the present Government of India Act when they stood for election. They cannot

have been unaware of the fact that the present Government of India is a subordinate Government, that the Governor General in Council is a body which is independent of and not responsible to the Legislature, that under the existing Constitution the role of an Opposition is confined to one of criticism and influence, and that, although its role is confined to two particular functions, its powers may yet be considerable. Honourable Members who have been in the House longer than I have, when they go through the history of the proceedings of this House, will recognise the fact that where the Opposition has done its work, in accordance with the functions which are allotted to it under the present Constitution, in a spirit of critical but constructive co-operation, in those periods, the Government has been most responsive; whereas, in those other periods where a different line has been taken, where the policy of those who are in Opposition has been mostly one of obstruction, the executive has been in fact less responsive to the Legislature. That is not only illustrated by the history of this present Legislature, but is also illustrated by the history of the Legislature in some of the provinces and particularly in Bengal where these two processes, during the past ten years, have been in operation. It may be said that the difficulty under the present Constitution is that the majority of the House is without power. I do not entirely agree with that. The majority in this House has considerable power which it exercises in various ways—through questions, Resolutions, through its power over finance, through its work upon Standing Committees, through its indirect contact with the different heads of departments of Government.

An Honourable Member: And the result?

Mr. F. E. James: My Honourable friends expect results to take place within the short space of six weeks. My whole point is this that if they are prepared to work the Constitution which they have voluntarily come into

An Honourable Member: No.

Mr. F. E. James: in the spirit of that Constitution, then they will find the result will be an increasing responsiveness on the part of the executive. If, on the other hand, they are not prepared to work this Constitution and this Legislature in the spirit of the Act and in the spirit of its powers, then I would like some Honourable Member holding a responsible position in that Party to tell me why did they come in at all. It is information upon that point that I want to get from the Honourable Members on the other side. I am not using this argument as a purely debating argument.

An Honourable Member: You are!

Mr. F. E. James: I am using this argument in a spirit of genuine inquiry, because we want to know and we have a right to know
3 P.M. what is going to be the attitude of this Party towards the Constitution which they have voluntarily come under as a result of the last elections.

[Mr. F. E. James.]

Then, Sir, there is one more point. I am assuming for a moment that my Honourable friends stood for election and came into this Legislature voluntarily, knowing full well its limitations, knowing full well its opportunities and its powers, knowing full well that the Executive Council is not responsible to this Legislature, but only responsible to the Secretary of State for its actions and being unable, under the present Constitution, however we might wish it, to divest itself of that responsibility, or to share that responsibility with the Legislature. I submit, therefore, that the argument which seemed to be implied in the Honourable Mr. Bhulabhai's speech, namely, that the Executive Council deserves censure for not acting as a responsible Government, responsible to this House and through this House to the country, is an unfair argument to use, in the circumstances. Now I could understand my Honourable friend's using the occasion to say that "this Constitution does not give us powers, we are, therefore, dissatisfied with it, we, therefore, refuse to work it until we get another Constitution which gives us powers". I can understand that point of view, and I would say that that is a logical point of view. But I cannot understand the point of view of those who come into the Constitution voluntarily, as I have said, and demand to censure the Government of the day for not being responsible to the Legislature, when they know perfectly well that, under the Constitution, they have not the power to be responsible even if they wished to. Therefore, Sir, I find that this vote is not only unreal in the sense that it covers a vast number of subjects, and, that, everyone who has a grievance may, therefore, vote for it in order to ventilate his own grievance, but owing to the lead given to the discussion by the Leader of the Opposition is unfair in regard to the position which we occupy under the present Constitution. I would repeat, Sir, my argument that if my Honourable friends of the Socialist Party did not want

Mr. M. Asaf Ali (Delhi: General): Who are the Socialist Party?

Mr. F. E. James: Well, after my Honourable friend, the Leader of the Opposition's speech, I thought they were the Socialist Party, but perhaps some of his colleagues even now are regretting the tone of that speech. However, I will not attribute the word "socialist" to the Congress Party; I will call them the Congress Party. Now, my argument is this that, if the members of the Congress Party are determined not to work this Legislature for what it is worth, in the spirit of the Government of India Act, why did they stand for election and why did they undertake the responsibility of becoming its Members? (*A Voice:* "In order to expose the Government".) If, on the other hand, realising its limitations, accepting the spirit of the Constitution as it is, looking back upon the work of this Legislature—and I still believe India can be proud of its work in past years—I can say that, although I have only been a Member for a very short time and I am thinking of the period when this Legislature first came into operation—if they are prepared to work that Constitution, to work this Legislature (*A voice:* "Submissively"), in the spirit with which the previous Houses have worked it, then I am perfectly sure that, increasingly, the executive of the day will become more and more responsive to the Members of this Assembly. (Ironical Opposition Cheers.) Sir, I shall make only one other observation, and it is this that, when

the time comes for the vote to be taken upon this issue, if I understand the Honourable the Leader of the Opposition aright, the issue really is that the Executive Council is not acting as a body in the way in which it would act if it were responsible to this House—if that is the issue, then I claim that a vote in favour of this motion is utterly unfair to the Executive Council, which is bound in its position by the Government of India Act and which cannot share its responsibility with this House. (Loud Applause.)

Mr. Sham Lal (Ambala Division: Non-Muhammadan): (Applause.) Sir, I rise to support the cut motion moved by my learned Leader. I rise to support it, not because I want any special privileges for any community or for any province. I rise to support this motion, because the executive as now constituted is not responsible to this country. They are simply the usurpers. We have got no right to vote against their salaries, but my submission is that not a single pie for their allowances should be allowed to these Executive Councillors. Sir, my friend, the Honourable Mr. James, said that the Congress knew that these Executive Councillors were not responsible to the people, and, if so, why did they stand for election? He asked: "Is it fair on their part, having stood for election under the Government of India Act, to adopt this attitude? They knew that the Executive Councillors are not responsible".

Now, Sir, a nation and a people who have to rise and to fight against an enemy cannot be bound by the rules of fairness laid down by the opponent. Our programme is there. We shall struggle even under the present and the new Constitution; we are not going to accept it, and we would make it difficult for you. Those who believe in Imperial domination and exploitation create such circumstances and then say: "it is not fair on your part!" Sir, we are being exploited, we are being crushed, we are being repressed, and they are appealing in the name of fairness and justice and saying that we should grant salaries and allowances to the Executive Councillors! My submission is, Sir, that that coin has still to be minted which the Congress would grant to these Executive Councillors. (Hear, hear.) Let them take it by force, with the help of their army and police, but we would not be a party to our own humiliation. (Hear, hear.) We humiliate ourselves by granting allowances to those who are still keeping the two idols of the people in jail,—Khan Abdul Ghaffar Khan and Jawaharlal Nehru. (Loud and Prolonged Cheers.) You may gloat over it, you may please yourself that you have crushed this movement, but the heart of India, I say, is with these people. We really feel ashamed that we have to come to the Assembly and discuss these grants, and that we are not in our places somewhere else. Sir, what are those illustrious people thinking of it all? I, of course, cannot imagine this, that we should ignore all those things. Sir, you do not take into consideration the feelings of the people, and you appeal to the people in the name of fairness!

Sir, while taking part in this debate I am rather reminded of what once Frederick the Great said when he read a poster against himself: "My people and I have come to an agreement. I can do what I like and they can say what they like". That is what he said. Sir, this constitutionalism of our friends has produced a sense of security for the Government and the Government think that they can do whatever they can,

[Mr. Sham Lal.]

because there are constitutionalists, because there are supporters like my Honourable friend, Mr. James, to quote rulings of law that it is not fair on our part, and so on and so forth. Sir, where is the question of fairness for a struggling nation? Where is the question of fairness for a people who have been exploited for the last 150 years? Sir, we know no other fairness. The only fairness that we know is that this Government should and must exist for the people of this country, and every pie they should raise should be spent in the interests of this country. Sir, I remember the story of a Jat in my district—what he said to the district officer when the district officer warned the Jat against the dangers of joining the Civil Disobedience Movement. The district officer was telling that Jat: "Well, if this Civil Disobedience Movement succeeds, there will be no military and there will be no police. You will all be looted and there will be a war. What will you gain by the Civil Disobedience Movement?" The Jat gave him a very good reply. He said: "My property is being sold for the realisation of land revenue and I have not got a penny left in my house. Of what use is this army and the police to me? Let there be anarchy. Anarchy is for me now when I do not get sufficient to eat. I am starving and I consider this to be an anarchy and disordered Government for which you are enjoying sumptuous dinners in Delhi and keeping a cordon of police and army around you and will not let me in. I do not want this army and the police." Sir, the question that the masses put to this Government is this: What do the poor people, who form 90 per cent. of the population, require this military and this police for? If your budget provides for these 90 per cent people, then certainly it would be justified. But it does not do that. And I am now coming to that one crore of rupees which you are going to spend on the masses. I will give you an instance to show how this uplift money is going to be spent. But the question I wish to put to you is this. Is this a budget in the interests of the people? Is this a budget by the representatives of the people? If that is not the case, we cannot accept it.

Now, Sir, certain gentlemen have showered congratulations upon the Finance Member. They have talked of his sincerity. I do not want to say that he is insincere. I need not say with regard to any Government Member that he is insincere. What I submit is this. We know how human nature develops. A persistent course of exploitation leads the exploiter to believe that his exploitation is just. I have seen it in the case of a money-lender; I have seen it in the case of a zamindar; and I have seen it even in the case of a lawyer extorting high fees from his clients and he never feels that he is exploiting them. In that very sense, these Executive Councillors and these high salaried Government officers, leading a princely life and getting Rs. 6,000 a month and all these allowances, have begun to believe that their exploitation is quite just, and those who interfere with it and those who disturb it are an unruly people and civil resisters fit to be detained in jail. This is what they sincerely believe. I do not say that they have got any grudge against us; I do not say that they want to humiliate us; I do not say that, and I do not believe in it. But what I say is this, that a systematic course of exploitation for 150 years has led these people to believe that they have got a right from Heaven and they can exploit the poor people. They can disarm them; they can shoot them in their own interests; they can rob them in their own interests; and they can tax them in their own interests. That is

their mentality and in that respect they are sincere. But shame on Indians who are being exploited that they have also begun to believe in the justice of this exploitation. Sir, this course of exploitation not only demoralises the exploiters, but it also demoralises the exploited. It creates a state of mind in the exploited, and they begin to believe that the exploitation is just. We have seen it in the case of the depressed classes. When we want to treat them well, when we ask them to sit in the chair and when we give them certain things to eat, they say: No, no; it is all right; they do not accept them. But they call us benefactors. It is only a question of restoring something to them, but they think we are their benefactors and they deserve that exploitation. I, therefore, think, that this accounts for these congratulations being showered upon the Finance Member. The whole money is being taken away in one shape or the other and the poor people are starving and the representatives of the people are showering congratulations on the Finance Member and giving him credit for sincerity. For this state of affairs the ruling class is not responsible. For this we are responsible. We have developed that state of mentality. Even those persons who shower congratulations, I do not call them insincere. That state of mind has been created. But there is another class, in addition to the exploiters and the exploited, who know everything and who always sing the praises of the Government and who call England their home. Sir, I remember the case of a Brahmin who in a public meeting, in the days of war, sang the praises of the British Government and the British army. When he came out of the meeting, I told him by way of a joke: "Well, Panditji, if Germany comes and conquers India, what are you going to do?" He brought out another poem from his pocket and said: "I have got another poem here for their praise". So, Sir, there is that class which will always be ready to shower congratulations and praises on Finance Members. Though this class also consists of sincere people, I think the Government should be afraid of that class. I also remember how a wealthy man believed that his case was just. A money-lender brought his suit for Rs. 400 in a civil Court. The defendant was a soldier who had sent the money by money order. So, he called the postmaster as a witness and proved his payment and the suit of the money-lender was dismissed. I actually heard him crying in the verandah when the suit was dismissed. He was saying: "Look at this injustice. This Government keeps papers which are more than three years old. I counted upon the fact that the receipts must have been destroyed". My submission is that this course of exploitation spoils even sincere people. They begin to believe that others are there to be crushed; others are to pay and we are to get. Unless that mentality is removed, there can be no understanding; there can be no co-operation and there can be no working of the Constitution. The Government say that they must have British people: their standard of life is very high and their organisation and their administration is efficient. Though the income of my house may be Rs. 400 a month, this manager on Rs. 1,000 a month must be thrust upon me. What I say is this: He is a very good manager, a very good organiser; he has fought great battles; he fought perhaps for democracy and he is quite efficient. I admit all that. But what am I to do? How am I to pay him? My family cannot starve. I cannot have my goods sold for the payment of this manager. Therefore, what I want is that this capable and efficient manager should be removed and the charge of my house given to me. But he says: In the name of efficiency and name of security of services, I must have all this money.

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Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. Sham Lal: Sir, the question is very simple. My position is that, so far as the Congress Party is concerned, it has never put forward any claim for co-operation. I can only co-operate with this Government when there is a change of heart, when the spirit of domination and the spirit of exploitation goes away. We are not against Englishmen, nor are we against Anglo-Indians. We want them as friends, but not as usurpers, not as exploiters drawing Rs. 6,000 a month. If they want to serve in a missionary spirit and if they are prepared to adjust themselves to Indian standard of living, they are quite welcome. If a Kashmir plant wants to grow in Delhi but would not adjust itself to the water of the Delhi wells, we cannot have that plant. Let it be taken to Kashmir where it can flourish well.

In conclusion, I can only say that I support this motion, because it is a motion for refusal of allowances to the executive officers who are not at all responsible to the people of India. (Applause.)

Sir Ghulam Hussain Hidayatallah (Sind Jagirdars and Zemindars: Landholders): Sir, I heard the eloquent speech of the Leader of the Opposition, who complained of heavy taxation, extravagant expenditure and that nothing is being done for the people; but in his peroration, he explained to us the object of his cut. The object of his cut, he told us, was that on more than one occasion the Treasury Benches have flouted the decisions of this House. I heard, after that, my Honourable friend, the ex-Minister, Mr. Fuzlul Huq, who said that two Honourable Members on the Treasury Benches were not necessary, and they were, one the Law Member and another the Member in charge of Education, Health and Lands. That is, my Honourable friend wants that one of the nation-building departments like Agriculture should be abolished in the Government of India, because all these are transferred subjects. Well, Sir, I cannot reconcile the argument of the Leader of the Opposition with the argument of the ex-Minister who says that these nation-building departments are the concern of the Local Governments. May I ask my Honourable friend, the ex-Minister—at present I see he is not here—had this Member not been in charge of this Department, who would have advised the Finance Member to provide a crore for rural uplift? Who will hereafter advise the Finance Member to give larger grants to these nation-building departments? At the same time, my Honourable friend complained about the fat salaries of the Executive Councillors. Well, Sir, it does not lie in his mouth and my mouth to speak like this after having enjoyed fat salaries ourselves. We all entered this House knowing the Constitution that the Treasury Benchers are irresponsible and that they will continue to be irresponsible till this system is changed. I submit, the Treasury Benchers are also the victims of the system. Suppose any one of them becomes over-sensitive owing to the gibes and the taunts of the Opposition, and suppose he resigns, may I ask them if there is a dearth of candidates to take up the vacant place? What will the new Member do? He will do the very same things which his predecessor was doing. He will follow the same policy which the other Member was following.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Do not judge every one by your own standard.

Sir Ghulam Hussain Hidayatallah: Probably the Honourable Member will apply for the vacant post. He stood for the office of Deputy Presidentship, and I know many of the Members on the other side will welcome the opportunity of getting a job. Now, Sir, the gravamen of the charge against the Treasury Benches is that they have flouted the decisions of this House on four occasions. Well, Sir, I would have voted with the Leader of the Opposition and with his followers had they themselves implemented all the decisions of this House. The Communal Award, I understand, though I was not present, was put to this House as a separate issue, and the vote of the House was taken and it was carried by a majority.

An Honourable Member: With the official votes.

Sir Ghulam Hussain Hidayatallah: Whatever it may be, it was carried by a majority. That is the principle of democracy, whatever be the majority. Have my friend, the Leader of the Opposition, and his followers implemented that Resolution of this House, that decision of this House? If they have not done that,—the Honourable the Leader of the Opposition is an eminent lawyer—if he seeks equity, he must come with clean hands here. Even if he were now to implement it, my vote is with him. But he will say, "those decisions of the House which I do not like are not binding on me". But, then, I am sorry, I cannot go and vote with him.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I had ventured to think that the existing constitutional position needed no elucidation. I had hoped that the consequences and the implications of its application to the day to day administration of the various Departments of the Government of India admitted of no doubt or difference of opinion. Evidently, I have been mistaken, and it is, therefore, necessary for me to set out quite briefly but specifically what our views are on this matter. I can do so in a very few words indeed. So long, Sir, as the responsibility for the executive government of this country rests on the Government of India as at present constituted, and, so long as the Government of India are responsible to Parliament through the Secretary of State for India, so long must they retain a very large measure of discretion to accept, or to reject or to modify the recommendations which may be made by this Assembly. I am sure that it will be conceded by every one that it would be an impossible position if the responsibility for the administration rested with us, and, at the same time, we were required to accept and give effect in practice to the lines of policy laid down by the Opposition in this House who have no responsibility for the administration. I think the proposition has only to be stated in that form in order to expose its unreasonableness. On the other hand, if we were bound to accept every conclusion registered by the Opposition, then there would be no need of any Government of India Act, because responsible government would at once be complete and effective. On the other hand, because we cannot in all cases accept the recommendations put forward by this House, it does not mean that all its opinions are thrown into the waste paper basket. Far from it. I would ask the House to realise that we do pay the greatest attention to what falls from Members of this House, to whatever Party they belong and from whatever quarter of the House those opinions are expressed. I can give you one example which has just come into my head.

[Sir Joseph Bhore.]

During the last few days, you will remember, Sir, the grievances of third class passengers were stressed with a great amount of vigour in this House. I myself personally believe that it is really unreasonable for any one to expect that an old established far reaching system can be altered and changed completely in a very short time. Nevertheless, the public point of view as stressed in this House and given expression to by Members from all quarters of the House has been regarded and I can assure the House that at the moment we are at work on a completely new design for a third class coach which will, I hope, embody a great many of, if not all the suggestions which have been put forward. I hope that these plans will be completed very shortly, and, if it is possible for us to have a meeting of the Central Advisory Committee before the end of this month, I hope to be able to place those plans before them and to convince them how far we have gone in this matter. (Hear, hear.)

Then, Sir, a grievance has been made of the fact that we did not give immediate notice to terminate the Indo-British Agreement as a consequence of the passing of a Resolution by a comparatively small majority of this House. So far as I am concerned, my own feeling is that the practical consequences and implications of that Agreement cannot be fully and properly appreciated from the enunciation of the general principles contained in that Agreement. As far as I can see, in order to give practical effect to those general provisions, it will be necessary to bring individual duties before this House; and this House will then be in a position to consider the general provisions from a practical and concrete point of view. It surely cannot be claimed that we are riding rough-shod over the decision of this House for the simple reason. . . .

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): What about rice?

The Honourable Sir Joseph Bhore: If my Honourable friend will wait a few days, he will probably realise that we have not omitted to consider that question. Whether the result of that consideration will or will not be favourable to my Honourable friend's hopes, he must wait and see.

Now, Sir, let me take another case; let me take the much-abused Ottawa Agreement. Here, again, we have made it perfectly clear that we propose to place the whole question before this House next year in accordance with the undertaking we gave to this House, and if this House, as a result of a judicial, fair and equitable assessment of the results which have ensued, comes to the conclusion that notice of termination should be given, we certainly shall not stand in the way. These facts and other facts which Honourable Members can verify for themselves will, I am sure, convince any reasonable person in this House that we are not as unresponsive as we are alleged to be. But when Honourable Members talk of responsiveness, what they really mean is that we as a Government should accept the dictation of the Opposition provided that Opposition can carry a majority of the votes of this House. As I have explained, Sir, it is impossible for the Government of India, situated as it is and the Constitution being what it is, to accept that position. My Honourable friends must blame the Constitution, and not the Government of India.

Sir Cowasji Jehangir: Sir, I find that my Honourable friend is not in his seat, and, therefore, I speak under a certain disadvantage. But, Sir, he will forgive me if I say that it was difficult for me to clearly understand what were the issues he was placing before the House. The speech was undoubtedly lucid as usual, but it struck me that like the eminent lawyer that he is, not having quite decided upon what the issues were, he was attempting to put them as he would before a jury rather vaguely. Suffering under this disadvantage, I will attempt, so far as I can, to analyse his arguments and his statements of facts. He first started off and continued for some length of time condemning the present system of Government, that is, the present Constitution under which we work. But may I remind him and his friends that this is not the first time we have heard a condemnation of the present Constitution in this very House, in language perhaps as strong as he used today? Nor are my Honourable friends who sit on the opposite Benches unaware of the dissatisfaction that we on our side feel at the handicaps and disadvantages under which we work. Sir, how often in the past have we told our Honourable friends opposite in clear and unequivocal language that we fully realise that they are not the Government of India, that they are in theory and in fact, in practice and in law, the agents of the Secretary of State for India who is responsible to Parliament? We have realised that years ago and we have, in unequivocal language, I will repeat, told them so. Sir, so far as I am personally concerned, I agree in the condemnation of the present Constitution. It is a Constitution which makes us completely irresponsible, which enables us to say what we please without having to be responsible for the consequences. It enables us, nay, forces us sometimes, to vote against our convictions to show how powerless we are. Are we not aware of all that? Have we not said that before in this very House? Before my Honourable friend, the Leader of the Opposition, ever dreamt of coming here or was perhaps, shall I say, able to come here, this has been said on many occasions. After that very eloquent condemnation of the present Constitution, which might have been more clearly explained to this House by some of my Honourable friends who sit on the Treasury Benches and who are perfectly aware of the handicaps and disadvantages under which they themselves work, we now come to another part of my Honourable friend's speech where he laboured to justify, if I may say so, the policy of the great organisation and institution of which he is an honoured member, the National Congress of India.

Sir, let him not forget that we are all Indians, Indians first and Indians last; and I personally feel that I am an Indian first and an Indian last,—not a Muhammadan, not a Hindu, not a Christian and not a Parsi, but an Indian first and an Indian last, as long as I stand here to represent the great constituency that has sent me. And, therefore, if I disagree with him when he tries to justify the methods that were adopted by his great party, he will forgive me, for it will not be the first time that I have disagreed with the methods adopted by his party in the past. I have genuinely felt, honestly and sincerely felt, that some of their actions, some of their principles were not in the interests of our motherland, and I have a right, as great a right and justification of expressing that opinion as he has of standing here and justifying his past actions. I sincerely and honestly believe that his past actions and those of his party were not in the interests of our country and that his present action and that of his friends and of

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the great organisation to which he belongs and which has enabled him to come to this House, is not the right policy to adopt. Now having completely disagreed with the policy of his party in the past, having expressed that opinion on many occasions when I had more time at my disposal than I have today, and having shown how that policy has acted against the interests of our country, I will go no further.

Then, my Honourable friend complained and perhaps rightly that our suggestions backed by our vote in this House are not accepted by my Honourable friends opposite. But that is the Constitution: that is the Constitution against which we have protested and are protesting, which we desire changed, which we have made every effort during the last number of years to see changed. We know very well indeed that we are irresponsible and they are not responsible to us. We know that fact: we are aware of that fact: sometimes we believe that their refusal to agree with us is not their own action: being agents, they carry out the instructions of their masters

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Is that so?

Sir Cowasji Jehangir: Of course it is so.

Mr. S. Satyamurti: None of them says so.

Sir Cowasji Jehangir: There can be no doubt about it that very often some of them have to carry out instructions given to them by their lord and master, the great Mughal who sits at Whitehall—instructions with which they are not in agreement. Sometimes they themselves disagree with us and insist upon carrying out their own desires, their own decisions. But that is the Constitution about which we have been complaining for years. That is the Constitution which we desire to upset: our goal is self-government for this country, and, therefore, we have been, according to our own lights, working, acting and behaving in a way that will lead us to the goal of our ambitions—self-government for India. My Honourable friends have the same goal in view and they have been acting and asking others to act on other principles all trying to lead to the same goal. Now, which is the method that we are going to adopt here to attain that goal? Is it the method that we have adopted in the past, or are my friends determined to continue here and outside the methods that they have tried for the last four or five years? That is the crux of the question. I prefer to continue with the methods I and my friends have adopted for the last number of years fully believing, sincerely believing that the methods adopted by my Congress friends to attain the same goal will take a longer time—nay more, may end in setting back the hands of the clock to such an extent that it may make it impossible in our lifetime to see my Congress friends taking their place on those Benches opposite. Believing sincerely and honestly that those methods will take longer—nay more, may put back the hands of the clock during our life time—I cannot agree with the methods proposed by my Honourable friends; and this vote now moved in this Honourable House is only the continuance of the method that has been adopted by them for the last few years, the method of obstruction; and desiring as much as they do and being as anxious as they are—I may say, more anxious than many of them—to attain the goal of self-government, I

will insist upon sticking and adhering to my own methods and I shall refuse, as I have always done, to follow their methods of obstruction. Under these circumstances, they will not find me in their lobby

Pandit Govind Ballabh Pant: We very seldom find you there.

Sir Cowasji Jehangir: No, Mr. Pant: you are wrong, and I feel sure you will be convinced that you are wrong; but because I feel strongly I am going to make an appeal to my Honourable friends. I will make an appeal to my Honourable friend, Mr. Pant, whom, during the last six weeks, I have learnt to treat with the greatest respect, for whose impartiality and clear thinking I have got the highest respect: I will make an appeal to him and all his friends: do not make up your minds as to what you are able to do in this House with only six weeks' experience

An Honourable Member: We have burnt our boats.

Sir Cowasji Jehangir: You have burnt your boats? Ah. There is the truth. The cat is out of the bag: they have burnt their boats and nothing is left to them now. Mr. President, do not let them be so pessimistic. If such pessimism gets hold of them, we shall lose the battle (*Honourable Members*: "No, no") when we had hoped to find so many sincere and honest warriors. Do not be so pessimistic: you have not burnt your boats (laughter); you have still got them ready and you have only got to man them in the right way to lead you to the goal of your ambitions. But so long as you believe and feel that you have burnt your boats, you will be of no use to your country. I repeat that I desire to make an appeal to my Honourable friends to give this House a little more trial than of six weeks. I know and I am perfectly aware of the fact that we are irresponsible, but I do agree with my Honourable friend, Sir Joseph Bhoze, whom we are very soon going to lose, that we can serve our country to a very great extent by being Members of this House and the best evidence I can bring forward to prove my contention is the presence of all my Honourable friends of the Congress Party in this Honourable House today.

Sardar Sant Singh (West Punjab: Sikh): Sir, if I intervene in this debate, it is because a very important issue has been raised by my Honourable friend, Mr. James, and that issue is purely a constitutional issue, and I shall deal with it in that spirit.

My friend, Mr. James, put a very pertinent question as to the position of this House and its power to refuse supplies to the Members of the Treasury Benches under the present Constitution. Sir, I have always been very clear on this issue. We know that the present Constitution is a restricted Constitution, we know that the executive is not responsible to this House, and we also know that the executive is irremovable by any vote of this House. Not only that, but we know further that a large portion of the supplies has been declared as non-votable by the Constitution. In spite of this knowledge, we are here. The position taken up by my Honourable friend on my left is this—he says, why should we, knowing all these facts, care for the cut motion which is intended to refuse supplies to the Members of the Executive Council? It is a constitutional position which is well known to the democracies of the world, that the refusal of supplies signifies the existence of a grievance in the country. It is also a well recognised method of ventilating grievances, and that is why such

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provisions are embodied in the constitutional laws of the democratic countries. Now, if, as has been argued today by more speakers than one, the executive Government of India is merely an agent, a subordinate Government, carrying on the behests of the Great Mughal at Whitehall,—why, Sir,—may I ask from those who argue in that way, why a Finance Bill is introduced annually for demanding supplies from us? Is it not inconsistent with the position of the Government of India being a subordinate Government? The very fact that the Finance Bill is brought before this House, as an annual event, shows that there is some power in this House to refuse the supplies. If it is so, why not utilise this occasion to express the grievances of the country before the supplies are voted to the executive Government? It is sometimes asked what is the good of refusing supplies when the power has been vested in the Governor General to certify any measure which this House throws out as unwanted? Sir, this is a fallacious argument. Rather, this fact strengthens our position. The House must refuse the supplies so long as the grievances of the people remain unredressed. Why should we be a consenting party to voting the supplies? They can rule us with their executive power, they can rule us by the aid of the powers vested in them, by the force, not of arguments, but of weapons. We should not be a consenting party to this sort of Government where we know that the executive is not responsible to the Legislature. My friend, Mr. James, advanced another argument, and he said that if you are more careful in your speeches and show more responsibility towards the executive, the executive will be more responsive to your demands

Mr. F. E. James: I did not say that.

Sardar Sant Singh: My friend says he did not say that, but I took down the notes of his speech, and I shall just read them out

An Honourable Member: You are not a short-hand writer.

Sardar Sant Singh: I may not be, but I tried to take down what actually he said. This is what he said—work in the spirit of the Constitution, and the executive is likely to show more responsiveness than it does today. He also told us that those Assemblies in which the policy of obstruction was followed did not get anything out of the executive, but those which worked the Constitution in a proper spirit, commanded greater respect from the executive

Mr. N. M. Joshi (Nominated Non-Official): What is the spirit of the Constitution?

Sardar Sant Singh: My friend, Mr. Joshi, asks me what is the spirit of the Constitution? Well, that is a question which nobody can reply on this side of the House. It admits of no reply. The spirit of the Constitution as disclosed by the various speeches in this House is that the executive is irresponsible and is irremovable. That is the spirit of the Constitution under which we are working today. Sir, the case of the last Assembly is before my eyes. The last Assembly could not be said to be an Assembly of obstructionists. Was any responsiveness shown to it by the executive? On the other hand, all repressive measures in the

armoury of the executive were brought before the last Assembly and passed into law. Is that the spirit of responsiveness? Was not the Reserve Bank Bill passed, and none of the amendments placed by the Opposition accepted? Not even one amendment was accepted by the Government. My friend, Dr. Ziauddin Ahmad, had put in more than a hundred amendments to the Reserve Bank Bill, but not a single one was accepted. Was that an obstructionist Assembly? Similarly, when the Press Act was passed in the last Assembly I gave notice of about 78 amendments urging the importance of having the rule of law in the country and not the rule of the executive. Though the then Law Member, Sir C. P. Ramaswami Aiyar, accepted the principle, he defended the attitude of the Government by saying that it was only a provisional measure meant for a couple of years, and that was why he could not yield to the principle of the rule of law. I ask, what difference does it make to the occupants of the Treasury Benches if the Assembly today makes up its mind to respond to their appeal for co-operation or if it begins to obstruct the Government at every stage? I wish this principle of expediency as enunciated by my friend, Mr. James, had been acted upon in the last Assembly, so that we might have imbibed the spirit of greater co-operation. But what do we find here? The executive does not want responsive co-operation, but demands slavish co-operation. The executive expects of us to submit to every one of its demands, that we should do what they desire us to do and not what our better judgment asks us to do. That is what we object to. That is a spirit which we want to kill under this Constitution. The next Constitution may come or may not come, it is not known yet, but even if it is forced upon us, the result will not be different.

We want a change of heart, a change of mind in the Executive Government as it is at present constituted. As soon as there is an evidence of that change of heart, I think the House will be more open to reason than it is at present today. The first advance must come from the Executive Government and not from the Opposition. The Opposition is here to oppose. We realise the constitutional position, we know that our vote would not affect them. It would not cause them the least inconvenience in their homes, here or while sitting in their offices. But we refuse to consent to be ruled by the methods which are being adopted at present. We refuse to be a party to granting them the money which is to be raised mostly from the poorer classes, so long as we have the right to do so under this very Constitution.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Sir, though I wanted to participate in the general discussion, I was not fortunate enough to catch your eye. Now, as regards this motion, I have to explain the position of the Muslims and make it very clear. The Deputy President in his speech appealed to the Muslims to make common cause with the Hindus and see that responsible self-government was achieved. So far as that matter is concerned, I am at one with him, but in that connection he has unnecessarily introduced the question of the Communal Award. Mr. President, we are not enamoured of the Communal Award. We know, every Member of the House knows, as to who are the authors of this Communal Award. Had the majority community adopted the same course as was done by the Wafdist Party in Egypt under the leadership of the late lamented Zaglul Pasha, this question would have been settled long ago and we would have been in a position to present a united front

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and all these difficulties would not have arisen. It was proved on many an occasion, even on the floor of this House, as to what was the outcome of the Round Table discussions. Who are the parties who did not signify their willingness to bring about a settlement? Even now, when Babu Rajendra Prasad, the President of the Indian National Congress, and Mr. Muhammad Ali Jinnah, the President of the All-India Muslim League, tried to bring about an amicable settlement only recently, so that we might be able to present a united front, who were those who stood in their way? Is not the House aware that telegrams after telegrams poured in to the President of the Indian National Congress? My Honourable friend, Bhai Parma Nand, criticised the Congress Party as a whole the other day for observing neutrality. Though I do not belong to that Party, I have got every sympathy for it as I was connected with it for years together. Not only that, I was one of the members of the All-India Congress Committee, and one of the 12 members of the Arbitration Board attached to the All-India Congress Committee for the purpose of settling the election disputes.

When I was asked by some of my friends as to whether I wanted to speak on this motion, I said I was not keen on it, but that I would simply record my vote silently. But, now, Sir, having intervened in the discussion, I endorse every reason that was advanced by the Leader of the Opposition for rejecting this grant. (Cheers from the Congress Party Benches.) In addition thereto, I have to say that the forward policy, which is a mischievous policy, of the Government must be criticised by each and every one on this side. The Government may come forward and say, we want to resort to the forward policy and undermine the Pathans, and we do not want to see them getting on in this world, but they should be crushed. Let them say so and allot Rs. 25 lakhs or even Rs. 50 lakhs for that purpose. I know personally what the sentiments of these Pathans are. I have gone to their homes. I have had conversations with them. I know what their views are. Why, there is my colleague here, Dr. Khan Sahib. Yesterday, unfortunately, he was not in a position to lay his case before the House. He was interrupted and, of course, I do not approve of the vehemence of his language. After all, he is a Pathan. (Laughter.) But all the Pathans regard this proposal as mischievous and what they say is:

"Mara bekhaire to ummeed neest sher Marasan."

This is a Persian saying which every Pathan, every Afridi, every Mahsudi, daily gives utterance to. This means: "I do not expect any good from you; I shall be quite satisfied and even thankful to you if you do not play mischief, which would be deemed to be a great boon to us." This is what every Pathan is saying.

[At this stage, Major Nawab Ahmad Nawaz Khan rose in his seat.]

Some Honourable Members: The Honourable Member does not give way.

Maulvi Syed Murtuza Sahib Bahadur: I do not mind. He poses himself as a great Persian scholar. Let him ask me. Come on, Mister. (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): (To Major Nawab Ahmad Nawaz Khan) Does the Honourable Member want to make a personal explanation?

Mr. Nawab Ahmad Nawaz Khan: No, Sir. I want to correct the able Member about the Pathans. He said

Mr. President (The Honourable Sir Abdur Rahim): This is not the time. (Laughter.)

Maulvi Syed Murtuza Sahib Bahadur: Sir, I have got another grievance, which relates to my own province. I am not at one with my Honourable friend, Mr. Sham Lal, when he said that it was not necessary that we should touch upon provincial subjects. It is only the provinces that make the whole country and the Government of India. The conciliatory reply of my Honourable friend, Sir Joseph Bhore, re the dumping of rice, has not satisfied us. The peasants and cultivators there are starving. No protective duty has been imposed on the Siam and China rice. Again, a mild proposal was made by the Honourable the Finance Member that the export duty on skins, which, after all, amounts to a few lakhs, should be done away with. Sir, you know that last year the export duty on hides was reduced from 15 to 5 per cent. That has almost killed the tanning industry of my province. The House may be aware that the tanning industry of Southern India is next only to the textile industry. So, I hope that my Bombay friends will support us when we will make a move in that direction that the proposal does not at all find favour with us.

Then, before concluding, I have to bring one important point to the notice of this House, through you. You were a very popular High Court Judge in Madras. Ever since your retirement, we have not had even a single Muslim Judge there.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. That cannot be ventilated now. The Honourable Member will have plenty of opportunities to discuss that under the Finance Bill.

Maulvi Syed Murtuza Sahib Bahadur: We had at least one Muslim out of the seven Members of the Cabinet, four Executive Councillors and three Ministers. Now, there is not even a single Muslim there. (An Honourable Member: "Sir Muhammad Usman was a Governor.") He was a Governor. He is not the Governor now, and, again, in the Public Services Commission, the Chairman was a Muslim in the person of Sir Bazlullah. He retired.

Mr. President (The Honourable Sir Abdur Rahim): The Chair must inform the Honourable Member that these are not matters which can be discussed under the present motion.

Maulvi Syed Murtuza Sahib Bahadur: I bow to your ruling. I will embrace the earliest opportunity of re-opening this discussion when I get an opportunity during the discussion on the Finance Bill.

Mr. S. Satyamurti: Mr. President, there are some people more loyal than the King himself. To that category belong my Honourable friend, the European Member from Madras and the Honourable Baronet from Bombay. Between them, they made the executive Government look so ridiculous in

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the eyes of the House that I think they may well exclaim "Save us from our friends". The Honourable the Baronet made them merely machines to carry out the orders of the Secretary of State.

Sir Cowasji Jehangir: You are merely a machine to carry out the orders of somebody else.

Mr. S. Satyamurti: I suggest that my Honourable friend, who shouts at times to others to keep order, may follow his precept, for some time at least.

Sir Cowasji Jehangir: I wish you had done it up to now.

Mr. S. Satyamurti: I suggest to my Honourable friend, the Baronet from Bombay, that when next he addresses this House on the exact position of the Executive Council of the Government of India, he consults them in advance. Now, I should like to put it to my Honourable friends, the occupants of the Treasury Bench, as to why seven good men and true should sit here week after week, month after month in order to carry out the orders of the Secretary of State 6,000 miles away. But, Sir, I am glad to find that the Honourable the Commerce Member did not take that line. He took what I consider the more plausible line: "We have some discretion. We try to use it in order to respond to the public opinion of this House". And, lo and behold! He opened his magic box and told an astonished House in how many directions this Government had responded to the wishes of this House, and out of that magic box came forth the future third class carriage which some experts are inventing, and which will one day be placed before the House, and which will satisfy the demands of the people for improving the conveniences of third class passengers.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

My Honourable friend, the Leader of the Opposition, referred to the Honourable the Finance Member's sense of humour. I respectfully suggest to the Honourable the Commerce Member to learn a few lessons in that sense of humour from the Honourable the Finance Member, before he starts again to tell the House as to how the Government are responding to the wishes of the House. Now, Sir, I will take the position as I find it under the Constitution. My Honourable friend, the European Member from Madras, asked us a few pertinent questions. I will answer them to the best of my ability, before I sit down, but, in the meantime, may I ask my Honourable friends, the Members of the Executive Council, whether it is part of the Government of India Act and of the Constitution that at question time, morning after morning, they ought to continually specialise in the art of using words to conceal thoughts, never to answer straight and direct questions with straight and direct answers, to give evasive answers? To say that they cannot answer this question or that or to remain silent—is that part of the Government of India Act? Is that part of the Constitution? Will the Secretary of State withdraw their salaries if they are more upright, more communicative, more reasonable in their answers?

Mr. F. E. James: That is only what you did on the Syndicate of the Madras University?

Mr. S. Satyamurti: Now, Sir, I shall take the various Resolutions of this Assembly which have been passed in this Session, ever since we began. I venture to submit to this House, Mr. Deputy President, that on no single occasion had we obstructed the Government or taken any attitude out of an obstructive spirit. We have passed a series of Resolutions on the Joint Parliamentary Committee Report. We rejected the entire scheme, in the words of the spokesman of the Government.

Sir Cowasji Jehangir: You did not reject the entire scheme.

Mr. S. Satyamurti: My Honourable friend, the Baronet, must really learn better manners.

Sir Cowasji Jehangir: I will learn better manners when you teach by example.

Majar Nawab Ahmad Nawaz Khan (Nominated Non-Official): He has got better manners than the Congress.

Mr. S. Satyamurti: My Honourable friend has got a colleague over there! I do suggest that people who have been much longer here than some of us, humbler men who have come here later, may set us better lessons in the art of conducting debates in this House, than they have shown. Now, Sir, what was the result of the Resolutions on the Joint Parliamentary Committee's Report? So far as I can see it, it has not created a ripple in the House of Commons. The Secretary of State has not so much as referred to them. I should like to know what the Government of India did by way of communicating these Resolutions to them. On the other hand, a few Princes meet in Bombay. Cables fly and, lo and behold, the Secretary of State produces amendments after amendments to the Government of India Bill. I ask the Government of India whether this is acting in response to the wishes of this House.

Then, Sir, we asked for the removal of the ban on the Khudai Khidmatgars, and the Honourable the Home Member ended a very fierce speech by saying "We are not going to allow this organisation to function". That was a vote of the whole House by a distinct majority of this House, and the Government have not chosen to respect that.

Then, Sir, we passed a Resolution to terminate the Indo-British Trade Agreement. My Honourable friend, the Commerce Member, did not even have the courtesy of coming to this House and saying "We regret we cannot accept your Resolution". It was left to the Secretary of State to communicate to the House of Commons that our vote did not count. Now, is that giving any response to the wishes of this House? We passed a Resolution asking for the release of Mr. Sarat Chandra Bose. Nothing has been done. We were promised opportunities for discussing that. Nothing has been done. Now, is that acting in response to the wishes of this House? We passed a Resolution asking for the withdrawal of the circular about the Village Industries Association. Nothing has been done!

The Honourable Sir Henry Craik (Home Member): You did not pass any such Resolution.

Mr. S. Satyamurti: Because we could not, as the Government went on putting up speaker after speaker.

The Honourable Sir Henry Craik: That is a totally different tune. (Laughter.)

Mr. S. Satyamurti: As regards the import of foreign rice, the Honourable the Commerce Member simply says—"wait and see". Sir, we have waited and seen long enough.

As regards the taxation policy, a Resolution was passed which the Honourable the Finance Member seemed almost to accept, asking for the removal of income-tax on lower incomes, asking for the removal of the excise duty on matches and on sugar, and we have a budget which reproduces all those proposals! And, in passing, may I say this that the Honourable the Finance Member believes in taxing the poor more than in taxing the rich and in spending the money that is got, in order to feed the ever-hungry Military Department of the Government of India?

The Honourable Sir James Grigg: Perhaps the Honourable Member would confine himself to giving his own views when he cannot give mine correctly.

Mr. S. Satyamurti: My Honourable friend must use some other language than he does, if he thinks my interpretation of his language is wrong.

The Honourable Sir James Grigg: Absolutely wrong.

Mr. S. Satyamurti: His budget does not reproduce any of the aspects of the Resolutions discussed by this House

The Honourable Sir James Grigg: The Resolution was only for an inquiry, and not a formal Resolution laying down a policy.

Mr. S. Satyamurti: What has been done on the Resolution for an inquiry? Nothing has been done.

Then, the Honourable the Industries Member came forward with his Unemployment Convention. The House turned it down.

The Honourable Sir Joseph Bhore: It did nothing of the kind. (Cries of "Hear, hear" from the Official Benches.)

Mr. S. Satyamurti: We carried an amendment which the Government had opposed,

The Honourable Sir Henry Craik: That is wholly untrue.

Mr. S. Satyamurti: . . . and ultimately, the Government and the Opposition joined together and refused to do anything to implement the Convention.

Then, on the Railway Demands, my Honourable friend, the Commerce Member, referred to the third class carriages, but what about the other cut motions which were pressed to a division and which were carried?—the abolition of the Railway Board (Laughter), the Indianisation of the services, the rates and fares, and the grievances of railway labour? They turned them all down. And apart from this Assembly, in the last Assembly, how did they fare? Were they able to get the Army Bill amended, as they wanted, to get the Navy Bill amended, as they wanted, to get the Reserve Bank Bill amended, as they wanted? And yet the Baronet from Bombay says that they were in happier times before we came here.

Sir Cowasji Jehangir: I never said anything of the sort. Sir, I protest against wrong words being put into my mouth. I never said that we were happier before. Now, if the Honourable Member wants to quote me correctly, let him do so, but if he cannot do so and his memory is wanting, let him not quote me, but let him sit down.

Mr. S. Satyamurti: My Honourable friend makes up for poorness of argument by loudness of voice. I suggest that, undoubtedly, the impression he gave of his speech was that, because we are here, because we are following certain methods which he does not approve of, therefore the Government are not responding.

Sir Cowasji Jehangir: I never said anything of the sort, nor intended anything of this sort. What I did convey was that their presence here would be a great asset to the House.

Mr. S. Satyamurti: Yes,—if we changed our methods, which we do not propose to do, and if we changed our principles which we do not propose to do; that was the conditional offer which the Honourable the Baronet from Bombay made.

So far as the attitude of the Government towards the fundamental questions governing the prosperity and the well-being of this country is concerned, may I say one word that, while this Government undoubtedly is not self-government,—one knows it,—this Government is not a responsible Government,—I concede that,—my point is that this Government is not a "responsive" Government, and it has not even established the elements of good government in this country. What has it done all these 150 years? Let Sir Walter Layton, the Financial Adviser of the Simon Commission, answer. He says that, while the annual average income of the Britisher is £100 per annum, the average income of the Indian, on the most optimistic estimate, is about £8 per annum, that is, 1/12, and yet we are spending two per cent. of our revenues on the military and naval defences, while in Great Britain they spend two and a half

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LEGISLATIVE ASSEMBLY.

[7TH MARCH 1935.]

[Mr. S. Satyamurti.]

per cent. Sir, while they spend about £10 on education, we spend nine pence. (Hear, hear.) These facts are not given by me, but by Sir Walter Layton. Sir, that is the record of this Government! After 150 years, the average life of the Indian is about 25 years, while the average life of the Britisher is about 63 years. While the average income of the Indian, as I have said, is only about £8, the average income of the Britisher is £100. Then, in our country, Sir, only ten per cent. can read and write, after these 150 years of British rule, and 90 per cent. are still wholly illiterate. Sir, what is it that they have done? They have not reproduced here, even yet, the elements of good government.

I now want to say a word on the way in which the Executive Council, as represented here, has carried out or is trying to carry out the dual policy, as it is fashionably called, of the Government of India,—on the one hand, to crush the Congress, and on the other hand, to facilitate the reforms towards Dominion Status. Now, they have grossly, miserably, failed in both these arms of their dual policy. They have not succeeded in crushing the Congress. They will never succeed in doing so; so long as a single self-respecting Indian lives and breathes, the Congress will live and work for the freedom of this country (Loud and Prolonged Cheers), and this Government has miserably failed in that attempt. The last elections, Mr. Deputy President, excepting in the case of a few stray friends like the Honourable Baronet from Bombay, showed that the Congress literally swept the polls from north to south and from east to west.

Sir, that is the answer of the people of this country to the repressive policy of the Government. On the other hand, Mr. Deputy President, on the question of implementing the reforms, this Government of India itself has been treated as a door-mat by the Secretary of State for India. The Viceroy told this House and the Home Member told the House the other day that, on the question of direct election to the Federal Lower House, the Government were over-ruled by the Secretary of State. On the question of the Statutory Railway Authority, the Honourable the Commerce Member, Sir, gave an undertaking to the Assembly last year that the opinion of this House would be implemented by suitable legislation here, and yet the matter has been taken over and incorporated in the Government of India Bill without so much as

The Honourable Sir Joseph Bhore: Will my Honourable friend point to the passage where I gave that assurance?

Mr S. Satyamurti: During the last budget debate, the Honourable the Commerce Member said that he would forward the debate, and the opinion of this House, *viz.*, that this House should implement the legislation here. That was the vote of the House.

The Honourable Sir Joseph Bhore: Exactly, but that is very different to what the Honourable Member just now attributed to me.

Mr. S. Satyamurti: The Honourable the Commerce Member undertook to forward the debate to the Secretary of State.

The Honourable Sir Joseph Bhore: That was done.

Mr. S. Satyamurti: What has he done in favour of that course? What would he say if I were to tell him that, every time he forwards a recommendation of this House, he puts in a veto behind that? That is another matter. I give him credit that, when he, as an Honourable Member, sends the debate of this House without having opposed it here, and without saying any other words, he would naturally carry out his duty as a Member of the Government, and that he would not suggest that it should not be done there

The Honourable Sir Joseph Bhore: My Honourable friend must confine himself to facts and not to assumptions.

Mr. S. Satyamurti: It is an assumption based on the fact that he is a Member of this House and he has not told this House that he did not recommend that course. I give him credit for that. If he now says he differed from the House on the point that there should be legislation here, I would have no quarrel with him; but undoubtedly this House wanted legislation to be enacted here, and I believe all parties agreed to it, and yet the Secretary of State simply swept aside all our recommendations. Now, I ask this Government whether they have got self-respect enough to stand up to the Secretary of State. I have heard and read of Governments of India who did stand up to the Secretary of State more than once, but apparently this Government is too invertebrate even to do that. That is all I have to say with regard to the policy of this Government towards the economic and material welfare of this country.

There is one matter which I should dispose of in the briefest possible moment, namely, the unfortunate reference to the Communal Award by more than one speaker. I want to say only just two or three sentences. I am anxious not to say a word which may exacerbate feeling or make the situation which is already difficult and delicate, more so.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I only want to say that the Congress staked its very existence on its attitude of neutrality over the Communal Award. The Congress wants the Communal Award to be substituted by an agreement acceptable to all the communities concerned. The Congress stands by it, and will always stand by it. I therefore hope that there will be no misunderstanding, in view of what some individual Members may have said, as to the correct, and, if I may say so, the patriotic attitude of the Congress in this matter. We are doing everything in our power to bring about a settlement.

My Honourable friend, the European Member from Madras, asked us: What are you doing here? May I give him the retort courteous and ask him: What is he doing here? If the Government are helpless and if the Government cannot or will not respond, why is he here? Is he here just to register the decrees of the Government? Is he here to always vote with the Government, and not to reason why? Does he not do that,

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because it suits the Government and his country to do so? I submit, therefore, that to talk of the Constitution and say that we must accept the spirit of it is wholly irrelevant. Whatever we do here, and so long as you, Sir, sit in that Chair, I claim, is perfectly constitutional. You are there to see that nothing is done here which is against the Act or the Rules or the Standing Orders. Subject to the Act, and subject to the Rules and Standing Orders, we will do everything in our power to carry out the mandate of the electorate, whom we have come here to represent. Our electorate have sent us here, and I would suggest to my Honourable friends to read our manifesto, if they have not already done so. We have come here to show that we have no use for the proposed Constitution. We have come here to repeal all the repressive laws, and to do everything in our power, to serve the material and moral interests of our country, to the extent to which we can, here, Sir, we have tried to offer our co-operation. So far, it has been rejected, almost with contempt. If really there is a change of heart on our part, the responsibility for it will lie with this Executive Council, and with my Honourable friends like the friend from Madras, who think that it is their duty not to reason why, but to vote and die. They should not really go on harping on this matter again and again.

But, Sir, there is a higher purpose in our being here. We believe that the strength of this Government today in this country is not in the British army or in the British navy, but in the prestige that they still have in this country. We want to destroy that prestige. We want to show to the country that this Government is irresponsible. (Interruption by Lieut.-Colonel Sir Henry Gidney.) I am glad to be assured of my Honourable friend's co-operation, and I hope, with his co-operation, we will destroy the prestige of this Government soon. Some of our people still believe that this Government is capable of giving good government to this country, that this Government is here with good intentions. We want to snatch away all these trappings from this Government and expose this Government in its naked autocracy to the people of this country. If we succeed in doing that, we have won our object. Positively, we want to increase our prestige with the people. We want to solidify and strengthen our position in the hearts and affections of our people. We have nothing to regret or to take back, in our past actions. We stand by our past conduct and our past principles, and we shall be here, as long as we want to be here, in order to achieve this purpose. On the question of the constitutional propriety of this motion, I only want to say this that, only last week, this House carried a cut motion refusing supplies to the Railway Board: and we are now asking the House to repeat in the same manner another cut motion refusing all supplies to the Executive Council, because they are not only not responsible, but they are irresponsible, and have not even guaranteed a good government. They have no imagination; they have no interest; they have no sympathy with the aspirations of this country, or with the people of this country, and, therefore, they deserve to go, and, when they do go, let me assure them that they will go unwept, unhonoured and unsung.

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, as I was listening to the speeches of my Honourable friends on the opposite

side of the House, it was obvious to me as it would be obvious to anybody here that the deep resentment which exists is not against the Executive Council, but against the system which we, the Executive, are bound to administer under the existing law. Sir, this resentment is due to a feeling of helplessness or, if I may quote the words of my Honourable friend, Pandit Govind Ballabh Pant, of impotent rage against a Constitution under which the Executive is irresponsible to the Legislature. I shall refer, later on, to certain passages from the statements of some of the Honourable speakers to make my points, but I wish to speak generally now. What is the system? Some people seem to have discovered today—and I believe my Honourable friend, Sardar Sant Singh, is one of them—that there is a person whom they call the Great Mughal in Whitehall, and that we are the agents of that Great Mughal. That is a discovery which has been made today. They had not heard of his control before.

Sardar Sant Singh: No; I have been using that phrase for the last three years.

The Honourable Sir Nripendra Sircar: I thought my friend would say that he had known of that phrase as soon as he had attained majority. But if he discovered it only three years ago, he took a pretty long time to discover it. Now, Sir the constitutional position under the Government of India Act, as we all know, is that the Secretary of State has control—I will use the exact words of the Act. Under section 2, the Secretary of State may, subject to the provisions of the Act, superintend, direct and control all acts, operations and concerns, etc. Therefore, under the Statute, the powers of superintendence and the powers of control are with the Secretary of State. This is the Government of India Act. And as the ruling of the Honourable the President on the last occasion showed—I am taking no point of order, but dealing with the substance—when you are discussing an item in the budget, you have got to assume that the Executive is bound to administer the existing law. It is not for them to say that we shall behave in a particular way, and ignore our responsibility under the present law. We have got to be guided by the Act which is binding on us. Whether you call the position of the Executive here humiliating or whether you call the Secretary of State the Great Mughal, it does not matter at all. Words do not break bones. The point is that the Secretary of State has got the control of the Government in this country and the Executive is liable to be controlled by him. I am not suggesting that he always controls, or did control us in the matter of the Resolutions passed by this House. On the other hand, what is the position of the Opposition, and, without using words in any derogatory sense, I ask, are they not thoroughly irresponsible for the administration? Supposing this were a fully responsible Government which certainly it is not—and we are all agreed there—what would have happened? Take, for instance, the case when the entire grant for the Railway Board was turned down. We would have gone out, and my Honourable friends who are now occupying the Opposite side, far more competent men than ourselves, would have come in and occupied these Benches. Having occupied these Benches, they would have been faced with the situation of running railways without money. If that were the position, if the Opposition ran any risk of having to bear the burden of administrative responsibility, would they have turned down the money required for the railways with a light heart? The point which I desire to make is palpable, I submit it is obvious, but it is

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often lost sight of in the heat of debate. It is conceded, it is admitted, it is perfectly clear that under the Constitution, the Executive is not responsible to the Legislature. Equally it is clear that under this Constitution, the Opposition has no chance of getting the responsibility for administration. It is this double irresponsibility, one kind of irresponsibility on this side of the House and another kind of irresponsibility on the other side of the House which lead to a situation, which causes bitterness and resentment. As I said, this resentment which naturally finds place in the hearts of most, is really against this system which you and I are agreed in condemning as having outlived its utility. I say this double irresponsibility was meant as the first step, the first cautious step towards responsible government. We are all agreed on the point, that the present system is wholly unsatisfactory. But what we are considering is this, so long as the Government of India Act stands, what exactly is the position of the Executive? Is it our responsibility to administer this country, and to take up the administration? If it is so, I would ask Members on the Opposite side to put themselves in our place and to consider what their position would be. Here, we are, the responsibility for the administration is ours, and we cannot get rid of this responsibility, however much we may respect Resolutions. Let us take, for instance, the situation that a Resolution has been passed that all the detenus are to be released. That is the opinion of the House. Now, Sir, if you were in the position of the Executive here, you could not shake off your responsibility for the administration, because you found that by a particular Resolution on a particular day by a majority of four (or 24 or 34, that is immaterial), this House has come to the conclusion which does not agree with your view of your own responsibility. What is then our position? Are we to say: "We know that if all these detenus are released there will be trouble, there will be breaches of the peace and there will be disorder and what not, but never mind, the House has resolved on release, and we are relieved of responsibility". Supposing, on the information which is available to the Executive, that is their conclusion. Are they to let loose everybody, are they to shirk their own responsibility, because this House by a majority has decided that they should be released? I ask the House to consider from a dispassionate point of view what the position of the Executive is, remembering the first proposition which I do not think anybody will dispute, that, what we are now considering is, whether, in administering the existing law, we have done anything for which censure is deserved. All this grievance against this system which is responsible for our position, I submit, Sir, is beside the question. Now, I understand from some of the speeches that the attitude taken up by the Opposition is this. "We have burnt our boats, we are not going to change our methods." Sir, as regards what are the best methods, that is a matter for individual opinion. It is not for me to give any advice as to what they should do or what they should not do. I will not be so presumptuous as to give advice to people who are not prepared to listen to me. But if that is the situation, and if people are here not for work, but for obstruction, does it not follow that all the time this Opposition with this mentality will be strenuously working for creating situations in which the Executive will be compelled to behave in a way opposed to the sense of the Resolution? All the incentive for obstruction is there. As one of my Honourable friends said: "We want prestige before our country". Prestige by obstruction is the game according to

many of my Honourable friends on the Opposite side. Their method of gaining prestige in the country is to defeat the Government, even on measures where they ought to be supported, and to carry Resolutions knowing all the time that, having regard to the nature of the Resolutions, which are directed to impede administration, they cannot be acceptable. When the Opposition turns down the entire money for the Railway Board, it is perfectly aware that Government will not allow the railways to stop having the responsibility for railway administration. They are perfectly sure that this is going to be certified; otherwise, the railways will stop and my Honourable friends cannot be carried back to Malabar after the session comes to an end here: so that, my Honourable friends who voted down the railway grant were morally certain that this is the situation to which the Executive will be driven. Does it then lie in their mouth to complain that the Executive are not carrying out their Resolution? As I said, Sir, the incentive here is to multiply these occasions and to increase the prestige of the Opposition in the country by going back and saying: "Look here, Sirs, every day we defeated the Government, every day we were passing Resolutions, and they will not accept our advice. See how our representatives have been flouted". What I want to press upon this House is, that, as we are now situated under this vicious system, all the incentive is with some section of the House (which it is not difficult to understand and which I am neither condemning nor approving for the purposes of this argument) for making efforts to compel the executive not to follow the Resolutions having regard to the nature of the Resolutions which are carried in the House. If that is so, certainly it is unreasonable to turn round and to complain that the Executive has not carried out the Resolutions which the Opposition took the trouble of getting passed in the House, not for helping administration, but for obstructing it.

Sir, I think I heard—I will not rely on my notes to the extent that my Honourable friend, Sardar Sant Singh, did—I think I heard a speech from Sardar Mangal Singh which rather disturbed the pleasant harmony which had been introduced by the Honourable the Leader of the Opposition. When my Honourable friend was speaking and I was listening with rapt attention to his fine speech, I was dreaming of an independent India where budgets will be required, where there will be no taxation, no money will be required for the civil or the military services (*An Honourable Member*: "You were dreaming")—Yes, I was dreaming like my Honourable friend, Mr. Bhulabhai Desai. I was dreaming that my Honourable friend, as responsible Minister in charge of finances without any salary, was introducing the budget of independent India having nothing on the revenue side, taxation having been abolished; but crores and crores were being provided for the poor masses. I was dreaming of that, and I was imagining how, with the greatest of ease, my Honourable friends on the opposite side will be borrowing a hundred crores a year, probably with the idea of paying it back. Sir, that dream was disturbed when I heard the martial speech of my respected and Honourable friend, Sardar Mangal Singh. He spoke for 18 minutes of which he devoted 2½ minutes to the India and 15½ minutes to jobs for Sikhs. I ask my Honourable friend, how is that relevant? If more jobs are given to Sikhs, if there is no representation of Sikhs in the proposed Constitution, will that satisfy him with this budget? Will my Honourable friend say, no? If it is so, then why bring all that into consideration? On the other hand, hearing that speech, whatever the amount of the camouflage may

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be by the opening words, about Mother India, liberty, foreign domination and exploitation, etc., we know the real crux of the thing is, more jobs for Sikhs.

Now, Sir, I refer again (not for raising any wrangle) to the speech of the Deputy President, Mr. Akhil Chandra Datta. I ask him to consider the position of the Executive Council—Assuming that this motion is accepted and the travelling allowances of the Executive Council are cut down, we must take it from the speeches which have been made that the reason why this motion has been allowed is first of all what is to be found in the speech of my Honourable friend, Mr. Desai, to which I need not refer in detail. The grounds are to be found there. Another ground why this motion is being carried is that the Executive Council has supported the Communal Award. That is the ground put by my Honourable friend, Mr. Akhil Chandra Datta. Now, after this motion is carried, I believe if we are responsive, if we have got to carry out the Resolutions of this House, pay the closest attention to the grounds put forward by Honourable Members, then what should we do? We must take it for granted that the Communal Award is a horrible thing, and we must go against it. I do not know how that will please another section of the House. Probably my Honourable friend, Mr. Akhil Chandra Datta, will then say: "Oh, so far as this motion is concerned, never mind what I said; that is not the ground on which I want you to act".

Now, Sir, about the Indo-British Agreement, I really have nothing to add to what my Honourable colleague has said, but I desire to meet some of the points which were made by my Honourable friend, Mr. Satyamurti. The point that he made against us,—and anything is good to strike us with,—is this: "How is it that we Honourable Members coming all the way from different parts of India pass a Resolution about the Joint Parliamentary Committee report and nothing is done about that? But, here, half a dozen Princes have passed a Resolution, and upon that promptly amendments are made in the Houses of Parliament". Sir, that may be a horrible state of affairs, but what part has the Executive Council in those amendments in connection with the ruling Princes? That is to say, Sir, it is very easy to pile up grievances and say at the end, that for every grievance that has been made the Executive Council is responsible. Then, my Honourable friend said something about the dual policy having failed and the Congress not having been crushed, etc. I will not on this occasion go into that at any length at all, but make only a passing reference. I do not for a moment desire to say whether the Congress has been crushed or has not been crushed. Let us not go into that. But what has happened is that the Congress has changed its methods. I am not blaming it, it is not for me to patronise the Congress and tell them that they are now good boys now that they have come back to our fold. I am not taking that attitude at all, but I am pointing out that whether for reasons of expediency or reasons of conviction, but unable to admit and confess that they had made a mistake, they have now come back to this House. Whatever the reason may be, the fact remains that the commotion of civil disobedience has disappeared and the little commotion which we are having is from the speeches of our Honourable friends on both sides of this House. (Interruption from the Congress Benches.) I may assure my Honourable friend, the interruptor, that I have no desire to take any

notice of him. I hope my Honourable friend will now excuse me for talking in a lighter vein in one sentence only. He said that the life of an Indian is 23 years. I am not surprised at that at all. At the rate at which we talk, it is surprising that we last even 23 years.

Now, Sir, before I conclude, I shall end by saying that it is not fair, it is not a legitimate argument, when the real grievance is against the system which is responsible for the irresponsibility of the Executive, and the irresponsibility of the Opposition, to side-track the issue, to turn round and say that the Executive Council must be blamed, because it is administering the existing law which it is bound to do. Sir, I do not expect and I cannot expect that any amount of reason will convince those persons who have made up their minds as to what they are going to do and are making a strenuous search for plausibility for justifying their action. But those in the House who are in a position to take a dispassionate view, to look at the thing in its correct perspective, I ask them that they should not be misled by all the grievances which have been made which are really immaterial for the consideration of this issue as they are not against our administration, but are really against the present constitution. The sole issue is whether, in administering the existing law, anything has been done for which we can be censured. On that the Opposition has failed to make a case.

Sir, the last word I want to say is this. If you apply the real test to any of these Resolutions, you will find the position is like this.
5 P. M. Take, for instance, the case where Mr. ABC under a Resolution ought to have been released, because his detention amounted to a breach of privilege of this House. We have not responded by acting up to that Resolution. On this question, as to whether it has amounted to a breach of privilege or not, are we not entitled to have our own opinion? Are we not bound to form our own opinion? As regards the House itself, was not there a strong body of opinion in favour of the proposition that there was no breach of privilege? Did I not hear my friend, Sir Cowasji Jehangir, say that there was no question of privilege in the case? And my Honourable friend, Mr. Jinnah, whom I need not defend—he does not require any defence from me—was he not quite consistent in refusing to vote, because he thought—and I say quite rightly so—that there was really no question of privilege? If that is so, if, in the exercise of our judgment after listening to all the arguments which could have been advanced and were advanced, we came to the conclusion that there was no breach of privilege, and if, having got to administer the law, we acted according to the best of our judgment, then I submit there is no question of saying that we flouted the decision of this House.

I do not think I shall be justified in taking up the time of this House any further. I have made whatever submissions I had to make, and I would conclude by saying that no grounds have been advanced by my Honourable friends on the opposite side for making out a satisfactory case of our having done anything in an arbitrary, capricious or unreasonable way while we were administering the law by which we are bound.

Mr. Bhulabhai J. Desai: Mr. President, I have somehow or other the misfortune to be reminded that every matter has got to be judged by a standard of some other cold logic than the one which I have applied. I

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hope and trust with some effect and advantage during the long course of my career at the bar. I do not know whether it is a confession on the side of those who cannot argue and will not argue and have already intimated to us that it is useless for them to argue, or whether it is a case in which what we submitted to the House was unanswerable.

Coming to the actual reply, on which I shall be very very short indeed, I wish to analyse for my friends who suggested—and indeed there are several friends who made out suggestions self-contradictory—that they did not appreciate the issue which I raised by the cut motion I put before the House. My friend, Sir Cowasji Jehangir, said as a lawyer I knew what I was about, and yet he, a layman, knew better what I was about. That is a fair summary of the very great rhetoric with which he regaled the other side of the House. But my friend, Mr James, undoubtedly deserves much more than a passing notice. I am almost sorry to see that he has missed his vocation. I wish he belonged to my profession: I think he would probably have been infinitely better off than arguing a case for Government for which there are many and better advocates, with due deference to him. I ask this question now, is it within this situation or without it that we are called upon to vote on votable items of the budget? I hope and trust that if it is within that Constitution there must be some occasion to exercise it. If we are to be told here that though these items are votable, because in their sounder judgment they may and probably will disregard the votes of this House and that, therefore, we are not to exercise even such limited privilege as there is, in refusing to grant the supply which we have a right to refuse, I do not know what other issue there is before this House. It is easy indeed to make a summary of phrases of some twenty or thirty speeches and satisfy oneself at the end of it all “Oh, I have made out a case, gentlemen; I am not appealing to those who have made up their minds: I am appealing to some who have not yet made up their mind”. I would like to see—I am afraid there was not sufficient clairvoyance to see which were those minds which had not already been affected: but I am here to point out, at least in justice to myself, that if this House has the right to refuse supplies, if it means what my friend means that because what they do is irresponsible in that they are responsible to somebody else, in that they have to carry out somebody else's orders, why have it within that Constitution that you may, notwithstanding the fact that they are carrying out somebody's orders, if they and those who give them the orders have done a wrong, that this House can express its sense of wrong by refusing supplies. That is the genuine issue. (Opposition Cheers.) The issue is not as they would burke it. I know they wish to burke the issue and say “I am very sorry: I am a very good boy: I wanted to do all that you said: but what am I to do with my grandfather?” (Laughter.) If that is not a true and genuine summary of the speech of the Honourable the Leader of the House, I ask this House whether any better summary could be presented. In fact, I have never seen an appeal more *admisere cordiam* by people with all the power and yet with a mock humility which I have heard this afternoon. The Secretary of State did not come in when my friend at the end of his peroration said “You wanted ABC, to be released; but we in our sounder judgment did not do so”. Where was the grandfather's behest for the purpose of not carrying it out?

The Honourable Sir Nripendra Sircar: The grandfather was asleep.

Mr. Bhulabhai J. Desai: Yes: I hope indeed that that grandfather will sleep for ever. (Laughter and continued Opposition Cheers.) Sir, the way in which issues are argued in this House really surprises one. I quite agree it is a matter of catching a vote, and, of course, you are justified in doing what you like, at least that is the policy that I see on the other side: they do not squarely face an issue when it is presented to them. If they admitted before this House “in every single matter we differed from the Secretary of State: here are the orders which we have received: we are helpless,” I could understand the plea. Even then, we should have been justified in asking this House to say that through you we are entitled to express our opinion, not merely of your conduct, but of those under whom you serve. As my Honourable friend knows, he is perfectly comfortable: the whole of the Executive Council knows they are perfectly comfortable: their salaries are not votable. How, then, does it happen—this convention that there is this Rs. 70,000 odd, salaries of individuals who assist them in their task, which is the subject of this motion? For they know very well, as they ought to know that it is the token that matters and not the thing. They fully appreciate, but they will not understand: it is not their purpose to understand the true issue and the manner in which it is raised. When we say that Rs. 70,000 shall not be voted, does it mean that the Executive Councillors will starve? Nothing of the kind: they know they will not. But the fact is, and they have, by their own conduct and by the rules of the House, admitted that if, through those men to whom the Rs. 70,000 are to be disbursed, we can express our opinion of their conduct, may I not respectfully say that to them and to their superiors through them this House will express its opinion of their conduct? It is that which is the true issue. The true issue is not, as they pretend, “We the middlemen are thoroughly innocent babes: what can we do? Therefore, please excuse us”. That is what they say is the Constitution. I have never heard of such a Constitution: I have never heard even though there is the power of superintendence, that men with the position and power which they enjoy are always obliged to follow the behests, against their own judgment, of the Great Mughal if that is the name by which they wish to honour their chief and their head. The question, therefore, is shortly this, and let there be no shirking about it. Undoubtedly it is, as I said, indicative and a token thing. It is not a thing in itself; it is not the Rs. 70,000 that is in issue, because leaving aside the Secretary of State, what were we saying? What we were saying was that you have not administered the government of this country, that you have not carried on the government of this country entrusted to you within this very law in the manner in which you should and ought to have done. (“Hear, hear” from the Congress Party Benches.) That is the issue, and to those who are, if my friends will have it, still willing to understand and follow my reasoning, and give a vote according to their conscience,—even to them equally that my appeal lies. I am prepared to appeal to my friend, but he has already forewarned me that it is useless to appeal to him, at least he has told me that he has made up his mind on this particular issue. I, therefore, appeal to those who are prepared to understand the true issue and vote upon it. The true issue is not, as Mr. James put it,—what are they to do, what are the Government of India to do? I hope and trust that he does not need the assurance that I read the Act before I came here, and even before that. I only

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hope equally that it was not necessary to remind me that there is such a section as section 2, in fact I turned up many others, the section under which my friends function, which also says that the military and the civil Government of this country is in the hands of the Governor General in Council, subject, of course, to the orders of the Secretary of State. I have read those sections, but those sections do not at all shift the true nature of the issue that we demand and the vote that we demand. Whether it is the Secretary of State who is responsible or whether it is his agents who are responsible, if within the Constitution there is a votable item by inviting a vote on which I can ask the House to say that the administration has not been exclusively and truly in the interests of India, your vote should be for me. That is all I have got to say. (Applause from the Congress Party Benches.)

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Executive Council' be reduced to Rupee One."

The Assembly divided:

AYES—65.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U.
Banerjee, Dr. P. N.
Baqi, Mr. M. A.
Bardaloi, Srijit N. C.
Bhagavan Das, Dr.
Chattopadhyaya, Mr. Amarendra Nath
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Fuzlul Huq, Mr. A. K.
Gadgil, Mr. N. V.
Giri, Mr. V. V.
Govind Das, Seth.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Khan Sahib, Dr.
Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi
Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Sham Lal, Mr.
Shaukat Ali, Maulana.
Sheodass Daga, Seth.
Singh, Mr. Deep Narayan.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Sinha, Mr. Shri Krishna.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.

NOES—67.

Abdool Haroon, Seth Haji.
Abdul Aziz, Khan Bahadur Mian.
Ahmad Nawaz Khan, Major Nawab.
Allah Bakhsh Khan Tiwana, Khan
Bahadur Nawab Malik.
Anwar-ul-Azim, Mr. Muhammad.
Ayyar, Rao Bahadur A. A.
Venkatarama.
Bewoor, Mr. G. V.
Bhagchand Soni, Rai Bahadur Seth.
Bhore, The Honourable Sir Joseph.
Buss, Mr. L. C.
Chatarji, Mr. J. M.
Craik, The Honourable Sir Henry.
Dalal, Dr. R. D.
DeSouza, Dr. F. X.
Drake, Mr. D. H. C.
Ebrahim Haroon Jaffer, Mr. Ahmed.
Fazl-i-Haq Piracha Khan Sahib
Shaikh.
Gajapatiraj, Maharaj Kumar
Vijaya Ananda.
Gauga, Mr. K. L.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Gidney, Lieut.-Colonel Sir Henry.
Graham, Sir Lancelot.
Grigg, The Honourable Sir James.
Hidayatallah, Sir Ghulam Hussain.
Hockenhull, Mr. F. W.
Hudson, Sir Leslie.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur
Sardar Sir.
Jehangir, Sir Cowasji.
Kirkpalani, Mr. Hiranand Khushiram.
Lal Chand, Captain Rao Bahadur
Chaudhri.
Lindsay, Sir Darcy.
Mehr Shah, Nawab Sahibzada Sir
Sayad Muhammad.

Metcalf, Mr. H. A. F.
Milligan, Mr. J. A.
Mody, Mr. H. P.
Monteath, Mr. J.
Morgan, Mr. G.
Muhammad Nauman, Mr.
Mukerjee, Mr. N. R.
Mukherjee, Rai Bahadur Sir Satya
Charan.
Nayar, Mr. C. Govindan.
Noyce, The Honourable Sir Frank.
Owen, Mr. L.
Raisman, Mr. A. J.
Rajah, Raja Sir Vasudeva.
Rajah, Rao Bahadur M. C.
Rajan Bakhsh Shah, Khan Bahadur
Makhdum Syed.
Ram Chandra, Mr.
Rau, Mr. P. R.
Richards, Mr. W. J. C.
Row, Mr. K. Sanjiva.
Sarma, Mr. R. S.
Scott, Mr. J. Ramsay.
Scott, Mr. W. L.
Shafi Daudi, Maulvi Muhammad.
Sher Muhammad Khan, Captain
Sardar.
Siddique Ali Khan, Khan Sahib
Nawab.
Singh, Mr. Pradyumna Prashad.
Sinha, Raja Bahadur Harihar Prasad
Narayan.
Sircar, The Honourable Sir
Nripendra.
Sloan, Mr. T.
Swithinbank, Mr. B. W.
Tottenham, Mr. G. R. F.
Yakub, Sir Muhammad.
Ziauddin Ahmad, Dr.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Friday, the 8th March, 1935.

LEGISLATIVE ASSEMBLY.

Friday, 8th March, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

DISQUALIFICATIONS OF SEVERAL INDIAN VOTERS IN CEYLON.

725. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they are aware of the fact that several Indian voters, otherwise qualified, have been disqualified in Ceylon recently on the ground that to constitute domicile in Ceylon, in addition to five years' residence the intending voters should have an intention of permanently settling down in Ceylon;
- (b) whether Government have examined the soundness of this; and
- (c) whether they propose to take any action in the matter?

Mr. Ram Chandra: (a)—(c). The Agent in Ceylon has reported that the names of certain Railway or Harbour or private employees have been deleted on the ground that they meant to return to India or had not yet decided to take up permanent or indefinite residence in Ceylon. The Government of India are making further enquiries and will take up the matter with the Ceylon Government if they consider that the provisions of the relevant Order in Council are not being observed.

LEGISLATION TO PREVENT PRINTING THE NAMES OF FOREIGN COUNTRIES ON GOODS MANUFACTURED IN INDIA.

726. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they are aware that many firms, now manufacturing goods within the tariff wall in India, are still printing the names of foreign countries on their packages;
- (b) whether they do not print on those packages the words "Made in India";
- (c) whether Government are also aware that huge trust companies are manufacturing here in India under foreign names; and
- (d) whether there is any proposal to introduce any legislation to prevent this?

The Honourable Sir Joseph Bhoré: (a) The Government of India are not aware of any specific instances in which a firm manufacturing goods in India prints on its packages the name of a foreign country in such a

manner as to suggest that the goods are manufactured elsewhere than in India.

(b) The Government of India are prepared to believe that the Honourable Member's suggestion is correct. There is no legal obligation to mark goods manufactured in India with the words, "Made in India".

(c) Government are aware that branch factories have been established in India by companies whose parent factories are elsewhere. So far as the Government of India are aware, these factories operate under their own names.

(d) I presume the Honourable Member is concerned lest the Indian public be misled as to the origin of the goods they purchase. In this connection, I would invite the attention of the Honourable Member to sections 2 (2) (b) and 6 of the Indian Merchandise Marks Act, 1889.

Mr. S. Satyamurti: With regard to the answer to part (b) of the question, will Government take steps to see that these words "Made in India" are printed on these packages prominently?

The Honourable Sir Joseph Bhoré: I do not think that there is any reason for Government to insist upon that.

Mr. S. Satyamurti: May I suggest to the Commerce Member, whether it will not help the buyer to discriminate between really Indian made goods by Indian firms as against goods, which, though manufactured in India, still bear the names of foreign companies, in some place, though not in a prominent one?

The Honourable Sir Joseph Bhoré: I have considered my Honourable friend's suggestion, but at the present moment I am not prepared to say that Government will undertake legislation on these lines.

Mr. S. Satyamurti: Has the Honourable Member any information that soaps, and cigarettes particularly, are often manufactured in India and tried to be palmed off on the public with the names of reputed foreign firms?

The Honourable Sir Joseph Bhoré: I am not aware of any specific instances.

Dr. Ziauddin Ahmad: Has the attention of the Government of India been drawn to this fact that some foreign companies, after the enactment of tariff against those countries, adopted a new method of avoiding those tariffs by establishing factories in India so that they may not have to pay taxes? They are run by foreign people with entirely foreign capital?

The Honourable Sir Joseph Bhoré: I think it is perfectly true that certain foreign companies have established factories behind the tariff wall in India.

Mr. Bhulabhai J. Desai: Is the Honourable Member aware that cigarettes bearing the name of Gold Flake, which are entirely manufactured in India, are sold in the supposed belief that they are of American origin?

The Honourable Sir Joseph Bhoré: I am not aware of the fact that Gold Flake cigarettes manufactured in India are sold as Gold Flake.

Mr. Bhulabhai J. Desai: As being of American origin? That is the suggestion behind it?

The Honourable Sir Joseph Bhoré: I must ask for notice of that, Sir.

Mr. S. Satyamurti: Will Government take steps to prevent the evasion of tariffs built up for the consumers in India being availed of by foreign companies in substance?

The Honourable Sir Joseph Bhoré: I do not think it is possible for the Government of India to prevent the establishment of companies with foreign capital behind the tariff wall in India. It is being done in England and elsewhere.

SELECTION OF APPRENTICES IN ORDNANCE.

727. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether any selection for apprentices in Ordnance has been made this year;
- (b) whether any vacancies are expected to arise in 1936;
- (c) whether the Public Services Commission received any application for admission to the competitive examination;
- (d) if so, the orders of the Public Services Commission on the same; and
- (e) whether some concessions, as are allowed to the Indian Civil Service candidates, namely, that they need have appeared for the B.A. degree examination by the time of the competitive examination, will be extended to this examination also?

Mr. G. R. F. Tottenham: (a) Yes. The Public Service Commission will make a selection this month.

(b) Yes.

(c) The Commission have received numerous applications for selection. There is no competitive examination, but only a preliminary test to ensure that candidates possess a sufficient knowledge of the subjects prescribed in the rules, which the Honourable Member will find in the Gazette of India of October 20th, 1934, published as Army Department Notification No. 570.

(d) The Commission have summoned eligible candidates to appear at the test.

(e) The Commission have applied to this selection the concession mentioned in the question.

Munshi Iswar Saran: May I know how many men will be taken?

Mr. G. R. F. Tottenham: I think at this selection there will be 18.

Mr. S. Satyamurti: Next year?

Mr. G. R. F. Tottenham: I am not sure, but probably about the same number.

Mr. S. Satyamurti: In view of the answer that there is a kind of preliminary test and not a real competitive examination, may I know what are the general subjects prescribed for this?

Mr. G. R. F. Tottenham: The Honourable Member will find that in the notification to which I have referred. A candidate must have an elementary knowledge of dynamics, statics, mathematics up to quadratic equations, elementary trigonometry and physics. A written test of his knowledge of these subjects will be held by the Public Service Commission at such time and place as the Commission may direct.

Mr. T. S. Avinashlingam Chettiar: Is there any discrimination between wearers of Khaddar and the wearers of foreign cloth?

Mr. G. R. F. Tottenham: Not that I am aware of.

Mr. T. S. Avinashlingam Chettiar: Is there any discrimination made against those who have inclinations towards the Congress?

Mr. G. R. F. Tottenham: Not that I am aware of.

VACANCIES FOR INDIANS IN THE ROYAL AIR FORCE, ROYAL INDIAN NAVY AND THE INDIAN MILITARY ACADEMY.

728. *Mr. S. Satyamurti: Will Government be pleased to state:

- whether any vacancy will occur for Indians in the Royal Air Force and in the Royal Indian Navy at the competitive examination in October, 1935;
- the number of vacancies that are offered in 1935 for the Indian Military Academy;
- what is the composition of the Interview Board and whether there is any Madras on it; and
- what is the general nature of the examination conducted by the Interview Board?

Mr. G. R. F. Tottenham: (a) None in the Indian Air Force but probably two in the Royal Indian Navy.

(b) Not less than 60.

(c) The Interview Board for the Indian Military Academy is constituted as follows:

Chairman—A member of the Public Service Commission.

Members—Two military officer, one a Major-General, the other an officer not below the rank of Colonel.

Two non-official members, one with military experience.

The same Board with the addition of a Royal Air Force officer interviews candidates for the Indian Air Force. In the case of the Royal Indian Navy the Chairman remains the same, but the members are two officers of the Royal Indian Navy and one non-official Indian gentleman.

The members of the Board are not permanent, and there is nothing to prevent a Madras on being nominated to it.

(d) The object of the interview is to arrive at a general appreciation of the character of the candidate by means of conversation with him after studying his record at school and college.

Mr. Lalchand Navalrai: May I know from the Honourable Member when this competition will take place and when the interview?

Mr. G. R. F. Tottenham: The examination begins at the end of this month. I cannot tell you the exact date of the interview. It will be somewhere about the end of this month.

EUROPEAN OFFICERS LENT TO INDIAN STATES.

729. *Mr. S. Satyamurti: Will Government be pleased to state:

- the number of European officers in service or retired who have been lent to Indian States;
- the number of European officers belonging to the Foreign and Political Department of the Government of India who have been so employed; and
- whether there is any policy governing the action of the Foreign and Political Department in lending officers of the Department for service in Indian States?

Mr. H. A. F. Metcalfe: (a) The Government of India have not got the complete information.

(b) 13 (seven serving and six retired).

(c) Officers are lent to Indian States at the request of the Darbars concerned provided their services can be spared and they are willing to accept employment.

Mr. S. Satyamurti: May I know what is the information, incomplete as it is, in the hands of the Government just now, with regard to (a)?

Mr. H. A. F. Metcalfe: Well, Sir, the Government of India would have to make very considerable inquiries in order to discover from the great many States in India exactly how many European officers they employ. That information is not available. It could, I suppose, with a certain amount of trouble, be collected, but it is not quite clear what the questioner means when he talks about officers being "lent": States often employ retired officers without any reference to us.

Mr. Lalchand Navalrai: May I know from the Honourable Member if it is always the case that it is at the voluntary will of these rulers that these Europeans are being asked for?

Mr. H. A. F. Metcalfe: Invariably, Sir.

Mr. S. Satyamurti: May I know if the Political Department exercises any influence with these Princes, in order to induce them to accept European officers, in preference to Indian officers?

Mr. H. A. F. Metcalfe: Absolutely none.

Mr. S. Satyamurti: With regard to the State of Cochin, is the Political Department just now trying to influence the Maharaja of Cochin to accept a European officer, in preference to an Indian officer?

Mr. H. A. F. Metcalfe: Sir, I am ready to give all the information I can, but I must, on a point of order, bring to the notice of the Chair that questions which affect the relations between the Governor General in Council and Indian States are contrary to rule 7 of the Rules of Business.

Mr. S. Satyamurti: On that point, I submit this question does not affect the relations between States and the Governor General in Council.

Mr. President (The Honourable Sir Abdur Rahim): The Chair holds, the point of order raised is a valid one.

Mr. Lalchand Navalrai: May I ask if it is invariably the case that they get no men of their own and are calling upon the Government

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. Bhulabhai J. Desai: Confining ourselves to the period of five years from today, will the Honourable Member be pleased to state what proportion of the increased number of European officers, either retired or in actual service, is now serving in Indian States?

Mr. H. A. F. Metcalfe: Is not that a question I have already answered?

Mr. Bhulabhai J. Desai: I am afraid not. I will repeat my question. I said I do not want any desultory or general information: what I want is, taking the last five years, what has been the increase of European officers in the service of Indian States, whether such officers are actually in service and have been lent or, being out of the service and having retired, they joined such service?

Mr. H. A. F. Metcalfe: That is not a question which I could possibly answer straight off, because I have not got the figures available. If the Honourable Member will put down a question on the paper, I shall be very glad to collect that information for him.

Mr. S. Satyamurti: May I ask one question with regard to (c)? I want to know what is the policy governing the lending of officers for foreign service? Have they any policy? My specific question is, whether they follow the policy of sending European officers, wherever possible?

Mr. H. A. F. Metcalfe: No, Sir, that is not the policy. I have explained exactly what the policy is, which is that officers are lent to States at their request. I can say no more than that.

APPOINTMENT OF AN INDIAN AS THE CHAIRMAN OF THE BOMBAY PORT TRUST.

730. ***Mr. S. Satyamurti:** Will Government be pleased to state whether their attention has been drawn to a representation addressed by

the Indian Merchants' Chamber of Bombay addressed to the Government of Bombay in regard to the appointment of an Indian as the chairman of the Bombay Port Trust in the vacancy caused owing to the pending retirement of Mr. W. R. S. Sharpe, the present chairman; if so, what action do they propose to take in this matter?

The Honourable Sir Joseph Bhoré: The attention of the Government of India has been drawn to the representation referred to. The power to appoint the Chairman of the Bombay Port Trust vests in the Government of Bombay under the Bombay Port Trust Act, 1879, and the Government of India do not propose to take any action in the matter.

Mr. S. Satyamurti: Sir, in view of the importance of Indianisation, will Government consider the possibility of advising the Government of Bombay to appoint an Indian, whenever qualified Indians are available?

The Honourable Sir Joseph Bhoré: I will be replying to my Honourable friend in the immediately succeeding question dealing with this matter.

INDIANISATION OF THE POSTS OF CHAIRMEN AND VICE-CHAIRMEN OF PORT TRUSTS.

731. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they are aware of the fact that several commercial bodies, such as, the Indian Merchants' Chamber, Bombay, the Indian Chamber of Commerce, Calcutta, and the Bengal National Chamber of Commerce, Calcutta, as well as the Federation of Indian Chambers of Commerce and Industry, have repeatedly demanded the appointment of an Indian as a chairman or vice-chairman of Port Trusts in the major ports of India; and
- (b) whether they have taken any action in the matter to meet the wishes and demands of the Indian commercial community and Indian public opinion?

The Honourable Sir Joseph Bhoré: (a) The Government of India have received representations on the subject from the bodies named.

(b) The Government of India have no reason to suppose that the claims of Indians with the necessary administrative experience are not duly considered when vacancies occur, by Local Governments, by whom these appointments are in most cases made. They have recently impressed on all Local Governments the necessity of proceeding more rapidly and systematically with the Indianisation of the higher posts under Port Trusts, and as Indians, qualified by experience in the financial and commercial management of ports and railways become available in larger numbers, it should be possible to give effect to the wishes of the Indian commercial community in this matter.

Mr. S. Satyamurti: Has any Indian been appointed so far, to any of these places?

The Honourable Sir Joseph Bhoré: Not that I am aware of. I speak to the best of my recollection.

Mr. S. Satyamurti: May I know whether Government are prepared to make inquiries, and find out what the reason is why no Indian has been so far appointed to any of these appointments, throughout India?

The Honourable Sir Joseph Bhoré: We must assume that the bodies who make these appointments are responsible bodies and that they make these appointments, because they consider that the persons they are appointing are best qualified for the post.

Mr. S. Satyamurti: In view of the fact that Indians have got to run an obstacle race for all these appointments—as the Honourable Member knows—will Government be good enough to make inquiries whether the claims of qualified Indians have always been considered by these appointing authorities?

The Honourable Sir Joseph Bhoré: I have no doubt myself that the names of Indians who are *prima facie* suited for these posts have been considered; but, as I have just now told the House, the Government of India have issued a general communication to the authorities asking them to bear the policy of a more rapid Indianisation of the higher posts in mind.

Mr. B. Das: May I inquire if the Local Governments have got full powers to appoint the Chairmen of the Port Trusts of Calcutta and Bombay, or if the Government of India give official sanction to such appointments?

The Honourable Sir Joseph Bhoré: No, Sir. The Government of India do not give official sanction. The Local Governments have full Statutory powers to make the appointments.

Mr. B. Das: Are not the major ports under the Government of India?

The Honourable Sir Joseph Bhoré: To the best of my recollection, the only ports, in connection with which the Government of India make these appointments, are Chittagong, and, I think, possibly Aden, but I am not quite certain.

Mr. T. S. Avinashilingam Chettiar: Have Government considered the advisability of appointing Indians as Chairmen of the Port Trusts in those ports which are directly under the Government of India?

The Honourable Sir Joseph Bhoré: We always bear that consideration very prominently in mind.

Mr. S. Satyamurti: Do the Government of India accept the position that, so far, there have been no qualified Indians occupying these places?

The Honourable Sir Joseph Bhoré: My Honourable friend must realise that these appointments are made by Local Governments, and, as I have said, we have no reason to believe that Local Governments have not taken into consideration the claims of all Indians who might *prima facie* be suitable for these posts.

Mr. S. Satyamurti: Are not the Local Governments under the superintendence, direction and control of the Government of India, in respect of the reserved subjects today?

The Honourable Sir Joseph Bhoré: I must bring to the notice of my Honourable friend that under Statute Local Governments have Statutory powers to make these appointments, and the Government of India cannot interfere, except by way of general advice; and, as I have already pointed out, that advice has been tendered to Local Governments.

Mr. S. Satyamurti: When was it given?

The Honourable Sir Joseph Bhoré: I cannot tell you exactly, but I should say within the last year.

Mr. S. Satyamurti: Will the Government of India try to find out if that advice is being heeded by any Local Government, in respect of any single port?

The Honourable Sir Joseph Bhoré: I understand, Sir, that we get quarterly reports.

TECHNICAL QUALIFICATIONS POSSESSED BY CHAIRMEN OF PORT TRUSTS IN INDIA.

732. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether the present chairmen in the various Government Trusts of India possess any technical qualifications, and if so, what; and
- (b) whether there are no Indians of similar general capacity and experience to occupy the posts of chairmen or vice-chairmen of the Port Trusts?

The Honourable Sir Joseph Bhoré: (a) It is presumed that the Honourable Member refers to the various Port Trusts. The present chairmen are men of proved ability and long administrative experience in the public service.

(b) There is no bar to the appointment of Indians with the necessary ability and experience, and their claims are considered *pari passu* with those of others as occasion arises.

Mr. B. Das: Do I understand that the Government of India have delegated full power over the administration of the Port Trusts of Bombay and Calcutta to the Governments of Bombay and Bengal, respectively?

The Honourable Sir Joseph Bhoré: There is no question of delegating powers: the Statute definitely confers powers of appointments on the Local Government.

Mr. T. S. Avinashilingam Chettiar: What is the life of a Chairman of a Port Trust?

The Honourable Sir Joseph Bhoré: I do not think it is a tenure appointment, so far as I know.

Mr. T. S. Avinashilingam Chettiar: Is it a permanent appointment?

The Honourable Sir Joseph Bhoré: I think in most cases it is.

Mr. T. S. Avinashilingam Chettiar: When was the last appointment—that to the Chittagong Port Trust—made?

The Honourable Sir Joseph Bhoré: I must have notice of that question.

INDIANISATION OF THE POSTS OF CHAIRMEN AND VICE-CHAIRMEN OF PORT TRUSTS.

733. ***Mr. S. Satyamurti:** Will Government be pleased to state what steps they propose to take for Indianizing the posts of chairmen and of vice-chairmen of Port Trusts?

The Honourable Sir Joseph Bhoré: The attention of the Honourable Member is invited to the reply given to part (b) of his question No. 731.

MANUFACTURE OF LOCOMOTIVES IN INDIA. †

734. ***Mr. T. S. Avinashilingam Chettiar:** Will Government please state whether Railway locomotives are manufactured in India? If so, will Government please state:

- (a) where they are manufactured;
- (b) what kinds of locomotives are manufactured;
- (c) what percentage of India's requirements in locomotives is supplied locally;
- (d) whether such production in India is advantageous in any way; and
- (e) if only certain types of locomotives are produced, why attempts are not made to produce the other types of locomotives?

Mr. P. R. Rau: (a) Metre gauge locomotives are manufactured in the Bombay, Baroda and Central India Railway Workshops at Ajmer.

(b) The types so far manufactured are seven.

(c) About 15 locomotives per annum have been built during recent years. They represent practically the entire requirements of the Bombay, Baroda and Central India Railway (metre gauge) and about 50 per cent. of the average number of metre gauge locomotives purchased in India during the last five years.

(d) The manufacture of metre gauge locomotives has been undertaken by the Bombay, Baroda and Central India Railway at their workshops in the belief that they can get their requirements, on the whole, cheaper than by importing them from abroad.

I have already informed the House, an investigation is being made as to the possibility of building a workshop in India to produce broad gauge locomotives and boilers. The question is whether it is likely to be remunerative.

Mr. M. S. Aney: Was not such an investigation made with regard to the possibility of having a locomotive workshop in India some years ago?

Mr. P. R. Rau: I am not aware that any complete investigation was made some years ago, but this investigation started only recently.

Mr. Bhulabhai J. Desai: Are there any physical difficulties in the way of such a factory or workshop being set up in India?

Mr. P. R. Rau: No, Sir.

Mr. Bhulabhai J. Desai: Are there any economic difficulties?

Mr. P. R. Rau: Yes; and that is what the Government are trying to find out, whether it is likely to be remunerative.

Mr. Bhulabhai J. Desai: Is that all?

Mr. P. R. Rau: Yes, Sir.

Mr. Bhulabhai J. Desai: And what had they hitherto been of opinion?

Mr. P. R. Rau: That point has not been considered yet.

Mr. Bhulabhai J. Desai: It was never considered in the past?

Mr. P. R. Rau: Not that I am aware of.

Mr. M. S. Aney: Is it not a fact that the workshop which was a locomotive workshop was taken charge of and then turned into a wagon factory?

Mr. P. R. Rau: To the best of my recollection, I think no locomotives were ever built in the Peninsular Locomotive Workshop. It was originally started for that purpose, but they were not built.

Mr. T. S. Avinashilingam Chettiar: May I know, Sir, if the manufacture of metre gauge locomotives has been profitable?

Mr. P. R. Rau: The Bombay, Baroda and Central India Railway think that on the whole they have been able to manufacture the locomotives as cheap if not cheaper than by importation from abroad.

Mr. T. S. Avinashilingam Chettiar: Then, will not the manufacture of broad gauge locomotives be as profitable if they are manufactured in India?

Mr. P. R. Rau: The whole point is that we are now conducting an investigation so as to frame an estimate of the cost at which broad gauge locomotives can be built in India. After we have made the probable estimate of the cost, we shall be able to compare it with the cost of those imported from abroad.

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LEGISLATIVE ASSEMBLY.

[8TH MARCH 1935.]

Mr. T. S. Avinashilingam Chettiar: When do you expect the investigation to be over?

Mr. P. R. Rau: I hope it will be over very soon.

Mr. Bhulabhai J. Desai: Will Government consider during the course of their investigation that even at a little disadvantage—I am using the word that the Honourable Member used in answering the question—it is more advisable to set up workshops in India as soon as possible?

The Honourable Sir Joseph Bhoré: That is a question of policy. I have no doubt that all relevant matters will be taken into consideration before a final decision is taken.

Mr. Bhulabhai J. Desai: May I request for a little more definite answer?

The Honourable Sir Joseph Bhoré: I cannot make a pronouncement on the question of policy straightaway in reply to a supplementary question.

Mr. Bhulabhai J. Desai: Is it not a policy that has been approved of by the Government of India times without number—at all events in terms and words?

The Honourable Sir Joseph Bhoré: What policy is my Honourable friend referring to?

Mr. Bhulabhai J. Desai: The policy of setting up workshops here, so that the Indian money can be spent here in order to raise the Indian industries.

The Honourable Sir Joseph Bhoré: Sir, I am afraid I am not quite clear about that point. If the cost is proved to be prohibitive or excessive, it will certainly not be in the interests of the Indian taxpayer.

Mr. Bhulabhai J. Desai: The qualifications are entirely uncalled for. I want my Honourable friend to answer this question. Provided it is not found to be prohibitive as it is not found to be prohibitive in the case of smaller engines, will that policy be followed and kept at the forefront of the programme?

The Honourable Sir Joseph Bhoré: My Honourable friend is asking a hypothetical question, and I am not prepared to state what the policy of Government would be in certain circumstances.

Mr. Bhulabhai J. Desai: All possible questions as to the future policy of Government must necessarily be hypothetical. The question that I am asking is this: So far as the setting up of a workshop is concerned, will this question be borne in mind that it is better to raise an industry here if it is not reasonably prohibitive.

The Honourable Sir Joseph Bhoré: I have already said that all relevant considerations—and that is certainly a relevant consideration—will be taken into account before any final decision is taken.

Mr. Bhulabhai J. Desai: Do I understand that I cannot get any definite answer.

The Honourable Sir Joseph Bhoré: I am not in a position to give my Honourable friend any more definite answer than that.

Mr. Bhulabhai J. Desai: What I want is whether, as a primary consideration, would it be borne in mind? Relevancy is one thing and a primary consideration is another.

The Honourable Sir Joseph Bhoré: My answer is equally definite. I said that this matter and all other relevant matters would be borne in mind.

Mr. Bhulabhai J. Desai: May I say that there is a distinction between what you might call relevant and primary consideration, and I do not mind being answered that it would not be a primary consideration?

The Honourable Sir Joseph Bhoré: I am not prepared to go any further than what I have said already, in reply to a supplementary question on this subject.

Mr. H. P. Mody: On a matter of information, Sir. Was not the manufacture of locomotives once taken up at the workshop at Jamalpore?

The Honourable Sir Joseph Bhoré: I do not think that locomotives were built there.

Mr. S. Satyamurti: What is the kind of investigation on which the Government are engaged now. Who is conducting it, and for how long it has been conducted?

The Honourable Sir Joseph Bhoré: I cannot tell my Honourable friend how long it has been conducted, but the investigation is as to the probable cost of production.

Mr. S. Satyamurti: Who is doing it?

The Honourable Sir Joseph Bhoré: The technical advisers of the Railway Board.

Mr. S. Satyamurti: Who are they?

The Honourable Sir Joseph Bhoré: One of them is Mr. Wrench, who is the principal technical adviser of the Railway Board.

Mr. S. Satyamurti: He is a European?

The Honourable Sir Joseph Bhoré: Yes.

**SPECIAL REVENUE DERIVED FROM THE LEVY ON YARN CONSUMPTION FOR THE
BENEFIT OF THE HAND-LOOM WEAVING INDUSTRY.**

735. *Mr. Samuel Aaron: Will Government be pleased to state (i) the total special revenue derived from the levy on yarn consumption for the benefit of the hand-loom weaving industry; (ii) how much of it has been allotted to the Madras Presidency; (iii) how it is intended to be utilised for the benefit of hand-loom weavers; and (iv) what steps have so far been taken in this regard?

The Honourable Sir Frank Noyce: (i) The protective duty on yarn is being collected from the 1st of May, 1934, but the exact amount available, for the assistance of the handloom industry, will not be known until after the close of the current financial year. It is estimated at about Rs. 4½ lakhs.

(ii) A sum of Rs. 26,500 has been allotted to the Madras Presidency for the period November, 1934 to March, 1935, and it is proposed to allot Rs. 59,500 during the coming financial year.

(iii) and (iv). The attention of the Honourable Member is invited to Bulletin of Indian Industries and Labour, No. 52, a copy of which is available in the Library of the House. It contains the Madras scheme for the development of the handloom industry. This scheme, has since been modified to suit the proposed grants, and it has received the approval of the Government of India.

Prof. N. G. Ranga: Do the Local Governments take into consultation the representatives of the handloom industry before they prepare their programme?

The Honourable Sir Frank Noyce: I am not quite sure who the representatives of the handloom industry in this matter are, but I have no doubt that the Local Governments will take such advice as they may consider desirable.

Prof. N. G. Ranga: Will the Government of India consider the advisability of advising the Local Governments to take the representatives of the handloom industry into consultation?

The Honourable Sir Frank Noyce: No, Sir, and for two reasons. One is that the Local Governments can be fully trusted to exercise proper discretion in this matter, and the other is that we are here dealing with a provincial transferred subject.

Prof. N. G. Ranga: In view of the fact that the Government of India are collecting all this money and then distributing it between various Local Governments, will the Government of India be prepared to consider the suggestion that these Local Governments should be advised to take into consultation the representatives of the handloom weavers?

The Honourable Sir Frank Noyce: No, Sir. As I have already said, the Local Governments can be fully trusted to exercise their discretion in this matter, and there is no necessity for the Government of India to advise them in regard to the obvious.

Prof. N. G. Ranga: Will the Government of India be pleased to refer this particular suggestion made on the floor of the House for the consideration of the Local Governments that the representatives of the handloom industry should be taken into consultation?

The Honourable Sir Frank Noyce: I am quite willing to send a copy of the questions and my replies to all Local Governments.

Dr. Ziauddin Ahmad: What is the amount allotted to the United Provinces from this fund?

The Honourable Sir Frank Noyce: I am answering a short notice question on this subject. In reply to it, I am placing a statement on the table of the House showing the amount allocated to the different provinces. I may, however, inform my Honourable friend at once that for 1934-35 the United Provinces Government will get Rs. 32,000 and for 1935-36 they will get Rs. 72,000.

Prof. N. G. Ranga: Will Government be pleased to lay on the table of the House every year an annual report of the work that has been done in the various provinces with the money granted to them by the Government of India?

The Honourable Sir Frank Noyce: The intention is that these schemes should be reviewed from time to time by the Industries Conference and the reports will be duly incorporated in a Bulletin similar to the one I have in my hand which will be available for the information of this House.

**INDIAN MEDICAL SERVICE OFFICERS TRANSFERRED TO CIVIL EMPLOY IN
THE MADRAS PRESIDENCY.**

736. *Mr. Samuel Aaron: Will Government be pleased to state:

- (a) the names of the Indian Medical Service Officers transferred to civil employ in the Madras Presidency during the last three years;
- (b) how many of these are natives of the Madras Presidency;
- (c) whether it is a fact that officers who do not know the language of the Province and have no experience of its conditions are being transferred to the Madras Presidency in preference to Madras men in the Indian Medical Service; and
- (d) whether Government propose as far as possible to post Madras men in the Indian Medical Service in the Madras Presidency?

Mr. Ram Chandra: (a) A statement is laid on the table.

(b) None.

(c) and (d). I would refer the Honourable Member to the answer given by me to Prof. N. G. Ranga's question No. 458 on the 22nd February, 1935.

Statement regarding transfer of Indian Medical Service Officers to the Presidency of Madras.

The undermentioned Indian Medical Service Officers have been transferred to Civil employ in the Presidency of Madras during the last three years :

1. Major A. I. Cox.
2. Major J. A. W. Ebdon.
3. Captain R. D. Alexander.
4. Major General Sir F. F. Connor, Kt., D.S.O., K.H.S.
5. Lt.-Colonel C. M. Plumptre.
6. Captain J. F. Shepherd.
7. Captain P. J. Kelly.
8. Captain M. G. Kelly.
9. Bt. Major M. S. Gupta.
10. Lt.-Colonel C. M. Ganapathy.
11. Bt. Major F. M. Collins.
12. Major G. R. McRobert.
13. Captain Sangham Lal.
14. Captain J. S. McMillan.

INDIAN MEDICAL SERVICE OFFICERS TRANSFERRED TO THE RESEARCH DEPARTMENT.

737. ***Mr. Samuel Aaron:** Will Government please state :

- (a) the names of Indian Medical Service Officers who have been transferred to the Research Department during the last five years;
- (b) how many Indian Officers of the Indian Medical Service have during the last five years applied for admission to the Research Department; and
- (c) how many European Officers of the Indian Medical Service have during the same period applied for admission to the Research Department?

Mr. Ram Chandra: (a) Major R. C. Wata.
(b) 35.
(c) 11.

Mr. Lalchand Navalrai: May I know if the transfer of these medical officers to the Research Department is impending, and, if so, are there any Indian candidates?

Mr. Ram Chandra: There are Indian officers of the I.M.S. who have applied for appointment to the Medical Research Department.

Mr. Lalchand Navalrai: Who transfers them and under what circumstances?

Mr. Ram Chandra: There is a Recruitment and Appointment Board which makes the selection from amongst the applicants.

Mr. Lalchand Navalrai: When is the Board meeting? Now?

Mr. Ram Chandra: The Board has already met.

Mr. Lalchand Navalrai: Have they decided and sent in their recommendations?

Mr. Ram Chandra: Their decision has not yet been communicated to Government.

EXPENSES OF POLITICAL PRISONERS DETAINED UNDER REGULATION III

738. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to state what has been the expense per head per month for each of the political prisoners detained in different jails and detention camps under Regulation III?

(b) Will Government be pleased to state the amount of total expenses incurred on political prisoners detained without trial since 1929?

The Honourable Sir Henry Craik: (a) I invite attention to the reply I gave on the 6th February, 1935, to question No. 86 and to the list therein referred to, which was laid on the table in August last and which showed the allowances sanctioned in the case of State Prisoners and their families under Regulation III of 1818. Since then, No. 28 in the list has been granted a diet allowance of Rs. 1-6-0 a day and a personal allowance of Rs. 32 a month and his dependents an allowance of Rs. 35 a month.

(b) I regret that separate figures for State Prisoners are not available, and cannot be ascertained without undue labour. The expenditure from central revenues on State Prisoners and certain political refugees from April, 1929 to March, 1934, was Rs. 12,91,061. The budget estimate on this account for the financial year 1934-35 is Rs. 2,23,200.

Mr. S. Satyamurti: What are the principles on which these allowances are usually fixed for the individual State Prisoners?

The Honourable Sir Henry Craik: In accordance with the necessities of each case.

Mr. S. Satyamurti: Are enquiries made by this Government, or are they made through the Local Governments?

The Honourable Sir Henry Craik: The enquiries are only made through Local Governments.

Mr. S. Satyamurti: Do this Government make up their mind finally, irrespective of the recommendation of the Local Governments, taking all circumstances into consideration?

The Honourable Sir Henry Craik: Yes, Sir; that is so.

Mr. S. Satyamurti: Are the circumstances of the dependents also taken into consideration?

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The Honourable Sir Henry Craik: Yes, Sir.

Mr. Amarendra Nath Chattopadhyaya: Will the Honourable Member state if the political prisoners in Midnapur jail are treated as ordinary criminals?

The Honourable Sir Henry Craik: That does not arise out of this question.

PRISONERS CONVICTED DURING THE CIVIL DISOBEDIENCE MOVEMENT STILL IN JAILS.

739. ***Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to state how many prisoners convicted during the civil disobedience movement are still detained in jails even after the withdrawal of the movement?

The Honourable Sir Henry Craik: I would refer the Honourable Member to the reply given by me to Pandit Govind Ballabh Pant's starred question No. 346 on the 20th February.

Mr. S. Satyamurti: What is the number today? Is it the same as on that date?

The Honourable Sir Henry Craik: As far as I know, yes.

MILITARY ROUTE-MARCHES IN THE CONTAI SUB-DIVISION, MIDNAPORE DISTRICT.

740. ***Mr. Amarendra Nath Chattopadhyaya:** Are Government aware of the military route-marches in the Contai Sub-division, Midnapore District?

The Honourable Sir Henry Craik: I invite attention to the reply I gave on the 13th February, 1935, to part (c) of question No. 216.

POSSIBILITY OF INTERNATIONAL MEASURES TO FACILITATE THE ABOLITION OR REDUCTION OF SUBSIDIES.

741. ***Dr. P. N. Banerjee:** (a) Are Government aware that during the course of the statement which the President of the Board of Trade made in the House of Commons on the 3rd July last, it was stated that the British Government intended communicating with foreign countries to ascertain their views on the possibility of international measures to facilitate the abolition or reduction of subsidies and the formulating of schemes for laying up or scrapping superfluous tonnage or both, that in considering these problems it was essential to have the co-operation of the Dominions and India, and that they were therefore informing the Dominions and India of the position and seeking their views as to the possible lines of action?

(b) Have Government received any communication from His Majesty's Government relating to the subject mentioned in part (a) above?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state whether they will give an opportunity to the Assembly to

express its opinion on the points raised in these despatches as regards subsidies, laying up scheme and the reservation of the inter-imperial trade to British shipping, and also to consult Indian opinion on the subject?

The Honourable Sir Joseph Bhore: (a) Yes.

(b) Yes.

(c) The question does not arise as no action is called for in regard to Indian shipping.

Dr. P. N. Banerjee: When was the communication referred to in part (a) received?

The Honourable Sir Joseph Bhore: Some time last year.

Dr. P. N. Banerjee: Did not the Government of Great Britain invite the opinion of the Government of India?

The Honourable Sir Joseph Bhore: Yes, Sir.

Dr. P. N. Banerjee: Did the Government of India consider it desirable to get the opinion of the Legislature or of the public?

The Honourable Sir Joseph Bhore: The Government of India have not departed by one jot or tittle from their previous policy in this matter, and that is well known to everybody.

Dr. P. N. Banerjee: What is that previous policy?

The Honourable Sir Joseph Bhore: I had hoped that my Honourable friend, who seems to have taken some interest in this matter, would have taken the trouble of trying to know what that policy was. That policy is that the Government of India keep their hands free to use the means which they consider best suited for the development of shipping in this country.

Mr. S. Satyamurti: What are the means they are using now for the development of shipping in this country?

The Honourable Sir Joseph Bhore: I explained it the other day to the Honourable Member. The means are friendly negotiation and private settlement and those means have proved eminently successful.

Mr. S. Satyamurti: Do they contemplate reserving the coastal shipping for Indian owned vessels?

The Honourable Sir Joseph Bhore: The Government are not considering that question.

CONFIRMATION OF CERTAIN CLERKS IN THE ARMY HEADQUARTERS.

742. ***Dr. P. N. Banerjee:** (a) Is it a fact that certain clerks in the Army Headquarters have not been confirmed, though they were appointed on probation against permanent vacancies and have successfully completed the period of probation? If so, how many such clerks are there in all in the Army Headquarters?

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(b) Is it a fact that the clerks referred to in part (a) above have been asked to accept the terms of the Indian Army Corps of Clerks and that their confirmation has been made conditional on their accepting such terms?

(c) Is it a fact that the acceptance of the terms of the Indian Army Corps of Clerks entails the signing by these clerks of an agreement to serve under the India Army Act for a period of ten years?

(d) Is it a fact that the terms referred to in parts (b) and (c) above rank these clerks with the "Followers: Second Class"?

(e) Is it a fact that a majority of the clerks referred to in part (a) above have expressed their unwillingness to serve under these conditions? Is it also a fact that, because of their unwillingness to serve under these terms, they have not been confirmed in their respective posts?

(f) Is it a fact that these clerks were recruited as a result of the examination held by the Public Service Commission?

(g) If the reply to part (f) be in the affirmative, will Government be pleased to state whether these clerks were given to understand at the time of the examination, or at the time of their appointment, that they might be required to serve under the Indian Army Corps of Clerks terms?

(h) If the reply to part (g) be in the negative, why do Government force such clerks either to accept the terms of the Indian Army Corps of Clerks or to quit service?

(i) Are Government aware that this causes general discontent among Government servants?

(j) If the reply to part (i) be in the affirmative, what steps have Government taken so far to improve the condition of the clerks in question?

(k) Do Government propose to shift all such clerks, at the earliest opportunity, from the Army Headquarters to other suitable departments and confirm them there? If not, why not?

Mr. G. R. F. Tottenham: (a) Yes. At present there are seventeen.

(b) Yes.

(c) Yes.

(d) No.

(e) Yes.

(f) Yes.

(g) No.

(h) Government are not forcing these clerks either to accept the terms or quit the service.

(i) No.

(j) and (k). Every endeavour is being made to provide the men concerned with alternative appointments in other offices. (Six have already been absorbed, eight more are about to be absorbed, leaving only nine to be provided for.)

Dr. P. N. Banerjea: What do Government propose to do with the remaining nine?

Mr. G. R. F. Tottenham: Absorb them.

REFUSAL OF PERMISSION TO THE ARMY HEADQUARTERS STAFF TO APPLY FOR APPOINTMENTS IN OTHER DEPARTMENTS.

743. ***Dr. P. N. Banerjea:** (a) Is it a fact that the members of the staff employed in the Army Headquarters are not allowed to apply for any appointment in another department of Government?

(b) Is it a fact that the applications for such transfers are invariably withheld?

(c) Will Government be pleased to state how many applications of the members of the Army Headquarters staff for an appointment in any other department have been withheld, and how many have been forwarded, since 1st January, 1934?

(d) If the reply to part (a) be in the affirmative, are Government aware that this attitude towards their employees causes general dissatisfaction among the latter?

(e) If the reply to part (d) be in the affirmative, are Government prepared to issue instructions to the effect that the application of any member of the staff of the Army Headquarters for better employment under other departments of Government should not generally be withheld?

Mr. G. R. F. Tottenham: (a) and (b). There is no general rule to the effect stated, but in one branch of Army Headquarters it has been necessary for the last six months to withhold applications for transfers, because the work was suffering owing to the constant changes that were taking place.

(c) 24 applications were withheld and 111 were forwarded.

(d) and (e). Do not strictly arise—but Government are considering the question of issuing general rules on the subject so as to secure greater uniformity of treatment.

Mr. Lalchand Navalrai: May I know if these people are drawn from the other Departments of the Government to the Army Department?

Mr. G. R. F. Tottenham: No, Sir. They are recruited through the Public Service Commission, and take up appointments in Army Headquarters. Very often some of them wish to better their prospects and apply for appointments elsewhere.

Dr. P. N. Banerjea: With regard to part (c), what were the grounds on which the applications were withheld?

Mr. G. R. F. Tottenham: I imagine, Sir, that the 24 applications which were withheld were from clerks or Government servants serving in this

particular branch of Army Headquarters where a ban has been put on transfers for the last six months.

Mr. Lalchand Navalrai: Were these 24 men recruited through the Public Service Commission or were they recruited direct or from the other staff of the Government of India?

Mr. G. R. F. Tottenham: I should imagine almost certainly that they were recruited through the Public Service Commission.

Q-ESTABLISHMENT SECTION IN THE QUARTERMASTER GENERAL'S BRANCH.

744. ***Dr. P. N. Banerjee:** (a) Is it a fact that the establishment section in every branch of the Army Headquarters deals with inter-sectional transfers of the Branch?

(b) Is it a fact that the Q-Establishment Section, which deals with inter-sectional transfers in the Quartermaster General's Branch, is composed of the same clerical men and that none has been transferred from that section to any other section for a number of years?

(c) Will Government please lay on the table a statement showing the names of the present clerical staff of the Q-Establishment and the period for which each has served in that section?

(d) Is it a fact that the major portion of Q-Establishment regularly moves each year between Simla and Delhi? Will Government please state the number of clerks in Q-Establishment section who move and the number of those who do not move?

(e) Is it a fact that the men in the moving portion of the Q-Establishment section have been moving for a number of years and that none of them has been transferred to the non-moving portion of the Q-Establishment or to any non-moving section of the Quartermaster General's Branch?

(f) Is it a fact that transfers are frequently made between other sections of the Quartermaster General's Branch?

(g) If the reply to part (f) be in the affirmative, will Government please state the reason for not transferring persons from the Q-Establishment section to any other section of the Quartermaster General's Branch?

(h) Are Government prepared to take steps to overhaul the Q-Establishment section?

Mr. G. R. F. Tottenham: (a) Yes, so far as the Secretarial duties connected with such matters are concerned, but the decisions do not rest with the clerical establishments.

(b) No.

(c) A statement is laid on the table.

(d) Yes. Eleven move to Delhi and eight remain in Simla.

(e) No.

(f) No.

(g) Does not arise.

(h) No.

Serial No.	Name.	Designation.	Service in Q-Est.
1	Mr. D. D. Bhardwaja, M.A.	Assistant-in-Charge.	10 years.
2	„ R. C. Dhowan	Junior Assistant	15½ „
3	R. S. Nem Das Jain	Cashier	24½ „
4	Mr. Chirag Din	2nd Divn. (Despatcher)	23 „
5	„ G. C. Bali	2nd Divn. (Distribution)	12½ „
6	„ Kehr Singh	2nd Divn. (Steno)	6½ „
7	„ G. M. Din	2nd Divn. (Typist)	14 „
8	„ A. S. Negi	2nd Divn.	4½ „
9	„ N. Robinson	2nd Divn. (Library)	8½ „
10	„ Zariel Hussain	2nd Divn. (Typist)	15 „
11	„ H. N. Bahl	2nd Divn. (Cash)	3½ „
12	„ Badri Nath	2nd Divn. (Despatcher)	3 months.
13	„ K. D. Pant	2nd Divn.	5½ years.
14	„ S. N. Saksena	2nd Divn. (Records)	1 year.
15	„ B. L. Murgai	3rd Divn. (Despatcher)	5 years.
16	„ M. D. Dalakoti	3rd Divn.	3 „
17	„ Farhat Ali	3rd Divn. (Typist)	3½ „
18	„ Fateh Mohd.	3rd Divn.	1½ „
19	Miss J. Adley	3rd Divn. (Typist & Despatcher).	1½ months.

Q-ESTABLISHMENT SECTION IN THE QUARTERMASTER GENERAL'S BRANCH.

745. ***Dr. P. N. Banerjee:** (a) Is it a fact that the questions relating to establishment, e.g., control of the clerical and menial establishment including recruitment, service, payment, leave, transfer, honours and rewards, welfare and discipline, and supervision of the accounts, etc., etc., of the Quartermaster General's Branch, are dealt with in the Q-Establishment section? If so, are Government aware of the importance of this section from the point of view of the office administration?

(b) Are Government prepared to consider the advisability of entrusting the charge of Q-Establishment section to a senior assistant?

Mr. G. R. F. Tottenham: (a) Yes, but orders on all these matters are passed by the officers of the Branch and not by the clerical establishments.

(b) The section is not in charge of a junior assistant.

DEBT OF THE GOVERNMENT OF INDIA UNDER CERTAIN HEADS.

746. ***Pandit Nilkantha Das:** (a) What is the amount of debt of Government of India under the following heads:

(i) productive:

- (1) Railway,
- (2) Irrigation,
- (3) other,

(ii) non-productive,

(iii) showing what amount in each head has been incurred on account of Provincial Governments, giving the figures province by province?

(b) What amounts on the heads of (i) and (ii) of part (a) above have been secured (i) from Indians, (ii) from Englishmen, and (iii) from others?

(c) What debt under the heads (i) and (ii) in part (a) above has been secured during the years 1920-21 to the present day and what amount of this has been secured from Indians?

(d) Has any public loan been converted into loans from Indians during the years from 1920-21 to date? If so, in which years and to what amount?

(e) What is the interest paid each year for the public debt of the Government of India:

- (i) on productive loans, and
- (ii) on non-productive loans?

(f) What proportion of this interest is paid to:

- (i) Indians, and
- (ii) foreigners?

(g) Is there any plan to convert loans from foreign creditors to Indian creditors? If so, what is the plan?

The Honourable Sir James Grigg: (a) and (e). I would invite the attention of the Honourable Member to Accounts 42A, 81 and 86A in the Finance and Revenue Accounts and to Appendix II to the Financial Secretary's Explanatory Memorandum on the budget for 1935-36.

(b), (c) and (f). The information desired by the Honourable Member is not obtainable.

(d) and (g). I would refer the Honourable Member to the proceedings of the Council of State for the 28th of August, 1934. As I then explained, the policy of the Government of India is to repatriate sterling debt whenever it is possible to do so, and, since 1923, there has in fact been a repatriation of about £20 millions.

Prof. N. G. Ranga: With regard to part (b), will an attempt be made to obtain the information?

The Honourable Sir James Grigg: This is the question the Honourable Member asked me the other day, and I am not trying to avoid the supply of any information. I simply said the information is not obtainable.

Prof. N. G. Ranga: Is it a fact that many Englishmen are investing largely in rupee loans floated in this country?

The Honourable Sir James Grigg: I do not know about that.

Prof. N. G. Ranga: Will Government be pleased to ascertain the facts?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

UNIFORM DISTRIBUTION OF SALT ALL OVER INDIA.

747. ***Pandit Nilkantha Das:** (a) Are Government aware that in places in India supply of salt is not regular and the price accordingly fluctuates?

(b) Are there any provisions in the Salt Department to see that distribution of salt supply according to local requirements is uniform all over India? If so, what are the provisions? If not, are Government prepared to consider the advisability of seeing that salt is sold to all Indian consumers at an uniform rate throughout the year?

The Honourable Sir James Grigg: (a) Except in entirely abnormal conditions, such as prevailed at the end of the Great War, there are no irregularities in the supply of salt or fluctuations in its value beyond what are the ordinary incidents of trade.

(b) No. The distribution of salt is left to the wholesale and retail traders. The Government regard it as impracticable that they should take over the distribution of salt down to the retail stage, which would be necessary if they sought to secure that salt should be sold to all Indian consumers at a uniform rate throughout the year.

Mr. S. Satyamurti: I do not know to whom to address the question, as the Honourable Member may not be in a position to answer, but may I ask any Member of Government to state whether they will take steps to make the transport of salt easier and cheaper than it is today, in order to ensure, to the extent to which easy and cheap transport can ensure, the sale at uniform prices of salt throughout India?

The Honourable Sir James Grigg: As the Honourable Member himself suggested, I think he had better address that question to one of my colleagues.

Pandit Nilkantha Das: My question was not exactly about uniform prices throughout India, but uniform prices throughout the year at a particular place, so that there may not be scarcity of salt in a particular place.

The Honourable Sir James Grigg: That question I have answered, if the Honourable Member will read my answer.

MEANING OF THE HEAD OF THE RAILWAY AS USED IN RAILWAY RULES AND REGULATIONS.

748. *Sardar Mangal Singh: Will Government please state what is meant by the head of the railway as used in railway rules and regulations?

Mr. P. R. Rau: On State Railways, the head of the Railway Administration is known as the Agent.

Sardar Mangal Singh: Is not the Railway Board the head of the railways?

Mr. P. R. Rau: Ultimately, Sir.

Sardar Mangal Singh: Is not the Governor General in Council the head of the railways?

Mr. P. R. Rau: He is the head of the whole Government of India.

Sardar Mangal Singh: How many heads has the Railway Department got then?

Sir Cowasji Jehangir: Is this side of the House the tail of the railways?

PAY AND ALLOWANCE OF TICKET EXAMINERS ON CERTAIN STATE RAILWAYS.

749. *Sardar Mangal Singh: Has the attention of the Governor General in Council been invited to the open letter dated, Simla, the 9th October, 1934, addressed by the National Federation of Railwaymen, Delhi, to the Chief Commissioner, Railways, regarding the pay and allowance of the Ticket Examiners on certain State Railways in India? If so, will Government please state:

- (a) whether the statements and references quoted therein are correct;
- (b) if the reply to part (a) be in the negative, in what respect and to which extent they are incorrect or inaccurate;
- (c) whether the claim to average mileage allowance or 75 per cent. of the pay treated as pay is in order;
- (d) if the reply to part (c) be in the negative, how and why it is not in order;
- (e) what action has been or is likely to be taken by Government on this letter, if none; why not?

Mr. P. R. Rau: The answer to the first part of the question is in the affirmative. As regards the second part,

(a) to (d). The correct position has been explained by me more than once on the floor of the House. It is not possible for me in the short space of a reply to a question in this House to deal with all the arguments in the letter.

(e) The letter will be examined carefully by the Railway Board but, so far as I can see from a cursory examination, it brings forward no important points which have not already been considered.

Mr. Lalchand Navalrai: May I know what was the conclusion arrived at by the Honourable Member? We do not want replies to arguments, but we want to know the decision.

Mr. P. R. Rau: That will be given in the reply to the next question.

Sardar Mangal Singh: Is the space of a question and answer limited according to rules which makes it impossible for the Honourable Member to give the information in the space of a reply?

Mr. P. R. Rau: It will take me half an hour to explain the whole position.

Mr. V. V. Giri: Will the Honourable Member place the details on the table?

Mr. P. R. Rau: I have already explained it on more than one occasion on the floor of the House, and the answers will be found in previous proceedings?

PAY AND ALLOWANCES OF TRAVELLING TICKET CHECKING STAFF ON THE EAST INDIAN AND NORTH WESTERN RAILWAYS.

750. *Sardar Mangal Singh: With reference to an assurance given to this House by Mr. P. R. Rau in answer to a supplementary question to starred question No. 352, asked on the 6th August, 1934, will Government please state whether the case of the pay and allowance of the Travelling Ticket Inspectors (of the Accounts Department) now working as Travelling Ticket Examiners and Special Ticket Examiners on the East Indian and North Western Railways has by now been decided? If not will Government please state the probable date by which the decision is likely to be arrived at?

Mr. P. R. Rau: Government hope to arrive at an early decision.

Mr. Lalchand Navalrai: As these men have been troubling the Railway Department and the Honourable Member, will the Honourable Member himself try to see that the decision is arrived at soon?

Mr. P. R. Rau: In answer to that, I should explain to the House that at present at least two hours a day of my time and a much larger proportion of the time of the officers of the Railway Board who are dealing with it are taken up in the researches necessary to answer various questions of detail on railway administration on the floor of this House.

Mr. Lalchand Navalrai: Will the Honourable Member, after this Session is over, take this up as the first question to be considered?

Mr. P. R. Rau: I hope to do so before the Session is over, if possible.

Dr. Ziauddin Ahmad: Is it not a fact that I had innumerable interviews with the Honourable Member on this particular question and certain suggestions are pending for his consideration on this question?

Mr. P. R. Rau: I am certainly able to congratulate my Honourable friend on the number of suggestions he has made on this question.

DEMOTIONS AND SUPERSESSIONS IN CERTAIN DIVISIONS OF THE EAST INDIAN RAILWAY.

751. *Sardar Mangal Singh: With reference to the reply laid on the table of this House on the 29th January, 1935, to starred question No. 440, asked on the 7th August, 1934, will Government please state:

- (a) whether it is a fact that an employee drawing Rs. 160 pay in the grade of Rs. 130—10—160 with about 15 years service has been demoted to the grade of Rs. 110—5—140;
- (b) whether it is a fact that an employee drawing Rs. 140 pay in the grade of Rs. 110—5—140, with about seven years service has been held senior to the employee drawing Rs. 160 and promoted to the grade of Rs. 150—10—190;
- (c) under what rule or order an employee in a higher grade and in receipt of higher pay and with much longer service is held junior to an employee in a lower grade drawing less pay with much length of service;
- (d) whether it is an accepted practice to determine the seniority on initial pay in the grade or permanent service; or both;
- (e) whether it is a fact that the claims of senior employees are superseded by junior employees in Howrah, Allahabad, Lucknow and Moradabad Divisions in the ticket checking branch;
- (f) whether it is a fact that supersessions have taken place in the ticket checking branch under the orders of the Chief Operating Superintendent, East Indian Railway, in Howrah, Allahabad, Lucknow and Moradabad Divisions;
- (g) whether on restoration of pay with retrospective effect and with the benefits of increments, the seniority of an employee is also restored;
- (h) whether it is a fact that the substantive grades, viz., Rs. 60—4—64—8—120 and Rs. 130—10—200, were restored to the Travelling Ticket Inspectors in December, 1932, with retrospective effect, i.e., from 1st June, 1931; if so, what are the equivalent or as near as possible in the Moody-Ward system;
- (i) whether they are prepared to lay a copy of the direction to the Agent that the holders of the restored substantive grades be absorbed in the new Moody-Ward system prior to their being passed out of service; and
- (j) whether they are prepared to lay a copy of the direction to the Agent that the holders of the restored substantive grades should not receive the stage advancement in their substantive grades?

Mr. P. R. Rau: I have called for certain information and will lay a reply on the table of the House in due course.

APPLICATION OF NEW LEAVE RULES TO JOURNEYMEN ON STATE RAILWAYS.

752. *Mr. Fakir Chand: (a) Will Government be pleased to state if any orders have been issued regarding the application of new State Railway Leave Rules to journeymen on State Railways?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state the considerations on which it was decided to exempt them from the operation of these rules?

(c) Will Government be pleased to state if this category of staff has to undergo an apprenticeship of five years and then has to wait for appointments?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to state if their date of appointment is taken as the date of joining the Railways as apprentices or the date on which they are appointed as journeymen?

(e) Is it a fact that sometimes this category of staff has to wait for vacancies after completion of their training, and are Government prepared to employ them safely in any other vacancies except those of journeymen till such time when they can be absorbed in the regular cadre of journeymen?

(f) Is it a fact that during the retrenchment period those apprentices who had undergone their training, had to wait longer, as even the normal vacancies were not filled, than in normal circumstances?

(g) Are Government prepared to lift the embargo of subjection to new Leave Rules and revised scales of pay, in the case of those of the staff who joined the Railways before the 15th July, 1931?

Mr. P. R. Rau: (a) and (b). Orders have recently been issued that Journeymen should be treated as subordinate staff and given leave under Annexure I of the State Railway Leave Rules. The reason was that they are in scales of pay generally rising to more than Rs. 100 per mensem.

(c), (e) and (f). Trade Apprentices and Apprentice Mechanics are required to undergo five years training under the rules for recruitment; no guarantee of appointment is given to them. It is possible that they may have to wait some time before they are actually employed. This period of waiting was probably prolonged owing to retrenchment, but this was unavoidable. The question of employment in other vacancies must depend on the circumstances at the time.

(d) The date of appointment is the date of joining as apprentice if there is no break in service, if there is a break, it is the date of appointment as journeyman.

(g) The State Railway Leave Rules apply to railway servants who were appointed on or after the 1st April, 1930, or who were appointed prior to that date on the condition that when the revised leave rules for State Railway employees were introduced, they would be brought under them. As regards pay, orders have been issued that apprentices who joined before the 15th July, 1931, would be entitled to the old scales of pay if they are appointed subsequent to that date without a break. Government do not see any reason to make a departure from the general orders referred to above.

OFFICERS OF INDIAN SERVICES.

753. *Bhai Parma Nand: Will Government be pleased to state the number of officers of Indian services, by communities and provinces, during the last three years:

- (a) appointed,
- (b) dismissed,
- (c) removed,
- (d) retired under retrenchment, and
- (e) retired under ordinary rules?

The Honourable Sir Henry Craik: I regret that the information is not readily available and cannot be collected without an amount of labour which would be wholly disproportionate to the results. I would, however, refer the Honourable Member (1) to the statement laid on the table on the 13th February, 1933, showing the effect of retrenchment on the communal composition of the staff in the Government of India Secretariat and (2) to the statements showing the communal composition of the various services, etc., which are placed in the Library of the Legislature every year.

APPEALS AND MEMORIALS SUBMITTED BY THE OFFICERS OF INDIAN SERVICES AGAINST THE ORDERS OF LOCAL GOVERNMENTS.

754. *Bhai Parma Nand: Will Government be pleased to state:

- (a) the number of appeals and memorials submitted for individual grievances by officers of Indian Services against the orders of Local Government during the last three years, by provinces;
- (b) the result of each appeal or memorial;
- (c) the number of appeals submitted by officers of Indian Services to the Secretary of State in Council against the order of the Government of India and the result in each case; and
- (d) the period for which each appeal was kept by the Local Government or the Government of India before it was forwarded to the appellate authority?

The Honourable Sir Henry Craik: (a) to (d). The information desired by the Honourable Member could not be procured without an expenditure of time and labour that would be incommensurate with its value and for that reason Government do not feel justified in collecting it.

DETENTION IN INDIA OF APPEALS ADDRESSED TO THE SECRETARY OF STATE.

755. *Bhai Parma Nand: Will Government be pleased to state:

- (a) if it is a rule according to which appeals addressed to the Secretary of State cannot be kept in India for more than a month;
- (b) that there is no such rule limiting the period for which a Local Government may not forward appeals addressed to His Excellency the Governor General in Council;

e reply to part (b) above be in the negative, whether Government are prepared to consider the advisability of making a similar rule about (b) as there is for (a)?

The Honourable Sir Henry Craik: (a) The Honourable Member is referred to sub-rule (2) of Rule 10 of the rules for the submission of memorials to the Secretary of State.

- (b) There is no such rule.
- (c) No.

Mr. Lalchand Navalrai: May I know if, when these appeals are kept back or decided, information is given to the applicant?

The Honourable Sir Henry Craik: Yes, I think that is so.

SUBMISSION OF APPEALS TO THE GOVERNMENT OF INDIA.

756. *Bhai Parma Nand: (a) Will Government be pleased to state if there is any rule according to which the appellant is given the right and opportunity to render an explanation about any matter, stated against him by the Local Government, in forwarding an appeal to the Government of India?

(b) Will Government be pleased to state if the Local Government are bound to submit all personal records of an officer who appeals to the Government of India?

(c) Are Government prepared to make a rule according to which the appellant should be supplied with a copy of the remarks made by the forwarding authority on his appeal so that he may, if he desires, submit an explanation direct to the authority to whom the appeal lies—or that the authority against whose orders an appeal is preferred should make no forwarding remarks but simply forward the appeal with all records of the case?

(d) Are Government prepared to make a rule so that every person aggrieved may submit his appeal direct to the authority competent to hear the appeal?

The Honourable Sir Henry Craik: (a) No.

(b) When service and character books are maintained under the rules of a service, these must be forwarded with any appeal from a member of the service against an order of removal or dismissal. In other cases there is no definite rule on the subject but personal records are ordinarily submitted in disciplinary cases in which a Government servant's character is in issue.

(c) and (d). The answer is in the negative.

Mr. Lalchand Navalrai: When there is a new point in the appeal, are they given an opportunity to explain?

The Honourable Sir Henry Craik: I should imagine yes; but I cannot say for certain what is the practice in every Local Government.

Mr. M. S. Aney: With regard to part (c) of the question, may I ask why the persons concerned are not given an opportunity of explaining their point of view in regard to such endorsement as may be made by the forwarding officers?

The Honourable Sir Henry Craik: The appellant has a full opportunity of explaining his point of view in the appeal which he submits.

Mr. M. S. Aney: Why is he not given an opportunity, when the appeal is forwarded to higher authority, to explain with reference to what is written on that appeal by the forwarding authority?

The Honourable Sir Henry Craik: I really do not see why he should be.

Mr. Lalchand Navalrai: If the Honourable Member does not know the practice in this matter of asking for an explanation on new points, will he acquaint himself with the rule or give instructions that on new points their explanation should be called for?

The Honourable Sir Henry Craik: That is a large subject: I cannot decide a question of policy involving an alteration of these rules in reply to a supplementary question: I must have notice.

Mr. Lalchand Navalrai: I am only asking the Honourable Member to know the practice: will the Honourable Member know it?

The Honourable Sir Henry Craik: I say I am not familiar with the practice in every single Local Government; but, so far as I know, such an opportunity is given.

APPEALS ALLOWED TO MEMBERS OF ALL-INDIA SERVICES.

757. ***Bhai Parma Nand:** (a) Will Government be pleased to state if it is a fact that there are two appeals allowed to members of all Indian Services, one to the Governor General in Council and the other to the Secretary of State in Council against the order of Governor in Council, while there is only one appeal permitted to the members of the Provincial and Subordinate services, viz., to the Governor against the order of Governor in Council?

(b) Are Government prepared to give to the members of the Provincial Services the right of second appeal to the Governor General in Council?

The Honourable Sir Henry Craik: (a) The Honourable Member will find the appeal rules set out in detail in Rules 56, 57 and 58 of the Classification Rules. The position is not exactly as stated in his question. A member of an all-India Service has, for example, no appeal whatever against an order of removal or dismissal, while a member of a provincial or a subordinate service has one such appeal.

(b) No.

FORMATION OF A PROVINCE OF KANARESE SPEAKING DISTRICTS.

758. ***Mr. S. K. Hosmani:** (a) Is it a fact that the Madras Legislative Council adopted a resolution in 1929, recommending to Government that urgent steps be taken for the formation of a Province comprising the Kanarese speaking parts of the Madras and the Bombay Presidencies and of Coorg?

(b) Is it a fact that a similar resolution was passed by the Madras Legislative Council in 1933?

(c) Is it a fact that the Coorg Provincial Council have also passed a resolution to the same effect?

(d) Is it a fact that a similar resolution was moved in 1929, in the Bombay Legislative Council?

(e) Is it a fact that all the members of the Kanarese speaking district supported the resolution?

(f) Have Government obtained the opinions of these Local Governments, and if so, what is the nature of those opinions?

The Honourable Sir Henry Craik: The answer to parts (a), (b), (c) and (d) is in the affirmative and to part (f) in the negative. As regards part (e) I have no information as to which members of these Councils speak Kanarese.

Mr. S. K. Hosmani: Will the Honourable Member take the trouble of getting the information from Bombay as to which of the Members voted for the Resolution?

The Honourable Sir Henry Craik: Is the matter really one of great importance? If the Honourable Member can convince me that it is really one of urgent importance, I shall be glad to make inquiries.

Mr. S. K. Hosmani: It is a matter of information: I want to know what Members of the Kanarese parts voted on the Resolution: I want the Honourable Member to get the information and let the House know.

The Honourable Sir Henry Craik: I suggest that the Honourable Member should look up the proceedings of the Council concerned.

Mr. M. Ananthasayanam Ayyangar: Do Government propose to take any action on these Resolutions?

The Honourable Sir Henry Craik: The attitude of the Government was explained by my predecessor in a debate in July last.

Mr. M. Ananthasayanam Ayyangar: May I know what that attitude is?

The Honourable Sir Henry Craik: The attitude was to leave the matter to the newly constituted Councils.

SUBJECTS OF INDIAN STATES PROCEEDED AGAINST UNDER THE FOREIGNER'S ACT.

759. *Mr. S. Satyamurti: Will the Honourable the Home Member be pleased to state:

- (a) the number of persons who are subjects of Indian States, who have been proceeded against by the Government of India under the Foreigner's Act;
- (b) the nature of the orders passed against them by Government;
- (c) the States to which they belong;
- (d) the periods during which the orders have been in force against them;
- (e) how many of these orders were passed against these persons in view of their connection with the civil disobedience movements; and
- (f) whether in view of the suspension of the movement, Government are prepared to withdraw the orders against such persons, and if not, why not?

The Honourable Sir Henry Craik: (a) No action has been taken by the Government of India under the Foreigner's Act against subjects of Indian States since 1922.

(b) to (f). Do not arise.

Mr. S. Satyamurti: Are there any orders now subsisting, passed before 1922?

The Honourable Sir Henry Craik: There were three orders passed before 1922: whether they are still subsisting, I cannot say: I am not aware whether the three persons concerned are still alive or not.

Mr. S. Satyamurti: Has any action been taken by the Local Governments under this Act?

The Honourable Sir Henry Craik: That I cannot say.

Mr. B. Das: Will the Honourable Member kindly say under what Act the Indian States' subjects have been deported after they took part in the Congress disobedience movement from British India, after they came out of jail, if it is not the Foreigner's Act?

The Honourable Sir Henry Craik: I am sorry I could not follow the Honourable Member's question.

Mr. Bhulabhai J. Desai: I will repeat the question: under what Act, several persons, being subjects of Indian States, who took part or were otherwise punished in the Civil Disobedience Movement, were externed after the expiry of their respective sentences?

The Honourable Sir Henry Craik: I do not think that arises. I am asked only for the number of orders passed by the Government of India under the Foreigner's Act.

Mr. Bhulabhai J. Desai: I am not denying that the question in terms may not raise that in form; but the substance of the question that I am asking is this: if the Honourable Member says I must put another question I will do so, unless he will take this as the question: will the Honourable Member find out whether the Local Governments have passed any, and, if so, what orders, against persons convicted or otherwise dealt with, being subjects of Indian States, in the Civil Disobedience Movement, after the expiry of their sentences and externed?

The Honourable Sir Henry Craik: I think certain Local Governments have passed orders under local Acts which gave them power to pass such orders.

Mr. Bhulabhai J. Desai: Will the Honourable Member be able to get the information?

The Honourable Sir Henry Craik: I could; but the responsibility is the Local Governments' who have discretion to pass such orders.

HANDLOOM WEAVERS THROWN OUT OF EMPLOYMENT.

760. *Mr. T. S. Avinashlingam Chettiar: (a) Are Government aware that a large number of handloom weavers have been thrown out of employment during the last few years?

(b) Are Government aware that this unemployment is mainly due to the competition of Japanese cloth and mill woven cloth?

(c) Do Government propose to consider the advisability of taking steps to protect the handloom weavers?

The Honourable Sir Frank Noyce: (a) and (b) No.

(c) Government are already taking steps to assist the handloom weaving industry by giving grants-in-aid equal to the proceeds of an import duty of a quarter anna per pound on yarns up to 50s. for a period of five years.

Mr. Lalchand Navalrai: Has the Honourable Member in view the weavers of Sind also or not?

The Honourable Sir Frank Noyce: The amount is being allotted to the different provinces: I believe Sind is a part of a province.

Mr. Lalchand Navalrai: The Bombay Government is not fair in giving to Sind: will the Honourable Member, therefore, advise the Bombay Government to give a legitimate portion to Sind?

The Honourable Sir Frank Noyce: I hope the Bombay Government can be trusted to deal with Sind fairly, without any advice from the Government of India.

Mr. N. M. Joshi: May I ask whether the Government of India are aware that the Bombay Government receive much less from Sind than they spend on Sind?

Dr. Ziauddin Ahmad: The reply to parts (a) and (b) was "No". May I know what is the meaning of this word "No"? Does he believe that the handloom weavers were not thrown out of employment or does he believe that they were thrown out of employment, but it was not due to competition from Japanese cloth and mill woven cloth?

The Honourable Sir Frank Noyce: The meaning of the reply is exactly what it says. Government were asked whether they were aware that a large number of handloom weavers have been thrown out of employment during the last few years, and their answer is "No". It is extremely difficult to get any definite information on that point owing to the fact that handloom weaving is largely a part time occupation.

Mr. T. S. Avinashilingam Chettiar: On what information do they say "No"?

The Honourable Sir Frank Noyce: On their own information: if they are not aware, they are not aware.

Prof. N. G. Ranga: Have Government ascertained from the Provincial Governments about the exact position?

Mr. Sami Vencatachalam Chetty: Have not the Provincial Governments brought to the notice of the Central Government that several handloom weavers were thrown out of employment?

The Honourable Sir Frank Noyce: No, Sir, I said we have no information on that point.

Mr. Sami Vencatachalam Chetty: Have not the Madras Government asked for help to these handloom weavers?

The Honourable Sir Frank Noyce: Exactly; we are giving it.

Mr. Sami Vencatachalam Chetty: On what ground did they apply for it?

The Honourable Sir Frank Noyce: On the ground that the handloom industry needed help.

Mr. Sami Vencatachalam Chetty: Did they not mention the fact that several have been thrown out of employment?

The Honourable Sir Frank Noyce: I would invite the attention of the Honourable Member to the Madras Government scheme embodied in the Bulletin, and he will find therein all the information that the Madras Government gave us on this subject.

SHORT NOTICE QUESTIONS AND ANSWERS.

GRANTS-IN-AID FOR THE DEVELOPMENT OF THE HANDLOOM INDUSTRY.

Mr. M. S. Aney: Sir, I beg to put the following Short Notice question:

- (a) Will Government be pleased to give the details of the expenditure of Rs. 1,77,000 and Rs. 4,74,000 provided for, respectively, in

the revised estimates for 1934-35 and the budget estimates for 1935-36 as grants-in-aid for the development of handloom industry?

- (b) Do Government propose to distribute the same among the provinces of British India? If so, what will be the share of each province?
- (c) Did Government appoint any public or private agencies in the provinces for giving assistance to the handloom industry in each province? If so, what are those agencies?
- (d) Have Government any scheme for the development of the handloom industry in the country as a whole? If so, are Government prepared to publish the same and circularise it among the members of the Central Legislature?
- (e) Are Government aware of the organisation known as the All-India Spinners' Association and its activities for the development of the handloom industry?
- (f) Do Government propose to take the advice of that body and work in co-operation with it in pursuit of the common object? If so, how and in what manner?
- (g) Was this grant placed before the meeting of the General Standing Finance Committee? If so, are Government prepared to supply the Members of this House with a copy of the memorandum, if any? If not, why was it not placed before them for sanction in the normal course?

The Honourable Sir Frank Noyce: (a), (b) and (d). The Honourable Member will find the scheme considered at length on pages 34 to 116 of No. 52 of the Bulletins of Indian Industries and Labour, copies of which are in the Library. These pages record the discussion of the scheme by the Sixth Industries Conference which met at Simla in July, 1934, they give the criteria which have guided the allocation of the money, and they indicate the character of the individual schemes which were proposed by Local Governments. These schemes have been revised with regard to the criticisms made at the Conference and the funds available and I lay on the table a statement showing the amount allotted to each province for the financial years 1934-35 and 1935-36.

(c) No new agency has been created by the Government of India. The schemes will be administered by Local Governments, working through their Departments of Industries in most cases.

(e) I have heard of the Association and understand that its activities are not confined to the encouragement of spinning.

(f) No.

(g) Yes: copies of the proceedings of the meeting of the Standing Finance Committee, dated 31st August, 1934, containing the memorandum regarding the grant-in-aid for the development of the handloom industry were circulated to Members of this House as recently as last week.

	1934-35.	1935-36.
	Rs.	Rs.
Madras	26,500	59,500
Bombay	17,500	39,500
Bengal	35,500	80,000
United Provinces	32,000	72,000
Punjab	17,000	38,000
Bihar and Orissa	23,000	52,500
Central Provinces	7,500	17,000
Burma	7,500	17,000
Assam	7,500	17,000
Delhi	2,000	5,000
Estimated reserve with the Central Government		76,500
Total	1,76,000	4,74,000

Mr. B. Das: Is the amount allotted on consumption basis or on a population basis?

The Honourable Sir Frank Noyce: It was extremely difficult, I may explain, Sir, to arrive at a suitable criterion for the distribution of this grant. The criterion finally adopted by the Conference was that half the grant should be distributed on the basis of consumption of yarn in the handloom industry, and the other half on the basis of what the provinces had been doing to help themselves in this matter, namely, on the basis of the average expenditure on handloom weaving in the last five years. That criterion was laid down for one year only, and it will be reviewed by the next Industries Conference which we hope will be held in the course of the next few months.

Mr. S. Satyamurti: Why do not Government agree to co-operate with the All-India Spinners' Association, in respect of this work?

The Honourable Sir Frank Noyce: I have already explained that this is not a matter for the Government of India. The Government of India are not administering any scheme themselves, and, so far as they are concerned, no question of co-operation arises.

Mr. S. Satyamurti: Why do Government say in answer to Mr. Aney's question, that they are not prepared to work in co-operation with the All-India Spinners' Association?

The Honourable Sir Frank Noyce: I have nothing to add to the answer I have already given.

Mr. S. Satyamurti: What are the other activities of the All-India Spinners' Association which have been brought to the notice of the Honourable Member?

The Honourable Sir Frank Noyce: Obviously, Sir, the encouragement of weaving.

Dr. Ziauddin Ahmad: Has the Honourable Member got any figure in his office to show the number of handlooms in each Province?

The Honourable Sir Frank Noyce: I would suggest that Honourable Members should study the Bulletin to which I have referred which contains the very fullest information on this subject. As they can see for themselves, it is a thick volume, and two-thirds of it is occupied by the schemes put forward by the Local Governments for the encouragement of the handloom weaving industry and the discussions of the Industries Conferences thereon.

Mr. T. S. Avinashilingam Chettiar: May I know, Sir, if copies of this memorandum were supplied to the Standing Finance Committee this year?

The Honourable Sir Frank Noyce: I said that the proceedings of the meeting of the Standing Finance Committee, dated the 31st August, 1934, containing the memorandum regarding the grant-in-aid for the development of the handloom industry were circulated to Members of this House as recently as last week. That obviously could not have been included in the Volume which was published some months before that.

Mr. S. Satyamurti: Is there any political reason why the Government of India will not co-operate in the matter, with the All-India Spinners' Association?

The Honourable Sir Frank Noyce: On that point, I have nothing to add to the statement I have already made.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

ISSUE OF SHARES OF THE RESERVE BANK.

Mr. T. S. Avinashilingam Chettiar: Will Government state:

- whether their attention has been drawn to the notification regarding the issue of shares of the Reserve Bank on the 27th February;
- whether they are aware that according to that notification the lists will be opened on the 22nd March and closed on the 25th;
- whether they are aware that the number of days that the lists will be practically and actually open will be only two days and three hours, as 23rd and 24th are Saturday and Sunday;
- whether they are aware of the fact that considerable dissatisfaction has arisen because of the shortness of time allowed, which particularly handicaps agricultural people living in villages; and
- whether in view of these facts, they are prepared to consider the necessity for extending the time during which the lists will be kept open?

The Honourable Sir James Grigg: (a), (b) and (c). Yes.

(d) and (e). The Central Board of the Reserve Bank consider and Government agree with them, that the time is adequate in view of the facts that ample previous notice is being given throughout the country, and that applications may be lodged at the various centres in advance of the opening date. This will be abundantly clear if reference is made to the terms of the prospectus published in the press this morning. It does not, therefore, seem necessary to ask the Board to extend the time during which the lists will remain open.

Mr. T. S. Avinashilingam Chettiar: Will Government be pleased to issue orders to receive applications for shares on Saturday and Sunday also?

The Honourable Sir James Grigg: I think the Honourable Member had better read the prospectus first before he asks further questions on this matter. In the prospectus it is stated that applications sent in before the opening date will be accepted.

Mr. T. S. Avinashilingam Chettiar: Will the application forms be ready by then?

The Honourable Sir James Grigg: All that is given in the prospectus, and I suggest that the Honourable Member should read it first and then ask whatever questions he wants to ask.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): This is a day which has been allotted for the motions to be moved by the Nationalist Party. There are three motions on the paper, two standing in the name of the Honourable Member, Mr. Aney, and one standing in the name of Mr. Akhil Chandra Datta. The Chair does not know which of the two motions Mr. Aney wishes to move first. Perhaps he will make it clear. The Chair thinks both are under Demand No. 32—Home Department,—one is a token cut to discuss the repressive policy, and the other relates to the refusal of supplies in connection with the repressive policy of the Home Department. Which one does the Honourable Member propose to move?

Mr. M. S. Aney (Berar Representative): I am going to move the motion reducing the demand by Rs. 100.

Mr. President (The Honourable Sir Abdur Rahim): Refusal of supplies?

Mr. M. S. Aney: Token cut by Rs. 100.

The Honourable Sir Henry Craik (Home Member): On a point of order, Sir. May I respectfully draw your attention to Standing Order No. 72 which provides:

"If notice of motion to omit or reduce any grant has not been given two clear days before the day on which the demand is to be considered, any Member may object to the moving of the motion, and such objection shall prevail, unless the President, in the exercise of his power to suspend this Standing Order, allows the motion to be made."

I have no intention whatsoever of burking discussion on this motion, and, of course, I take it that the Standing Order will be suspended. But I should like to draw your attention to the principle underlying this Standing Order, which is that, in regard to motions for cuts, at least two days' clear notice should be given. I should also venture to suggest that it puts the Government in a position of considerable disadvantage if that amount of notice is not ordinarily insisted upon. For example, I only knew by a casual enquiry from my Honourable friend yesterday that he was going to remove this motion today, and so far as I am aware, Government have received no information at present yet as to what is the next motion to be moved when the debate on the present motion is concluded. I submit that that is hardly fair to the Government, and we do not get sufficient time to think over what the Government have got to say.

Mr. President (The Honourable Sir Abdur Rahim): Of these three motions, the first one which the Honourable Member, Mr. Aney, wants to move is in Late List No. 1, notice of which was given by the Honourable Member on the 6th March at 2-36 p.m.,—very nearly two days.

The Honourable Sir Henry Craik: Still, even that is not strictly two clear days' notice. The only notice I have received is of certain cuts of which notice was given yesterday, that is, on the 7th March at 11 a.m.

Mr. M. S. Aney: That is not the motion I am moving. I am moving the other one of which notice was given on the 6th, printed on Late List No. 1. That was received by every Member.

The Honourable Sir Henry Craik: Even so, there has not been two clear days' notice. I am not objecting to this motion being taken up today, but I do think that it is only fair that Government should have sufficient time to think over what they have got to say on these important cuts.

Mr. President (The Honourable Sir Abdur Rahim): The Chair quite understands the significance of the objection that has been raised by the Honourable the Home Member. Undoubtedly, Government must have sufficient time in order to prepare themselves to answer the motions tabled. But the Chair also ought to explain to the House what happened in this particular matter. The Leaders of different Parties arrived at some arrangement with the Leader of the House and the Chair received information of that the day before yesterday and the Chair was told that these motions were going to be moved by different Parties on different dates. The Leader of the House knew the day before yesterday what were the motions that were going to be moved.

The Honourable Sir Henry Craik: I thought that we only knew that Leaders of certain Parties were going to move a motion, and not the actual terms of the motion.

The Honourable Sir Nripendra Sircar (Leader of the House): As I was present in the room, may I say a word? My Honourable friends, the day before yesterday, or even yesterday, could not make up their minds as to which of the cuts they were going to move. We had no difficulty whatsoever so far as the Congress Party was concerned. We had no difficulty about the Independent Party; we knew that they would move on Tuesday.

[Sir Nripendra Sircar.]

And we had no difficulty about the European Group who would move their cut on Monday afternoon. But my Honourable friends could not make up their minds as to which they should move. Not that we object now, we are ready to go on.

Mr. M. S. Aney: If I mistake not, my Honourable friend was informed by me of both the alternative motions at the private meeting which we held. So, he had notice of both. It is my choice, and I can move either the one or the other.

Mr. President (The Honourable Sir Abdur Rahim): The Chair must say that it is extremely desirable that the Government should have sufficient notice, according to the Standing Order, of the motions that are going to be moved by different Parties. The Chair may here just point out to those Honourable Members who do not belong to any Party and who want to move their motions tomorrow, that they must let the Government Members know at once what are the motions they want to move; otherwise, they may find that they will not be able to move those motions at all. They should also inform the Government of the order in which those motions will be taken up.

DEMAND NO. 32—HOME DEPARTMENT.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 6,80,000 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, 1936, in respect of 'Home Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 6,80,000 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, 1936, in respect of 'Home Department'."

Repressive Policy.

Mr. M. S. Aney: Sir, I rise to move the motion that stands in my name, and that is:

"That the demand under the head 'Home Department' be reduced by Rs. 100."

This is a token cut and not a cut moved on the principle of refusal of supplies. In moving this motion, my object is to censure the Government for pursuing a policy of repression at a time when it is not at all justified. Before I deal with the various acts which, in my opinion, amount to repression, I should like to explain my position a little more clearly. I should like to expound briefly as to what constitutes repression. Many people think that acts of the Government done under extraordinary laws alone can be construed as repression. But I consider that every act of the Government which is in restraint of the elementary rights of citizenship of the individual or the society is an act of repression, whether that is done under the normal law or done under an extraordinary law or an emergency law. Anything that detracts from the rights of citizenship is an act of repression, and it can be justified only on the ground of emergency and not otherwise. The times under which we are living are such as will not, in my opinion, justify the Government in pursuing a policy which they had taken to some years ago, and that is the main reason why I am moving

this cut. I can quite understand that repression becomes at times necessary, but that is justified only on the ground of certain extraordinary circumstances. What is the position today? The country is, in my opinion, and in the opinion of the Government also, enjoying complete peace and there is no disturbing factor whatsoever. Even according to the admission of the Government, the situation has so far improved that they do not apprehend any untoward events to take place during the present time. If that is so, it is clear that the Government must be content to rule this country by normal laws and not by the force of any extraordinary laws. The great agitation that was going on in this country since 1930 is now withdrawn. The Civil Disobedience Movement is now withdrawn. The party which started that movement has come here to carry on a constitutional struggle with the Government of India, taking a chance to see whether in that constitutional struggle the Government of India behave with them and with the people of this country in a manner to inspire some confidence in their beneficent motives. They are here for that purpose. When the movement was going on, it was frequently given out that so long as there was this movement, and a spirit of lawlessness was being encouraged, there was no reason for the Government to take a lenient view and to slacken their policy of repression. An excuse to this effect cannot be put forward by the Government today. The Civil Disobedience Movement was no doubt a disturbing factor; but I want to assert that we consider it as a legitimate weapon and also a legitimate method to assert our rights and to carry on the struggle for our liberty. It, however, has now been withdrawn.

The Honourable Sir Henry Craik: It is in abeyance. It has not been abandoned.

Mr. M. S. Aney: For the purpose of the Government, it is sufficient that the movement is withdrawn. Whether it will be revived or not will depend on how the Government behave with the people during the period that the movement is withdrawn. The responsibility will be on the Government for not having responded to the demands of the people in the spirit in which they ought to have done during the time when the campaign of Civil Disobedience was ostensibly and practically withdrawn. You cannot, therefore, draw a distinction between abandonment and withdrawal and make that as an excuse for persisting in methods and measures which are unwarranted and unjustifiable. That indicates a mentality of obstinacy which is certainly not creditable to the Government. The point is this. If after the withdrawal of the movement, Government are persisting in a policy of repression, then I submit that they have got to give very cogent justification for that. Very often questions have been asked here to elicit information in regard to various acts of repression, but the replies given have at any rate not satisfied me. One of the most striking facts is that even after the withdrawal of the movement, we find that some persons who were convicted of civil disobedience are still rotting in jail. In answer to a reply given today by the Honourable the Home Member, we understand that there are still 69 persons thus rotting in jail. I don't understand it. Unless there are specific reasons for not releasing them, it is impossible to conceive why they should rot in jail even for a day after the movement has been withdrawn

The Honourable Sir Henry Craik: Some of them were convicted after the movement was withdrawn.

An Honourable Member: Convicted of what?

Mr. M. S. Aney: I will come to that later on. I find that although the movement has been withdrawn, the Government have not responded in the manner and the measure they should have done to inspire more confidence in the new method which the popular party wants to try. They are behaving as if they are not quite sure as to the *bona fides* of those who have come to have a constitutional fight with them. The author of the movement himself has not been given permission to visit certain tracts of the country for the sake of satisfying himself about the conditions which exist there. An atmosphere of suspicion and distrust is still present in the mind of the Government. What is the reason? Today we are told that several civil disobedience prisoners are still rotting in jail, for which I at least do not find any excuse. I also find detention of persons convicted during the Civil Disobedience Movement. After the movement has been withdrawn, cases of sedition have been launched against some of them, and they are important leaders, and they have been sent to jail. What does that indicate? It means, in my opinion, that Government are suspicious of the conduct and the movements of those persons. The power of sanctioning prosecution is in the hand of the Government. Even if sedition is technically committed, it is not imperative on the part of the Government to prosecute a man for sedition. The power of sanction is vested in the Local Government and that means that the Government have got to see whether it will serve any useful purpose in prosecuting men for sedition at a particular time. Considerations of time and considerations of policy are of paramount importance in launching and sanctioning prosecution for sedition against anybody. After the movement is withdrawn, prosecutions for sedition have been launched against persons who represent that movement. It means that the Government do not want to deal with them as respectable citizens or gentlemen. They want to treat them, as far as possible, as felons or men with a criminal bent of mind. These things go to create a spirit of hostility amongst the people and the day of reconciliation and mutual co-operation is thereby retarded. The responsibility for the retarding of that day will in my opinion, rest on those who have not been able to respond to the gesture made by the Congress and certainly not on those who once stood for and carried on the Civil Disobedience Movement, but have now withdrawn it. After the movement was withdrawn, I thought that the Government would really come out liberally and try to begin with a clean slate before them and give a complete assurance to the people who have come here to argue with them on the floor of this House. We have abandoned the movement for the time being. You may say that it is not a permanent abandonment. There can be no such thing as a permanent abandonment so long as a desire for getting liberty is present in the mind of the people. So long as people are fired with a desire for emancipating their country from foreign bondage, you cannot expect them to permanently abandon their methods, unless they are assured that by pursuing other methods they can come nearer the goal they have in view. How can the Government assure them except by making a liberal gesture in response to what they have done? It is inexplicable to any man of common sense how they can assure the people by taking an obstinate and perverse attitude.

Sir, we find that the devil of repression is a hydra-headed one. Somebody put a question on this point. This hydra-headed monster manifests itself in a thousand and one ways; you cannot imagine how many forms proteus-like it assumes and how many forms it can assume. (Hear, hear.) I think since the Civil Disobedience Movement was withdrawn, Government should have taken stock of all that they had done to meet and suppress agitation when it had been going on, all the steps that they took with a view to curbing and to destroying the agitation. Immediately after the agitation was withdrawn, one would have thought they would regard it as their first duty to examine all the injuries they had inflicted by way of punishment upon the people concerned in the movement with a view to removing them all as far as it was practicable for them to do so. We find, however, that although the Civil Disobedience Movement has been withdrawn, properties that were attached and confiscated are still unrestored and no steps are taken. For instance, the Guzerat farmers and the Carnatic farmers are suffering from the loss of their confiscated property. Government do not think it worth while even to consider as to whether such forfeited property can be restored to them or not. Sir, so long as Government will persist in keeping those wounds unhealed, the people's mind will harp on them and they will not be reconciled to co-operate with the Government. It was rather with a view to prominently bringing out to the notice of the Government the facts relating to the loss or damage sustained by those who had been punished during the past agitation that the leaders of the movement having withdrawn that agitation have now come forward here. A considerable number of those who are here in this House represent the people who helped and participated in this agitation. Now, they have come here and have extended the hand of co-operation. (Hear, hear.) Are you grasping that hand, or rejecting it? You can grasp that hand in two ways. You can merely utter empty words and empty assurances and simply say: "We welcome you in this House, and so on and so forth". That is no assurance. But if you want to extend a loyal and sincere welcome, then you should try to undo the grave wrongs which you had done them during the agitation as also the other acts of repression which you have been consistently pursuing since the withdrawal of the movement. (Hear, hear.) Do not punish them permanently or maliciously. If you really want those people to be your loyal subjects hereafter—loyal not in the sense that they shall be made permanent slaves under a foreign and alien rule, but loyal in the sense that they are the subjects of a State which can be felt by them as their own State, with that idea present in mind—then you should behave accordingly. The Government and those representing them cannot imagine that the people, after one struggle is over, will give up their ideals and try to remain with them as loyalists who have no political ideals before their minds but those of slaves. Now, how can you punish men for having political ideals, when the nation's conscience is awakened and the nation feels the rancour of living under foreign bondage? People, Sir, for the sake of gaining their political ideal, will ever be ready to renew and redouble their efforts every time there is an impediment thrown in their way to reach that goal. That is bound to come and you cannot deny that. Sir, every nation's struggle, every political power has always had its ups and downs, victories and reverses, and has also always had its revivals also. Such revivals will be there. We take the present period as one in which we have, of our own accord, voluntarily stopped

[Mr. M. S. Aney.]

our agitation and have given you a chance to demonstrate whether you would allow people to tread the constitutional path only as the proper one, so that within a reasonable time the people can have their goal. It is now for you to create confidence in the minds of the people in this matter. And if you want to create it, then it is not by merely giving empty assurances and promises in the form of welcoming us and making felicitous speeches and shaking hands with us. It is not by these shadowy things and forms, but by tangible things and substantial gestures that you can win our confidence, such as making sincere and genuine efforts to undo the wrongs that you have inflicted on the people during that period of trouble and turmoil. Sir, I may point out that during the time when the agitation was going on, the Government made the Ordinances. These were ultimately enacted as laws, and they are still the laws of the land on the Statute-book. You will find that the Local Governments of Bombay and Bengal and certain other provinces also have re-enacted these as permanent laws. All this shows that the power they have got of summarily dealing with things is so dear to them that they do not want to part with it. They do not want to lose the advantages which they have got in dealing with men whom they dislike and suspect. They have lost all patience, patience that is necessary for acting justly, and why? On account of being allowed to exercise such arbitrary powers and to behave in this manner for the past few years, they have lost all balance and faculty of circumspection and the patience that is necessary for them to rule over this vast country on lines of justice and equity in conformity with approved jurisprudence.

Sir, my first complaint is this. All the lawless laws, all the weapons which had been forged by the Government during the period of the agitation are now still in the armoury of the Government—weapons ostensibly designed for the purpose of meeting the situation which the Civil Disobedience Movement had created. Now, all these should have been repealed by the Government of India. I regard the continuance of these laws on the Statute-book as a proof of an attitude on their part of treating those who have been carrying on that agitation as rebels even after the agitation is withdrawn. They have that spirit of distrust, hatred and suspicion in their mind. I also find that Government are pursuing their policy of externing and interning all sorts of persons. There are persons externed, there are persons interned even now. Some persons are not allowed to go beyond certain limits of some province, others are not allowed to come within certain limits, and in that way this externment and internment policy is going on. Extraordinary powers are given to District Magistrates. And what do we find? Hundreds of young men are today externed, they are served with notices, they are not allowed to go out of their province—by saying “hundreds” I mean—I won’t say that the number comes to many hundreds, I want to say positively that it exceeds at least one hundred.

The Honourable Sir Henry Craik: Under what Act is this?

Mr. M. S. Aney: That was the very question which was put and which the gentleman over there expected the Honourable Member to answer this morning, viz., how many persons were externed under the Foreigners’ Act, and the Honourable Member said that certain Provincial Governments had proceeded on that basis, but that he did not know exactly and could

not give the exact information. The point is this. These Acts are being used arbitrarily and people are being externed or interned without any inquiry. For example, I may mention the case of my friend, Barrister Savarkar. This young man has served many long years of imprisonment in the Andamans. After having served his full term there, he was released, only to find himself interned in the district of Ratnagiri, and, after three or four years, a fresh notice is issued and his period of detention is prolonged for the last ten years and more.

Mr. President (The Honourable Sir Abdur Rahim): The Chair would remind the Honourable Member that the House will rise today at a quarter to one, it being Friday.

Mr. M. S. Aney: Yes, Sir. (Voices: “Continue afterwards.”) Now we have got a terribly long list of detenus—a list which was given by the Honourable Member himself on the 14th February, 1935, when he said:

“The information in my possession under these three heads relates to persons now detained or externed. The figures are as follows:

(i) 1,653.

(ii) 48.

(iv) 179 in jails in Bengal, 974 in detention camps in Bengal and 500 in detention camps or jails outside Bengal.”

The number of detenus in Bengal is increasing all along even after the campaign has been withdrawn. My point is this that by keeping a large number of young men in jail, you are denying them the liberty and you are also denying the opportunities of serving the country in the normal way when the whole atmosphere is changed on account of the withdrawal of this movement. You are thus creating a situation in that province which is getting from bad to worse. I am now talking of the repressive policy in general; I am not necessarily confining myself to the civil disobedience policy only. I am saying that the Government are pursuing a policy of repression even when the situation has changed on account of the withdrawal of the Civil Disobedience Movement. Government should deal with them more leniently in this case. Now, Sir, after the civil disobedience campaign was withdrawn, Government should have similarly allowed all the bodies, which were declared illegal, to function normally. Now, there are at least, to my knowledge, two or three bodies—very important political institutions in the country—which are still under the ban. For example, the Hindustani Seva Dal. Now, that is a volunteers’ institution and it is incomprehensible for us to know as to why it has not been allowed to function normally. It is a body of volunteers pledged to work on non-violent, peaceful and legitimate lines. It is a body of volunteers which has been working as a part of the Congress organisation for many years, and when Government have allowed all the Congress bodies to function normally, how is it that this body has not been treated similarly? Then, we have a body known as Khudai Khidmatgars. I do not want to say much about this body, as much has already been said about it. Whatever may have been the reasons to suspend the activities of this body at one time, today we have got the stalwart of a representative here who is definitely telling us what it is and what it stands for. Government should accept his word and remove the ban from this body also. They should be allowed to take their proper places in the civil administration of the country and also to do the civic duties as respectable citizens of their province.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): What about the Abhayashram of Comilla, Bengal?

Mr. M. S. Aney: That is also a body of non-violent persons in Bengal and it is an institution which is known all over the province. The members of that Ashram are highly and rightly respected as persons who stand for non-violence and truth. Sir, the way in which the Government are trying to deal with these persons and with these institutions indicates, in my opinion, that they are unnecessarily labouring under suspicion and distrust. The policy which they are now pursuing will not create any confidence in the minds of the people as regards the utility of proceeding on constitutional lines. Do they want the people to move on constitutional lines or not? That is a straight question which I want to put to the Honourable Members on the Treasury Benches. Do they want the people to continue their faith in this method or do they want them to go back to other activities? If they find that they are up against a stone wall against which it is no use dashing their heads, what will be the result? My Honourable friend, the Leader of the Opposition, has been saying that we are carrying several measures and motions on the strength of majority. But no response is made by Government. Even repression which was taken up as a method to meet certain situation is being persisted in when there is no excuse for doing so. The result is that people's minds will refuse to remain steady on the path on which for some reason or other they have decided to walk for the present.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member want to speak for some time more?

Mr. M. S. Aney: I will take about five minutes more and will then finish.

Mr. President (The Honourable Sir Abdur Rahim): The House stands adjourned till quarter past two.

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 (The Honourable Sir Abdur Rahim) in the Chair.

Mr. M. S. Aney: Sir, I was on the point when we dispersed last for Lunch that the continuance on the Statute-book of laws which were intended for a particular period and to meet a particular situation is unjustifiable. I will just read out a list of these laws brought together in one Bill by my Honourable friend, Mr. Satyamurti. These are the special laws that have been made and are now the Acts of this Legislature. They first came into existence as Ordinances and are now the Acts of the land. These laws are:

- The Indian Press Emergency Powers Act, 1931,
- The Criminal Law Amendment Act, 1932,
- The Indian States Protection Act, 1934.

Then, there are the Acts of the Bengal Legislative Council to which I need not refer here, though the same plea will hold good in the case of those laws also. Immediately after the reformed Constitution came into existence in 1921, a Committee was appointed, called the Repressive Laws Committee, which had gone very carefully into all the repressive laws that had been made till that date and it had made certain recommendations. The fact is that all the old laws which had then been made are still in the armoury of the Government and their number is increasing from year to year. The one lesson that we can derive is this. Did these repressive laws really do away with the necessity of repression or create a situation in which you no longer feel it necessary to have any repressive measures. On the other hand, I find that these repressive laws have a tendency to multiply without materially curing the disease for which they are intended to be a remedy. Otherwise, to my mind, there is no meaning as to why the laws should have gone on multiplying to this extent. The real cure against a situation which the Government have to face is not by repressing the people or making an attempt to suppress their legitimate aspirations, but by consulting public opinion and meeting their aspirations in a proper way. So long as the latter remedy is not taken, you may add any number of laws to your Statute-book you like, you may add more to your armoury, yet the popular aspirations will assert in one form or another and a new situation will be created. That is the lesson of history. I would ask the Honourable Members on the Treasury Benches to reconsider the whole position and take stock of the situation that is now created on account of a certain attitude adopted by the most dynamic political party in the country and try to make an attempt to reconcile public opinion. I have read out the list of these Acts which now disfigure the Statute-book of this country and the first thing the Government are expected to do is to repeal these Acts. The second thing is to release these prisoners who are unnecessarily detained now, and, thirdly, those prisoners who have been prosecuted after the Civil Disobedience Movement was withdrawn should be released. What is the propriety of detaining men like Pandit Jawahar Lal Nehru or Khan Abdul Ghaffar Khan now? I do not see any propriety of doing that. That they have been found guilty of certain offences is, to my mind, no excuse for continuing their detention till the last date for which they were awarded imprisonment. This power to release the prisoners is possessed by the Government and they can exercise it without any loss of prestige. The only thing that is needed is a genuine desire to create a situation in which a harmonious working of the popular and official forces will be possible. That is a situation which can be brought about only by the Government and it cannot be done by anybody else. If the Government do not do that, they will be called upon one day to read the writing on the wall which they refuse to read now. History has taught us this lesson that repression has failed everywhere and that the righteous cause has, in the long run, succeeded in spite of repression. This is the writing on the wall and the Government must read that. By persisting in the present policy of repression, the Government will not be able to bring about a situation in which the progress of the country can be achieved by a harmonious working of the popular forces and of the official elements. If it is the desire of Government to bring harmony into this distracted country, then they ought to repeal all the repressive laws now and immediately.

In conclusion, I will say one word more about the repressive policy. I have already mentioned three things. The fourth thing that I want to refer to is the treatment meted out to the prisoners in jails. I do not mean

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to say that everything that appears in the press in regard to this matter, is necessarily true, but, at the same time, it can't be denied that in many cases the rights, which are due to the political prisoners, as belonging to any particular class, are not carefully looked into and they are put to a considerable hardship. Even their health is not properly cared for, and every now and then, we come across instances reported in the press, which create a good deal of sensation. About the accuracy of all such information we cannot vouchsafe, and it is for the Government to enquire carefully into such complaints. I only desire to remind the Government that it is also a matter on which public opinion is very keen, we get instances of the sufferings of these prisoners in the press, and, so long as these things go on and so long as the people feel that Government are not taking measures to redress these wrongs, the rancour is left in their minds. It is up to the Government to remove that idea from the minds of the people by resorting to proper steps in time. If the Government only desire to continue the fight with those who have laid down their arms for the time being and who look forward to the Government clasping their hands in fellowship, and if the people realise that there is no hand forthcoming to clasp theirs, then the people will be forced to do nothing else than to take up arms again at the proper time to assert their rights and continue the struggle till they succeed one day.

In conclusion, I wish to make one appeal to my Honourable friends sitting by my side over there. This is a motion in which I am asking the Government to do nothing else than what is dictated in the best interests of the country. That is the only proper course for the Government to adopt in order to ensure our future march towards our goal on peaceful and harmonious lines. In considering a motion like the one I have moved, I am sure that no considerations of communalism will influence my Honourable friends over there in their judgment. There is no such consideration underlying this motion which they can possibly think of. If the Government give up their repressive policy, then our progress towards our goal will be easier. The only point of view from which this House should look at my motion is one of purely a national point of view. I have no doubt that whatever may be the grievances of my Honourable friends on the Benches over there for any mistake, real or imaginary, committed by me or by any one else belonging to my Group, I hope and trust that they will forget it now and look at the present motion purely from a national point of view. I want to appeal to them now as I am now asking this House to vote upon a proposition on which nobody could afford to look at except from a purely national point of view and not at all from any communal point of view whatsoever. I hope my Honourable friends will see that the necessity of the hour is that the repressive policy must stop, in order that our progress might be on peaceful and harmonious lines hereafter. I have no other consideration in making this motion, and I hope no other consideration will influence my Honourable friends in their judgment, and I trust that all of us, who have got the best interests of the country at heart, will vote together by going to the same lobby and thus assert with one unanimous voice that the time has come for the Government to put an end to their repressive policy. If the Government are not prepared to give an undertaking to stop their repressive policy, immediately, I appeal to the House to unanimously carry this censure motion on the Government. (Applause.)

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the demand under the head 'Home Department' be reduced by Rs. 100."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, if my Honourable friend will not consider me audacious, may I be allowed to congratulate him on a speech worthy of a man of his high character and standing? Sir, times have changed, and when an Honourable Member like my Honourable friend, Mr. Aney, can get up in this House and make a speech of the character he has made, asking Government to forget the past and only look to the future, I feel sure that that appeal cannot fall on deaf ears, be it either on this side or on the opposite Benches. Sir, one point of importance was brought forward. My Honourable friend said that the Civil Disobedience Movement had been withdrawn. My Honourable friend, the Home Member, interjected that it has not been abandoned. Now, Sir, that is a question that I remember having discussed and heard discussed in this House. What is the meaning of abandoning a programme and what is the difference between withdrawing it and abandoning it? If my Honourable friend, the Home Member, means that those who believe or believed in the Civil Disobedience Movement should now come forward and say that under no circumstances in the future will they ever go back to the movement during their lifetime, I think he is asking too much of them. And, Sir, if I mistake not, his distinguished predecessor gave on behalf of Government his views with regard to the Civil Disobedience Movement. So far as my memory serves me, I believe he said that he did not expect on behalf of Government any Congressman to undertake that he would never go in for civil disobedience again in his life; he would be satisfied if the movement was withdrawn without any limit of time. And that, Sir, I consider a very wise, a very logical and a very equitable decision. Sir, the time may come, we can never tell, when any class of men may have to go in for stronger measures than constitutional methods. The time may come, we can never tell, when my Honourable friends of the European Group even may consider it necessary to go in for methods which are stronger than what may be called constitutional. The point for decision for everybody and for all parties is whether constitutional methods will pay better in the long run than other methods; and that can only be a question of opinion. And today, as the world stands, with conditions as they are even in Europe, you cannot expect men of any school of political thought to bind themselves for all times in the future as to what action they will take or what methods they will adopt in conditions and circumstances we cannot foresee. And, therefore, if the Congress have withdrawn the Civil Disobedience Movement, they have gone as far as any school of thought can do under the conditions and circumstances of today. I would appeal to my Honourable friends opposite to grasp this hand of fellowship that Mr. Aney has voluntarily extended to them today and to understand the true significance of that gesture, for it does not come from an insignificant person like myself, but it comes from a man, who, in this part of the world, holds a position of influence and standing.

Now, Sir, there was one remark that my Honourable friend made with which I cannot agree. He suggested to the Honourable the Home Member that all those who had been prosecuted for sedition after the Civil Disobedience Movement was withdrawn should be set at liberty. Well, sedition is sedition whether it be before the Civil Disobedience Movement

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was withdrawn or after. The law must take its course, and if a man deliberately chooses to be seditious, he must pay the penalty of the law. And, therefore, I would most respectfully suggest to my Honourable friend that that was going a little further than what could be expected to be yielded by a responsible Government and that when one day he himself may take the seat of the Home Member, I think he will never agree that a man, who is guilty of breaking the law of the land, should be set at liberty. Sir, I do agree with my Honourable friend, Mr. Aney, that those who are today in prison for having resorted to civil disobedience should no longer remain in prison. I am not talking of any other class of prisoners, but those who were imprisoned for the Civil Disobedience Movement should be set at liberty. Why, Sir, there are many of my Honourable friends here who are perhaps in the eye of the law and in the eye of Government just as guilty, and in their opinion just as innocent, as many who are not present here today. And after the gesture that has been made by the Congress and by my Honourable friend, Mr. Aney, openly in this House today, I sincerely trust that Government will give this matter their most serious consideration. After all, it has been the declared policy of Government to hold out the hand of friendship to those who were at one time against them. It is their policy, and I have heard that policy declared in this House when the Civil Disobedience Movement was at its height. Surely they can now implement that policy when that movement has been withdrawn? I am not one of those who close their eyes completely to dangers that may still be lurking in the distance. I realise that there may be many in this country who may have given up civil disobedience, but who still believe in the principle of civil disobedience. Well, to continue the same policy as if civil disobedience was in existence is a sign of weakness in a powerful Government. When times change, when circumstances change, surely the policy of the Government must also change: and is there no difference in this country today in the conditions that prevail and in the conditions that prevailed three or four years ago? Should the policy of Government remain the same, although conditions have so radically changed? Perhaps I will be informed that the policy of the Government has changed. I trust it has changed, but let there be a tangible and a complete sign of that change. I have heard the Honourable the Home Member give figures of the number of men that have been released since the withdrawal of the Civil Disobedience Movement. I have heard him give figures of the number of men that are at liberty today who would otherwise not have been so, had it not been for the withdrawal of the Civil Disobedience Movement. That may be all correct, but are there not men still in prison who are there for having gone in for the Civil Disobedience Movement. And if there are any, will the Honourable Member on behalf of Government give us a definite answer as to what is to become of them? We shall await a reply. If I believed, conscientiously believed, that there was any real danger in adopting the policy suggested by my friend, Mr. Aney, in some parts of his speech, I would not get up here to support him. It is because I believe that it is in the best interests of Government themselves to fall in with the views of my Honourable friend, Mr. Aney, that I stand to support him and to urge strongly that Government do now declare their intention of adopting many of his suggestions. I should certainly have liked to have spoken after hearing some Honourable Member from the

Government side, but that is a privilege we rarely have. It is a point that I have brought up times without number in the past, and I have very often pointed out to Government that they would be well advised to follow the practice of at least my Provincial Government, where the Government point of view was expounded at the earliest opportunity during the debate and Honourable Members on the other side were given an opportunity of hearing how good or how bad the Government case was. I would once more make this appeal to the Honourable the Leader of the House to see that Government's point of view is placed before this House on all subjects early in the debate. It may not necessarily be done by the Member in charge: there are very able Secretaries who sit behind the Honourable Members who could intervene in the debate. Why, I see very able Members of the Civil Service who come here from the Provinces, but whose voices we rarely have the privilege of hearing. I have brought up this point more than once before. Surely they are here to tell us from first-hand experience the position in their provinces: they are here to help this Honourable House; but, alas, ever since I have been a Member of this House, hardly ever have I seen any of those Honourable Members who come from the various provinces of India open his lips because he is not allowed to do so; but in a debate like this their intervention would be of considerable service to Government and to this Honourable House; and I would again appeal to Government for a change of policy in this connection. If they are here merely to vote and to go into the lobby, Government could have men with less experience, men to whom they could pay much less salary, men who will do the work of walking into the Government lobby, just as efficiently as the Honourable Members opposite are capable of doing; and in a debate like this, I think it would be of some service to Government and to us all if they were allowed to tell us from first-hand knowledge the conditions in their own provinces. With these words, I support the motion of my Honourable friend, Mr. Aney, unless I find that a really satisfactory answer is forthcoming from the Treasury Benches.

The Honourable Sir Nripendra Sircar: Sir, my Honourable colleague will wind up the debate, but in response to the statement of my Honourable friend, Sir Cowasji Jehangir, that they ought to know at the earliest stage the view—although it may be briefly put—of the Government in this matter, I would like just to speak for a few minutes. Either I have misunderstood my Honourable friend, Sir Cowasji Jehangir, or he is under a misapprehension as to facts. I am making a distinction between the speech of my Honourable friend and that of the Honourable the Mover of the motion, Mr. Aney, for this reason: Mr. Aney said that people who after this Civil Disobedience Movement had been withdrawn—and I am making no point about whether it has been withdrawn or abandoned or suspended—those who have been convicted of sedition should also be let off. That is quite a different proposition from that of Sir Cowasji Jehangir who does not require that to be done. But I do not exactly understand what my Honourable friend, Sir Cowasji Jehangir, is driving at when he says that the hand of fellowship, the hand of friendship, should be extended or that the angle of vision should be changed. What is it exactly that he wants to be done? I may inform my Honourable friends what the position today is. There are, I believe,—my figures may not be as accurate as those which will be given by the Honourable the Home Member a little later, but they will be fairly accurate,—I believe

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there are 69 prisoners who have been loosely called civil disobedience prisoners still in jail, and, of these 69, the largest contribution is from my Honourable friend's province.

Sir Cowasji Jehangir: Very naturally.

The Honourable Sir Nripendra Sircar: Very naturally? Yes. Now, about 30, I should say—(An Honourable Member: "40"),—I am told about 30.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): I have been informed that the number is 41.

The Honourable Sir Nripendra Sircar: Very well, I will make it 35 and let us proceed as the exact figure really does not matter,—but the point is this,—if I am making any inaccuracy, it is because I have got up rather unexpectedly and my colleague, the Home Member, will correct me as regards the exact figures,—but of these 69 prisoners, the position, shortly speaking, is this. When the policy was indicated by the Government of India that the Civil Disobedience Movement having come to its end, the civil disobedience prisoners should be released and the matter should be expedited as much as is possible consistent with the examination of the cases of such a large number of persons and having regard to the local conditions, and so on, a distinction was made between people who had been in jail or convicted, if I may use that expression, for acts done under the Civil Disobedience Movement, that is to say, because they have been advocating the Civil Disobedience Movement, or doing things generally known under the Civil Disobedience Movement,—and those people who, though they might have been guilty of what is called civil disobedience activities, were also guilty of crime or violence. A distinction was made between these two classes of people. A man might have been a civil disobedience prisoner in the sense that he did nothing more than what was urged by the movement, namely, disobeying laws, picketing and other things,—I shall not go into all these details now,—I call him a civil disobedience prisoner, but there were some prisoners,—and I admit they are a small fraction of the 14,000,—who, in addition to what may be called the offence of civil disobedience as it was then understood, were also guilty of crimes of violence, though not necessarily of murder. Now, Sir, the release of the 69 prisoners who are now in jail, or of a very large proportion of them has been delayed on account of this complication, namely, that in the view of the Government, having regard to the information which they have obtained as regards those 69 prisoners, they had either generally been guilty of violence before they were imprisoned or they were connected with revolutionary activities, or, thirdly, they were those who, after the disappearance of the Civil Disobedience Movement, had committed offences subsequently. Under these three heads will be found the cases of these 69 prisoners who are still in jail. Probably my Honourable colleague has more information about it. And even as regards these 69 prisoners, judging by a recent answer given by my Honourable colleague, I gather that their cases are being reviewed with a view to seeing whether they can be released. Coming back, therefore, to the point on which my friend, Sir Cowasji Jehangir, wanted information, the position seems to

be this. There is now no one in the jails because he believes in the Civil Disobedience Movement; there is now no one in the jails because it is suspected that at some later date he will follow the methods of the Civil Disobedience Movement; there is now no one in jail,—I again say,—simply because he was guilty of what is compendiously called civil disobedience. Now, when the facts have been correctly placed before this House, I don't think there is really any issue between my friend, Sir Cowasji Jehangir, and ourselves. There is nothing more to be done. We have not kept anybody in jail now, because we suspect that he will take part in the movement if and when it breaks out. We are not playing on the words suspension of civil disobedience, withdrawal of civil disobedience or the final abandonment of the Civil Disobedience Movement,—there is no point in debating on the niceties of these words,—but, in practice, so far as punishing or keeping people in jails is concerned, no such point has been raised. We are proceeding on this footing, that people, who have suffered imprisonment or who have been punished simply because they boycotted or picketed or took part in other activities generally known as civil disobedience, should be released, and most of them have been released, and the few whose release has been delayed so far is due to the fact that they are mixed up with either violence or they had connection with terrorism or some other thing.

Sir Cowasji Jehangir: Is that violence in connection with the Civil Disobedience Movement or other violence independently of the Civil Disobedience Movement?

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): There has been no violence in connection with the Civil Disobedience Movement.

Sir Cowasji Jehangir: How many of them are there who committed violence in connection with the Civil Disobedience Movement?

The Honourable Sir Nripendra Sircar: I will not attempt to answer my friend, Dr. Deshmukh, because there are people in this House who can deal with it better than I can do, but my Honourable friend's assumption that people who were guilty of civil disobedience had nothing to do with violence is wrong. I admit that a vast majority of them,—as Honourable Members will see from the figures that out of 14,000 there are now only 69 prisoners still in jail,—a vast majority of them had nothing to do with violence, among the cases I know there has been a case in Bengal in which a man attempted to murder and caused grievous hurt to a police officer.—I am answering a question whether any violence was committed in connection with the Civil Disobedience Movement. I shall give a hypothetical case,—I cannot give the facts of every case. Supposing in connection with picketing a shopkeeper asked these people to go away or a policeman turns up and tells these volunteers to allow the customers to come in, and suppose that leads to rioting, and in the melee either the shopkeeper or the police officer is assaulted or hurt or an attempt is made to murder either of these people, that comes under violence, and that is the kind of case we have in mind. Although in one sense the origin is the Civil Disobedience Movement, yet in these very few cases they were complicated by crimes of violence, that is what I meant by saying the two may be connected with each other. Therefore, I will not take up further time of the House on the question of the merits; there are other people to deal

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with it. If I may give my Honourable friend, Mr. Satyamurti, a fairly lengthy notice, I shall deal with this matter at great length when I deal with his Bill when it comes up for discussion.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): You have already made up your mind to oppose it!

The Honourable Sir Nripendra Sircar: That Bill has only to be read to lead to one conclusion. I will not deal with any of those subjects now. I really got up to answer my Honourable friend, Sir Cowasji Jehangir. I can assure the House, including my Honourable friend, that it is not the policy of the Government at the present moment to keep anybody in jail because he was guilty of the activities connected with the Civil Disobedience Movement or because it is suspected that if he is let loose he will again indulge in those activities. That is the position, Sir, shortly, of the Government.

Pandit Sri Krishna Dutta Paliwal (Agra Division: Non-Muhammadan Rural): Sir, I rise to accord my wholehearted support to the motion that is before the House. But before doing so, I would like to say one or two things. The first thing I want to say is that, as a punishment for having picked up some acquaintance with English, I am compelled to speak in a language, in which I have not spoken, either publicly or privately, for the last eight or nine years. The second thing which I want to say is this, that if I use strong language, it is not because I want to hurt the feelings of anybody, but because I feel that I will not be true to myself and to those whom I represent if I do not give vent to the feelings which are innermost in our hearts. Especially after the reply which the Honourable the Leader of the House has given to the appeal of my Honourable friend, Sir Cowasji Jehangir, there can be no moderation on a subject like this. Faced with a similar situation, a great American, William Lloyd Garrison, said:

"I am aware that many object to the severity of my language; but is there not cause for severity? I will be as harsh as truth, and as uncompromising as Justice. On this subject I do not wish to think, or speak, or write, with moderation. No! No! Tell a man whose house is on fire to give a moderate alarm; tell him to moderately rescue his wife from the hands of the ravisher; tell the mother to gradually extricate her babe from the fire into which it has fallen—but urge me not to use moderation in a cause like the present. I am in earnest—I will not equivocate—I will not excuse—I will not retreat a single inch—and I will be heard."

I cannot do better than to quote him in justification of the attitude I am going to take today.

Coming to the repressive policy of the Government, repression is the only remedy in the vast medical store of this bureaucracy, as 3 P.M. a cure for all ills, economic and political, from which this country suffers. But, I say, this repression is a remedy which is worse than the disease. The verdict of history is against it. Repression has failed in America; it has failed in South Africa; it has failed in Ireland; it failed miserably in Russia; and it is not going to succeed in India. ("Hear, hear" from the Congress Party Benches.) But the bureaucracy like the House of Bourbons will neither learn anything nor forget anything. (An Honourable Member: "They will die.") (Laughter.) I will

not refer to the reign of terror that swept over the country from the 1st April, 1930, to the first quarter of 1934, that is, for four years. I will only deal with the repressive policy that is going on even today, when civil disobedience has been withdrawn. The press of the country remains muzzled, and while the bureaucracy has reserved to itself the liberty of lying, it won't allow us even the freedom of speech, freedom to speak out our own thoughts. My Honourable friend, Mr. Aney, has already referred to the fact that the Hindustani Seva Dal is still an unlawful organisation. We know that this institution is a part and parcel of the Congress and every volunteer enrolled in the Hindustani Seva Dal has to take a vow that he will be non-violent in word, deed and thought. And that institution remains unlawful, because the Honourable the Home Member the other day said that it had been found guilty of having committed revolutionary acts in certain provinces! But the House has not been taken into confidence in this matter. We do not know in what provinces those acts were committed and what were those acts which are described as revolutionary. The case of the Prem Maha Vidyalaya, Brindaban, is another instance in point. This is a purely educational institution. It was founded in 1909 for imparting technical and vocational training. It is the gift to the nation by that prince among patriots, Raja Mahendra Pratap. He has donated a large portion of his landed estate in order to keep up and maintain that institution. But, Sir, the only crime that this institution committed was that some members of the staff and some of the students of that Vidyalaya took part in the Civil Disobedience Movement of 1930. The world was given to understand that the sins of omission and commission on either side in that movement came to an end after the Gandhi-Irwin Pact. But, Sir, this institution, the Prem Maha Vidyalaya, Brindaban, has been banned for no other offence than that of taking part in the civil disobedience of 1930. In the movement of 1932, it has done nothing. Before the movement started, that is, on the 7th January, 1932, the trustees of the institution met and decided to close the institution *sine die*. They also disposed of the services of their staff so as to absolve themselves from the liability of paying them when the institution was closed. Even after that, on the 16th January, the institution was banned and that ban has not been removed. In March, at the instance of the District Magistrate, Muttra, the trustees met together and passed a resolution that they would not allow the staff and the students of that institution to take part in any unlawful activities. Even after that assurance, the institution still remains banned. I may make it clear that, though this is the gift of Raja Mahendra Pratap, he has now nothing to do with that institution.

Then, there is the case of Khudai Khidmatgars, about which this House has recorded its vote and given its opinion. But, Sir, not only does that organisation remain unlawful, but its great leader, Khan Abdul Ghaffar Khan, has been awarded a vindictive sentence of two years (An Honourable Member from the Congress Party Benches: "Shame!"). . . for placing their side of the case before a select audience of Christians in Bombay.

All these acts of repression amount to nothing when compared to what is happening in Bengal. If truth were to be told about the British bureaucracy's reign of white terror in Bengal, the tales of Hitler's brown terror would pale into insignificance.

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Pandit Jawahar Lal Nehru has been thrown into jail for daring to tell that truth. Sir, I read in this morning's paper that he is going to be released conditionally provided he is prepared to go with his wife to foreign countries for treatment. We do not know anything about it, except that report in the newspapers. We do not know whether if he is allowed to go outside, he will meet the same fate as Subhash Chandra Bose met and whether he will be made an exile not being allowed to come back to his country. We do not know about the Government's intentions. We cannot say what is going to happen to him. But I can say this much from my personal knowledge of Panditji that he will be the last man to accept such conditions.

It may be said, and it was said just now by the Honourable the Leader of the House, that because certain persons have been guilty of violence they are being given differential treatment and it may be said that, so far as detenus and other terrorists are concerned, they are guilty of violence. Sir, I can understand Mahatma Gandhi, the apostle of non-violence condemning violence, but, Sir, it does not lie in the mouth of this Government whose very existence depends upon violence to condemn the violence of these youths who, out of sheer desperation of the policy of this Government, take to this path. These youngmen, however strongly we may differ from them, can plead in their justification the sense of shame they feel at the condition of their country, but what is the justification for the violence of the Government? Sir, the violence of the Government to subjugate a whole nation is a sin against God and a crime against humanity. And a Government which is guilty of that sin and that crime cannot and should not condemn others for their violence. And, then, who is responsible for driving these youths to the path which they have taken? Who crowns them with the glory of martyrdom? I do not know how bombs are made, but, as a student of political movements, I know how bomb throwers are made, and I say that the system which obtains in India at present is the greatest manufactory for manufacturing bomb throwers. The Government deny to the sons of the soil the rights of citizens. They deny to them the rights of human beings. They starve them to death. They herd them like cattle. They beat them like dogs, and when they turn round and bite them in the leg, they look surprised and shocked. Yesterday, the Honourable the Leader of the House blamed us for not keeping an open mind and he also blamed us for not listening to reason. Well, Sir, he is a lawyer and lawyers have to keep their minds open, because they do not know which side will engage them. (Laughter.) But, Sir, if he thinks that we are not misled by his professional reasoning, and, therefore, we should not reason out things for ourselves, he is mistaken. The real fact is that every fibre of our being reasons against him. The hunger of the people reasons in their stomach. The burning sense of shame reasons in their heart against the system which keeps us in its grip. The thousands of detenus behind the prison walls make a tremendous appeal to our minds.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Pandit Sri Krishna Dutta Paliwal: I will try to close as soon as possible. In the face of all these reasons, how can he expect to hear any more

of his reasoning. If he is so very enamoured of his reasoning, let him go and reason with Pandit Jawahar Lal Nehru and ask him why he prefers to live in jail when his wife and his aged mother are lying in their sick beds in different hospitals. Let him go and reason with Khan Abdul Ghaffar Khan and ask him why he prefers the life of a prisoner to the Chief Ministership of the Frontier Province. Let him go and ask Bhagat Singh why he preferred gallows to the whole vista of human life. Let him go and reason with the brave Bengali girls and ask them why they have taken to the path of violence, and then, and then alone he will be able to understand why his professional reasoning falls flat upon our ears. Sir, I know that the Honourable Member will do nothing of the kind. In their pride of power, the gentlemen sitting over there do not care at all about the opinions expressed on this side of the House. But, Sir, their ill-concealed glee at their seeming victory over the Congress is also ill-conceived. They are labouring under false sense of security, if they think that everything is all right in this world. Let them remember that it is the darkest before the dawn and who knows that the calm which we see today may not be the calm which precedes a serious storm? Sir, the pangs of hunger and the burning sense of national dishonour are dangerous forces to cope with and I warn the Government that they play with fire in playing with them. We do not need a Gandhi to lead the nation in its non-violent struggle for Purna Swaraj. We do not want a Jawahar Lal Nehru to galvanise the people into action, nor do we need a Bhagat Singh to preach the cult of violent revolution. The Third Internationale may save themselves the trouble of sending emissaries to preach communism here. The British bureaucracy is doing the task of all these people more thoroughly, more efficiently and more effectively by the policy which they are pursuing. Yesterday, Mr. James, who belongs to the European Group, asked us as to why we have come to this House? My answer to his question is that we have come to save the Government from the suicidal policy which they are following, and I appeal to every section of the House to help us in this task. I appeal to the loyalists especially and say that if they are really loyal, let them bring the Government to a sense of reality by voting with us on this motion.

Mr. N. R. Mukerje (Bengal: Nominated Official): Sir, my Honourable friend, Sir Cowasji Jehangir, just said that it is time that some of the officials from the provinces spoke. After the speech that I have heard from the Honourable Member who has just spoken, mentioning the affairs of Bengal and of Bengal women, I think I should be failing in my duty if I did not speak on this motion. I am a Bengali first and an Indian afterwards. (*Voices from the Opposition Benches:* "We are all Indians.") Yes, I know, but, then, there is something nearer than our country, and that is our home. When we talk of repressive policy, we generally do not care to think what brings about that repressive policy. What originates them? Sir, when the situation becomes too acute to allow of a calm thinking of the root cause, it becomes necessary to take immediate action. (*Interruption from the Opposition Benches.*)

Mr. President (The Honourable Sir Abdur Rahim): Honourable Members on the non-official side have been constantly demanding that more Members on the Government Benches should speak during the debate and tell them what they think about particular subjects, and therefore, the Chair hopes, when they get up to speak, they will be patiently heard.

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Mr. N. R. Mukerje: I will take a simile from the doctor's treatment. When the homœopaths' slow symptomatic treatment with its root causes has to make room for the Surgeons knife, this so-called repressive policy becomes necessary. I am not a man who does not believe in the root cause of the disease being removed. I fully believe that no radical or permanent cure can be possible unless the root cause of the disease is removed, but at the same time I equally firmly believe that when gangrene has set in, and a particular limb has become so poisoned as to bring about the risk of death to the patient, it is for the surgeon to cut the limb off. At the same time, I must say that it is for the surgeon not to stop there, but to go on treating the disease proper and try to cure it. But, Sir, the work of the doctor, the progress of the cure, is bound to be slow, and unfortunately at times or as I should say oftentimes the patient becomes impatient of the slow progress. With healthy blood running through his vein, his appetite increases, and he wants to eat, without caring whether that eating will bring about complication and death. The same is the experience of people who try to infuse new blood, new forms of Government into an old country where the autocratic reigns have prevailed for hundreds of years and sapped the vitality with its many complications, with its various intricacies of castes, sub-castes, religions, sub-religions and the latest one, the Harijans,—features which make the work very complicated indeed. Naturally, the pace has to be very very slow. Sir, India is a very very old country. We are proud of our motherland (Laughter from the Opposition Benches), she reached the highest pinnacle of perfection and greatness when many of the foremost nations of the present day were just peeping out of primitive condition. But, Sir, the system of Government in India from time immemorial has always been autocratic. The king, no matter whether he was good, bad or indifferent was the king. From the times of Rama down to those of the Great Mughals the same thing prevailed, namely, the rule of the one autocratic king! If Rama was a great king and a good king, he was the king. If Akbar was a great Emperor, he was the Emperor. They selected their own councillors, they selected their own advisers, they selected their own ministers, the people had no voice in that. (Ironical Opposition Cheers.) There could be no contradiction. (Interruptions.) Sir, the time given to me is very short, but if any of my brethren wants to discuss the point with me later, I am willing to give him even a whole day. (Laughter.) Well, Sir, as I was saying, if they were great men, they were great men themselves. We had among others great poets, great philosophers, great warriors, great administrators and heroes, but it was all the individual achievements of individual great men. Taking the nation as a whole, that great popular conception of "patriotism", as used in the present day sense, did not exist. And that was because the people never know or never were given any opportunity to feel that it was their country in the sense as their hearth and home was very much their own for which they would lay down their lives if necessary. To them a kingdom was the King's own property. If the king was defeated, he had to go, it did not matter much to the people. They remained only idle spectators, and that was because they had no hand in the management of the country and never thought it their own.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not speaking to the motion before the House, which is the "repressive policy of the Government".

Mr. N. R. Mukerje: I am on that point, Sir.

An Honourable Member: Why do you not get straight to it?

Mr. N. R. Mukerje: I must have to step it on before I can reach Delhi. Well, Sir, it was with the advent of the British that the people began to wake up from their long, long slumber. At first we were asked to look after and manage the affairs of our towns, and municipal committees were formed. We then began to cast our eyes beyond the environment of our homes over the whole town. Then, we were called up to go to the Councils of Lieutenant-Governors and to the Council of the Governor General. We thus came to know our neighbours in the districts in the provinces and gradually in the other parts of India. The India of the present day began to be shaped. But, Sir, this progress was bound to be slow, and the patient began to be impatient, and, in 1905, a boycott movement was launched. It was an ill day that brought that boycott movement, with its race hatred and all the attending evils. (Hear, hear.) I know my brethren will deny that it was ever the aim of the sponsors of that movement that there should be any race hatred and I concede that, but when you call up young lads from the schools and illiterate people from the villages and ask them to go on boycotting the goods of any particular nation, it cannot but bring in the personal element, and race hatred is sure to be created. The next step was, the boys were asked to leave and boycott the schools. Hundreds of boys were thus let loose, out of control of the teachers and out of control of the parents, who unfortunately could not boycott their stomach, but had to be away in the offices, and these boys fell into the hands of dishonest and designing persons, for in all movements for every small band of a few good men there come up hundreds of bad men. Now, these men gradually began to instil into the minds of these boys young, honestly believing, inexperienced youths that every thing done for the country was bound to be good. That the work for their country required money, and there were people who had more money than they had a use for and that money was required for the country. Gradually dacoities were planned, and we know of the dacoities that began to be committed. And with the dacoities came bloodshed and a callousness to the feelings of, and injuries caused to, others and the next step was direct act of violence and murder. Many people began to think that the more bitterly they could speak, the more notoriety would they gain. One Brahma Bandhab, began to write of "*mā kālīr bomā*" in the *Sandhya* newspaper of Calcutta. This Government, Sir, which is always blamed for what is called its repressive policy, kept quiet. It did not act, as the old indigenous Indian Governments would have acted straightaway. The result was that these murders and dacoities continued till the physician found that the gangrene had so set in, the disease was so acute that it had to be stopped at once without waiting any further for the root cause, and we find, Sir, that in 1908, Sir Harvey Adamson moved the Criminal Law Amendment Bill. I shall quote a passage from his speech, because it gives in short the exact thing as it happened in those days:

"The following are some of the more prominent instances of anarchical crime which have occurred in Bengal and Eastern Bengal during the past year. On the 6th December, 1907, an attempt was made to assassinate the Lieutenant-Governor of Bengal by means of a bomb exploded under his train near Midnapore. Two other abortive attempts of a similar nature on Sir Andrew Fraser's life had already been made on the railway line near Chandernagore. On the 23rd December, 1907, Mr. Allen, the

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District Magistrate of Dacca, was shot with a revolver at Goalundo. On 4th March, 1908, Mr. Hickenbotham of the Church Missionary Society was shot near his house at Kushtia. On 11th April, an attempt was made to assassinate the Mayor of Chander-nagore by a bomb. On the 30th April, a bomb intended for Mr. Kingsford, who had been Presidency Magistrate at Calcutta, was thrown into a carriage at Muzaffarpur and killed Mrs. and Miss. Kennedy. On the 2nd May, the Manicktolla Bomb Conspiracy was brought to light. On the 2nd June, a serious dacoity was committed near Nawab-ganj in Dacca District by a large band armed with guns and revolvers, in which two persons were killed. On the 21st June, a bomb was thrown into a railway carriage at Kankinara and injured an English gentleman, and there have been several similar attempts in the same neighbourhood. On the 31st August, an approver in the Manick-tolla case, which is under trial at Alipur, was murdered by a revolver. On the 17th September, a serious dacoity was committed at Serampore. On the 20th and 30th October, similar dacoities were committed in Malda and Faridpore districts."

I would not go into all the details. (A Voice: "Finish the catalogue and read out the years also".)

Sir Ghulam Hussain Hidayatallah (Sind Jagirdars and Zamindars: Landholders): All this is a tale of repression against officials; I want to hear something, some allegations of repression against others.

Mr. N. R. Mukerje: I was just going to say that; not only it were the officials whom they killed, but, as many a man of that time will remember, they shot down a well known citizen, Babu Ashutosh Biswas, a famous lawyer of the district bar at Alipore, whose only crime was that he conducted Government cases.

Mr. President (The Honourable Sir Abdur Rahim): All this does not throw any light on the present question before the House.

Mr. N. R. Mukerje: I am coming to that, Sir, from the past on to the present, showing the whole connection. (Laughter from the Opposition Benches.)

As I said, Sir, it was these things which made it necessary to pass these Acts which they call repressive Acts and for the passing of which they themselves were responsible. As I was saying, Sir, Government did not sit idle with this Act which is called a repressive Act. They went forward; like the wise doctor they tried to get to the root cause. We know of the Morley-Minto Reforms; we know of the Montagu-Chelmsford Reforms and we know also of the Round Table Conferences that were called, but all these required time, and unfortunately our people would not have the patience and started the Civil Disobedience Movement. It is said that the Civil Disobedience Movement was non-violent. True, it starts with the word "civil". But, Sir, this movement which sounds quite innocent from a distance is nothing but violent. Violence does not consist in beating a man on the back with a stick; there is such a thing as violence to your feelings and doing act that is sure to lead violence. I want to go to a shop to purchase a thing. A man comes and stands before me and says: "I will not allow you to go to the shop. I beg of you please do not go." "But I cannot wait? I have got to purchase the thing?"—"No, Sir, please don't" says the man and even falls on my feet and catches hold of my legs. My urgency being great, I push him aside, at once a hue and cry is raised that a non-violent man has been assaulted and I find myself in trouble. This is how this thing went on. Following this began again the old old things, dacoities, loot and murder. Sir, my friend over there spoke of the brave girls of Bengal. The worst of it is that such brave girls came

from Bengal. I know of brave girls whose names I have read in the history who sent their sons and husbands to fight in honourable wars. But I can never be proud of girls who shoot down unarmed men and even women who have done no harm to them. It was a girl who attempted on the life of the Governor at the Convocation, two other girls in their teens shot the Collector at Comilla. It was a girl that led the raid on the Chittagong Pahartali Railway Institute killing an elderly woman and injuring others. I was in Chittagong and speak from personal knowledge. Then, we had the murder of the Collectors of Midnapore, particularly Mr. Burge, who was particularly fond of Indians and was at the time leading an Indian team at football. It is these things which compelled the Government to have laws which they call repressive.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): What about Sarat Chandra Bose?

Mr. N. R. Mukerje: Sarat Chandra Bose pales before whole of India. When the question of the whole of India is concerned, one man does not count, particularly as I do not know the details.

As I was saying, all the laws that have been passed in Bengal were passed by a vast majority of the Bengal Councillors. People who knew Bengal and who knew the necessities of Bengal more than those friends of mine who come from Southern India and such far off places and talk of brave girls of Bengal, were responsible for the passing of these laws by a regular big majority, because of the condition of Bengal, where, I may mention, there have been as many as 286 cases of violence from 1930 to 1934, including robberies, dacoities and murder.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. N. R. Mukerje: Considering the way in which I have been interrupted, I hope you will be good enough to make some allowance for it. I have not yet answered some of the specific points raised.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will give the Honourable Member two minutes more.

Mr. N. R. Mukerje: Well, Sir, they spoke of the Associations from which the ban should be removed. In Midnapore, at the present moment, there are about one hundred such associations. There is a regular network of them all over the districts with their headquarters at each Thana which go by one name or the other of Congress Institution. Among the members, there are also school teachers. Their whole business was to corrupt boys and send them out to commit murders and dacoities. These people who have not the courage to face the music themselves but seduce and misguide bright innocent boys who would be otherwise ornaments of any country to commit acts that bring shame to their race are asked to be released! They ask for the release of non-violent civil disobedience prisoners. As has just been explained by the Honourable the Law Member, no Civil Disobedience Movement prisoner is in jail, but those who are in the jail have committed acts of violence in the sense of physical violence. It was said that they are badly treated in jail. I can vouch as a visitor to the Tippera, Chittagong and Midnapore jails that nowhere have they been treated badly.

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[8TH MARCH 1935.]

[Mr. N. R. Mukerje.]

Then, Sir, we were told about the Abhay Ashram as a non-violent Ashram. I have personal knowledge of it also. I was at Comilla, and my friend, the Deputy President, Mr. Akhil Chandra Datta, who is from Comilla, will bear me out when I give only one instance of the non-violence of this Ashram. It was the Janmashtami procession at Comilla. It was the first time that the Hindus at Comilla, advised by the Congress Party, decided that they should have the Janmashtami procession because the Muhammadans were having their Muharram procession. It was arranged that the main procession was to be led by the Ashram people. In the morning at about 9 o'clock, just as I had finished my bath, some police officers ran up to me and said that two murders had been committed near the Abhay Ashram. I ran up at once taking a bus with me for emergency. When I reached there, I found that one Muhammadan had been killed and three wounded. The man that was killed had a spear wound and the spear was lying there with the paper flag of the processionists on it. The Government pleader, Rai Bahadur Bhudhar Das, was with me and Kamini Babu also came up. I told Kamini Babu that the procession of Janmashtami ought to be stopped in deference to the feelings of the Muhammadans owing to this murder. As the man murdered was a Muhammadan, they might think that the leading Hindus were callous to their feeling and were in sympathy with people forming the procession. The procession was then going to start from the house of a gentleman whose name I forget at the moment. This gentleman has got a big business in homeopathy medicines. Mr. Akhil Chandra Datta, our Deputy President, can help me with the name of this gentleman. (Pause.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should go on.

Mr. N. R. Mukerje: Well, Kamini Babu agreed with me that the procession should be stopped. (Interruptions.)

Mr. President (The Honourable Sir Abdur Rahim): The Chair hopes Honourable Members will not go on interrupting as it wastes the time of the House.

Mr. N. R. Mukerje: As I was saying, he promised to go and stop it. The processionists told him that they would not stop the procession. The Ashram people would not hear him. In the meantime, Muhammadans in large numbers were gathering there round the dead body and wanted to take it on a bier. I knew that there would be a horrible fight if the body was carried like that, and I had to get into the *melee* and get the corpse taken in the bus. Then I ran to the other place where the Ashram people were gathering. I was surprised to find that the procession, in spite of the occurrence, was starting. They carried flags which were not quite innocent flags. Some of them were on iron spears and some of them were on sharpened bamboos which could be used as spears. I went there and told them what had happened and asked them to stop it in the name of humanity. They asked me to pass a formal legal order; they would not obey my verbal order. So, I had to enter the house where I wrote out an order under section 144, Criminal Procedure Code. By the time I came out, they had started again. I ran after them again and caught them and

put my order to them. Some pleaders, who were in the procession, came out with members of the Ashram and said: "This is not a valid order, because it has not been promulgated with the beating of the drum". I said this order is meant for people who are standing in front of me. While they kept me talking, they again stole a march over me and I found the main procession had proceeded. I had to run and stop it personally by barring its way bodily. That is how things happened there, Sir, all non-violence.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time limit.

Mr. Akhil Chandra Datta: What is the result of that case?

Mr. N. R. Mukerji: Well, Sir, if you give me time, I shall be able to answer the question put by your Deputy.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time.

Mr. N. R. Mukerji: Then; I will close by saying that I have clearly showed to the House that this repressive policy, as it is called, is not at all a matter of policy with the Government. It is an act of necessity. It is the surgeon's lancet which has to be used per force. The Government never had recourse to repression and stopped there. They always forged ahead with the Constitutional Reforms for the good of the country. For the time my Honourable friends opposite may not agree that the Government mean doing any good to the country. They might complain that the Government are moving very very slow. As an Indian, I say that I would like to see my country progress as fast as possible, I would like to see my country reach the highest pinnacle of glory. Only I do not agree with jumping the heights that are meant to climb nor appreciate forced roses that may look well but never smell and sweet.

Sir, I oppose the cut motion.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): Sir, I thank you for giving me this opportunity of addressing this House after a month's silent waiting. I am a new recruit to this House, and I have not yet been able to know my exact vocation here. Sir, I have been a dreamer, a dreamer all my life, a dreamer for a free and a happy India. Sir, yesterday the Honourable the Leader of the House, Sir Nripendra Sircar, said he was dreaming, he dreamed for a moment, and I say I have been dreaming all throughout my life as freedom was my cradle song, and, consequently, if today I go beyond my measure, I hope you will show me some indulgence.

Sir, in speaking about this budget, I beg to state that I never think piecemeal about my country, I always think of my country as a whole. I never care as to what this House had to say on the budget, because I know it is a dogmatic assertion of forced realisation of taxes and revenue and prodigal spending of the same, and it is not based on any sound and healthy policy, because the British Government, since their advent into India, had no other policy except one policy, and that is of exploitation, and all the acts and laws and activities of the Government which sit over

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the destinies of three hundred-fifty millions of people of the country are proof positive of that policy, which has been pursued from beginning to this day. I admit that repression has to be resorted to by all Governments when there is a revolt, but when a Government takes up repression as the normal day to day policy, that Government forfeits its claim to be called a Government. When the British Government in India adopt a policy to keep the entire population of India in eternal bondage and for that resort to continuous coercion, then the whole country has, as a matter of course, the right to rise against it. In 1757, in Bengal, i.e., since the British fought the battle of Plassey, they started this policy of repression; this policy is not a thing of today or yesterday. The people of India co-operated with the British unknowingly and unconsciously and the people then, who had all the necessities and luxuries of life easily supplied to them, when the land was flowing with milk and honey, and when the people in the villages were all well fed and well clothed, when they were full of vigour, without much thought about the world events, they fought for the British Government and handed over the country to the Britishers. Sir, the Britishers had no trouble in founding an Empire in India. They found a people easily co-operating and the Britishers took full advantage of the co-operating spirit of our forbears and founded an Empire. But all the same they began to pursue a policy of repression. The policy of repression led them in the beginning not so much to exploit the people as to exploit their wealth. They had one and only one idea of getting as much money from the people of India for themselves and their country as possible. When the British took over the *dewani* they began to loot the country by way of revenue and profits in trade. After 40 years of such exploitation, they themselves felt ashamed of it in England and then they sent Governors who gave us this permanent settlement. With due deference to my zamindar friends, I say, I look to this permanent settlement system as a policy, as one of the engines of repression in this country. That is only another disguised policy of repression, because, by this process, the Government weaned away a lot of intelligent Indians and made them slaves to Government, and these poor zamindars were made to do all the dirty work of the Government in the way of exploitation of the masses and the Britishers took all the spoils out of this.

An Honourable Member: What about our friend, Mr. Lahiri Chaudhury?

Mr. Amarendra Nath Chattopadhyaya: I do not say that permanent settlement has nothing in its favour. I was only pointing out how this permanent settlement was responsible for weaning away our best men from the cause of the country and for making them the supporters of Government from the very beginning of the advent of the British into this country. This is the second item of repressive policy pursued by the Government in this country.

Then, came the third, Sir, namely, the educational policy. I will say, before 1833, i.e., before the Charter Act, the British Government had been trying to pursue a repressive policy which had become quite intolerable to Indians. Since then, by a slow process, the Britishers have been pursuing a dual policy in the country. They tempted us by giving us something in the way of reforms and privileges and from behind they pursued

the reverse policy of taking away our manhood and our sense of self-respect and thus demoralising us gradually. Today, Sir, we are speaking of the repressive policy contained in these Repressive Laws. I do not see much in these as they are only effects of the policy, Laws and Acts. I say the policy has been continuous and constant from the very beginning, and, therefore, I do not ask that these laws should be repealed. The cure lies in the Government changing their mentality and their policy altogether. They must trust Indians who have nourished the Britishers, who have enriched England by giving them their blood and life. The Indians fought for the cause of the British in the earlier days hoping that civilised people, as they were, co-operation would change their hearts in the long run. Unfortunately the Britishers never cared to take any sound and good advice of any body in India during all these years. Great Englishmen there were who gave them sound advice,—advice if followed would at any rate exonerate them from many acts of commissions and omissions, but all these fell on deaf ears. The English lost America, because they did not pay heed to the advice and warning of Burke and Sheridan and similarly they will lose India if they do not listen to the advice of Indians. It is a pity that they have no friends in England in these days like Burke and Monstuart Elphinston, Sir Thomas Munro, Sir Malcolm Ludlow and others, and today, Sir, they have to take the advice of Indians and act up to them, if they mean to remain in India. Sir, I have heard the speech of my Honourable friend, Mr. Mukerji. I never could believe that a man who called himself a Bengali could speak in that strain and dare speak so lightly of Upadhyaya as one Upadhyaya by name, one of the greatest men of Bengal who gave a new life to Bengal. Well, Sir, how can a pampered Government servant appreciate the services of this eminent man of Bengal? Sir, since 1833, the British Government tried to give us something in lieu of our happiness tempting us to tolerate all their repressive actions. We lost our trade, we lost our industries, we lost our food and we lost our health and everything which might keep us on and we lost our sense of disgrace which made us meekly accept their rule. I shall quote only one passage from the speech of Dr. Alexander Duff of blessed memory. This speech was delivered in 1837 and this will give an idea of what good and pious men of England thought:

“There have been deeds perpetrated by sons of Britain in the plains of Hindusthan, deeds that in number cannot be reckoned in order, deeds of unutterable infamy, deeds that are engraven in character of blood in the ineffaceable pages of history and registered as eternal memorial against us in the book of God's remembrance.”

This speech gave a summary of all the activities of the merchant Government till 1837.

Next I shall come to the Mutiny of 1857. Sir, why did that Mutiny at all take place in India? Why did the sepoys revolt? The reasons are to be found in the pages of history. The annexation policy of Lord Dalhousie, and, apart from that, the social, religious and economic actions of Government all tended to make the sepoys revolt. And since then what have we got? We have got the oft-vaunted rule of law, after disarming the whole Indian population, insulting their manhood, depriving them of the power to hold arms to defend their own hearth and home and their country against foreign aggression, leaving them absolutely under the protection

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of the British army which Sir Henry Gidney is so fond and proud of. Sir, has any nation in this world dealt with another nation of much less than 350 millions of people in this way? Did England, after King Charles was beheaded, take away arms from her youths? If England did that, what would have been the result? The Indian people were sober, the Indian people were moderate, the Indian people subjected themselves to all sorts of tyranny, and yet they are given these repressive laws. Sir, all this tended to bring in these secret societies. I say I know about the so-called charges against these detenus much more and better than the Honourable the Home Member knows. They are as false, even false, than the persons who brought them against the victims of suspicion. I have myself suffered, and I know how false charges of dacoity and murder were brought against me, charges which were as false as the persons who brought them. Sir, I ask the Honourable the Home Member, whom does he believe? Does he believe in those ill-fed and ill-paid informers? Are they truthful men and can he vouch for the truth of the information which has sent 2,500 young men of Bengal, blooming and patriotic young men of Bengal, on suspicion only as detenus? Does he mean to say that he could have done this in England? No. And, Sir, because it is India, because it is unarmed India, there is no second Mutiny again. I ask him again to think thrice and to consider this matter. Sir, I can vouch for many of them that they are not men of violence, and, with due deference to the Leader of the House, I can say that most of those who are now in jail in connection with the Civil Disobedience Movement are not at all connected with violence. I know many of them thoroughly and very familiarly, and I can say that they never thought of violence and can never think of violence, and still they are in jail for the Civil Disobedience Movement, even after its suspension or withdrawal as you may choose to call it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Amarendra Nath Chattopadhyaya: Will you kindly give me some more time?

Mr. President (The Honourable Sir Abdur Rahim): The Chair will give the Honourable Member two minutes more.

Mr. Amarendra Nath Chattopadhyaya: Sir, as it is my first speech here, you will show me some consideration.

Sir, nobody has said anything as regards the causes that led to this terrorism. This country was once a happy country and people never looked to what was going on outside this country. They were affluent, their fields were full of crops and they had everything that was required for their domestic happiness. That country has been rendered desolate in every way. Education has gone. Hundred thousands of indigenous village schools only in Lower Bengal had been suppressed when Lord Macaulay's system of education came; and, that I say from their own book, *vide* Marriot "The English in India", page 201. Sir, we have got education

which does not tally with our life; we have got education that has taken away from us the very sense of self-respect. We study for our bread and not for the sake of getting education. We have to depend upon the British Government for our bread, and that is another way of slow poisoning that has overpowdered us. Sir, from all points of view I feel that we are helpless. It is a sheer sense of helplessness, it is a sheer sense of despair, that send our young men to form themselves into secret societies. When they see young British sailors coming out of their ships and men of war and merchant vessels, when they see young British soldiers walking in the streets of Calcutta and Bombay, they feel the shame of living a life like this. Why do you not trust them and make them soldiers? Why do you not give them scope to prove their worth? Sir, the spirit is there, but where is the scope? If you deprive young men of the scope of showing their worth, you are responsible for secret societies. India never knew this, it has come from the west and it is their own creation. And, now, having created causes of all these secret societies, they say that this spirit must be curbed. It cannot be curbed in this way; repression cannot curb this spirit.

You know what sort of repression is going on in Midnapore. Have you any idea as to how your laws are being executed there? I do not quarrel with the laws, I quarrel with their execution. I know Magistrates like Mr. Mukerji go beyond the law, to the eternal shame of British prestige and British civilisation. And I can give you one incident which I ought not to have brought before this House. During the Civil Disobedience Movement, there was a murder in Midnapore, and, for the sake of one suspected absconder, a whole village was punished. Men and women were brought out stark naked into the streets (*Cries of "Shame"*), and when they closed their eyes in shame the police said: "We will pull out your eyes if you do not look at one another". You never know these incidents. I know you can never think of this or imagine this, but these things do happen.

The Honourable Sir Henry Craik: No.

Mr. Amarendra Nath Chattopadhyaya: I am quite prepared to hear that "No" and I know you will say "No". But my own people are there and they say "Yes".

Mr. D. K. Lahiri Chaudhury: Why not have an inquiry?

Mr. Amarendra Nath Chattopadhyaya: No inquiry can be started on those points, it is impossible to hold an inquiry into all this. Sir, can you imagine that a wife has been outraged before her husband? Can you imagine that a son has been taken away from the father and thrown into a neighbouring tank and beaten with regulation *lathis* to death? But these things have happened, and do you mean to say that men's blood has become so cold that they will accept this for ever? No. I, therefore, request the Honourable the Home Member to consider my appeal to him. My brother is an externee and I lost a brother in internment. I do not mind that: but I tell this Honourable House to give the best consideration to this matter, this simple request, this simple proposition: repeal these Acts, change the policy and win the affection of the people. (Loud and Prolonged Opposition Cheers.)

Mr. J. Monteath (Bombay: Nominated Official): Mr. President, in the ordinary course it would have been neither my desire nor my duty to intervene in this discussion or to explain why I consider it undesirable to give my vote in support of the motion for this cut. But the Honourable the Mover has made certain references to the action, or rather the inaction, of the Government of the Presidency by which I am deputed to appear in this Assembly, and my Honourable friend, Sir Cowasji Jehangir, has also suggested that he would be in a better position to know how to vote sometimes if he had certain facts given to him by the people who come from the provinces in the position in which I am now. The Honourable the Mover, I say, referred to the hesitation of the Bombay Government in removing the ban previously, during the campaign of the Civil Disobedience Movement, imposed on certain associations which came into existence during the process of that campaign or in restoring to those associations certain buildings or property which had been attached and which they previously possessed. And it is only in connection with the attitude of the Bombay Government in regard to this particular matter that I am now presuming to address this august Assembly and to attempt to explain shortly what might be otherwise obscure to some Honourable Members.

I think that I can suggest, at any rate by certain information that I have received from Bombay recently, that this tardiness on the part of the Bombay Government is not really very striking. These associations existed and still exist in name in certain areas of the province and I should like in the first place to ask what they are and in some cases what they are called. Some of them are *prabhat feris*—bands of youths who, I think, march in the morning generally and sing songs in praise of revolution. Many of them are called *chaonis*, which, in Guzerat, and, probably, in other parts of Bombay and India, is taken to mean sheds erected for troops, encampments intended for resistance to authority. One at least of them goes by the name of the Kayadabhang Mandal, which, for the benefit possibly of my European friends, I may explain means an association to accomplish breach of law. These associations may be the off-shoots of the recent Congress campaign, but they are not constituent elements of the Congress body. I think I am right in saying that.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

I ask you, would any Government be wise if it were to allow, without consideration, associations of such a nature and such a description to function without some restriction? It is this kind of association which enabled the revolutionary elements in society in the recent past to hamper, with the discipline which they had inculcated in their members, the efforts of constituted Government to preserve peace in the Presidency of Bombay; and the Bombay Government is still considering how far it can give some of these associations further liberty. Meanwhile, the Bombay Government has removed the ban and restored the property of no less than 225 associations which formed and which still form constituent parts of the Congress. It has released Congress funds which were attached during the movement to the amount of approximately Rs. 1½ lakhs, and it is now considering in detail to what further associations which are not constituent parts of the Congress body it could safely restore facilities, and I believe it has already

removed the ban on more than 80 of them. Now, Sir, can you blame them in view of past recent experience if they consider carefully before they return freedom to revolutionary associations? I would suggest that they are acting prudently, not only in their present interest and in the present interests of the public, but also in the interests of the well-being of those who are to follow them in achieving tranquillity in the country. They move slowly in the removal of restrictions on bodies whose avowed purpose, when they came into being, at any rate, was to break the law and to disturb those who desired to pursue their legitimate avocations peacefully and in many cases to advance communism.

I said I would be very short, and I propose to say nothing more since I am speaking on one particular subject. These are some of the reasons why I personally at any rate on this occasion do not propose to vote with the Honourable the Mover of the cut, and possibly it may help the Honourable Members of this House to make up their minds, if they have entertained any doubts as to the facts concerning the question at issue.

Mr. M. Ghiasuddin (Punjab: Landholders): Sir, it is a matter of regret to me that the first time I am to have the honour of addressing this Assembly, I have to differ from my Deputy Leader. However, I am very glad, in his speech he was very restrained and said that he would keep an open mind to the last. I think it is the inherent right of every Legislature to judge the acts of the Executive and to pass opinions on it: there can be no doubt on that account; and I hold that the Executive who are sitting on the Treasury Benches are responsible to us: even though not legally, they are certainly morally responsible to us. That is because they are the public servants and we are the elected representatives of the people.

Now, Sir, the only criterion by which we should judge this Government so far as their policy in the matter of so-called repressive laws is concerned is in what circumstances they used repression or force. Was there really any necessity to enforce those laws or was it only a case of over-imagination on the part of those gentlemen whom we only yesterday accused of the lack of imagination? Sir, my submission is, that so far as the Punjab and Bengal are concerned in the conditions which then prevailed the ordinary laws were of no avail at all, because, in those days, a good many murders were committed in both these provinces. I really cannot understand the mentality of the terrorists, whose victims ranged from the highest officials to an ordinary school master. I cannot understand the mentality of a man who in the name of patriotism murders a school master. What does he hope to gain by such an act? Does he hope that the foundations of the British Empire will be shaken by such a foul deed? There is no point in it. There is only one thing that the terrorists did achieve by the murder of this poor man, and it is this, perhaps there is a widow somewhere in a Bengal village,—and we all know what the plight of Indian widows is,—the poor widow whose world crashed around her. Perhaps there is also a bereaved mother who may be mourning the loss of her son, and the children who every evening await in vain the return of their sire.

Now, Sir, turning to my own province, I may say that the victims of these terrorists were generally those people who were popular in the country. Sir, a dastardly attempt was made on the life of our popular Governor, Sir Geoffrey de Montmorency, and I can tell the House what sort of a person he was. He served our province for thirty years, and

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for nine years, I believe, he was the Deputy Commissioner of Lyallpur district, which is one of our most prosperous districts, and before he laid down the reins of his office he went to bid farewell to Lyallpur,—and I can assure you, Sir, there was genuine grief among the people, because they were losing a friend (Cheers from Punjab Members),—and I think all the elected Members from the Punjab and also the Honourable the Home Member who had the privilege of acting as a colleague of Sir Geoffrey de Montmorency will bear me out when I say that he was really loved by the people. Now, when such a nice and sympathetic man, when wearing the sacred robes of his office as Chancellor of the Punjab University, came out of the Hall, he was shot at. Thank God, Sir, he was not hurt, but certainly his feeling must have been hurt, because he must have felt that that was the reward he got from the country which he served for 30 years. Sir Geoffrey de Montmorency is still alive today, thank God. What sort of work is he doing today? He is still fighting for the cause of India. He is an active member of an Association in London known as the British Indian Union, the object of which is to educate the British public opinion, so that India could get self-Government. That is the type of man who was shot at and that was the reward such a man got at the hands of the terrorists. A lady was also hit at that moment, and a gallant sub-inspector of police gave his life in defending his superior officer and enhanced the reputation and prestige of his service. This thing was followed soon after by an attempt on the life of our popular ex-Viceroy, Lord Irwin, who is now Lord Halifax. We all know that Lord Halifax was quite unpopular with the ultra die-hard opinion of the British public, and I distinctly remember that when he laid down the reins of his high office and arrived at the Victoria Station, London, a hostile demonstration was staged against him, because they thought he was too friendly with Indians, because he was always praised by Mahatma Gandhi. Further, Sir, I must say that this very Honourable Assembly, whose representative chair you are occupying today with such dignity and such impartiality, this very sacred building was bombed, and I really cannot understand the mentality of these murderers who throw bombs into such august Assemblies as this, because, after all, it is supposed that the best brains of the country,—and I hope the present company is not excepted,—are gathered there. If the object of the terrorists was to kill one of the Members on the Government Benches, were they quite certain that Pandit Motilal Nehru, who was also sitting in this Hall as a Member, and was probably occupying the same seat which the Honourable the Leader of the Opposition is occupying today, would not have been hurt by that very bomb? But, Sir, these murderers do not care for anything

An Honourable Member: It was not a bomb; it was a cracker.

Mr. Deputy President (Mr. Akhil Chandra Datta): This is the maiden speech of the Honourable Member, and, according to convention, he should be allowed to go on without interruption.

Mr. M. Ghasuddin: These murderers did not understand that in attempting to kill one person they were endangering the lives of so many innocent persons, some of whom were great patriots.

Now, I come to another point. What was the attitude of those who today are the loudest in their demand for the repeal of these repressive laws? I have very great respect for the Leader of the Opposition. I have worked with him for a little while, and, broadly speaking, I can call myself as his colleague, but in that brief space of time I can assure you, Sir, that he has gained my respect, and I am looking forward during these three years term of the Assembly to the privilege of hearing his wonderful orations. I have for him the same respect as I have for Mahatma Gandhi, but when these outrages were being committed, when both the civil and military officers, Indians and Europeans, were being shot down by these terrorists, when many prominent citizens emphatically condemned the activities of these terrorists in most unequivocal language, what was the attitude of the Congress? I know, Sir, that the creed of the Congress is non-violence,—and I sincerely believe that all my Honourable friends who are occupying some of these Benches strongly believe in the creed of non-violence, and so does Mahatma Gandhi, who is the soul of non-violence,—but if a non-violent man preaches to violent people, and they do not listen to him,—because murderers have a mentality peculiar to themselves, what happens? I think, Sir, the duty of the Congress at that juncture was to co-operate with the police and to issue a whip to all the Congress organisations to hunt down the murderers wherever they were found. Mahatma Gandhi himself admitted that these murderers were putting back the hands of the clock. Therefore, if these murderers did not listen to the advice of non-violent workers, they should have been paid back in their own coins. (*An Honourable Member:* "It is not allowed.") I do not know why the Congress people failed in their duty. If they had done it, today Members on the Government Benches would have listened to the demand that is made now, with greater sympathy. Anyway, before I conclude my observations, I should like to say just one thing. As soon as Government are convinced that there is no real danger,—and we must leave it to their good sense of judgment (Laughter from Congress Party Benches), I hope Government will use clemency and release all people who have been detained, but, at the same time, I feel, Sir, it will be wrong for this House to force the hands of the Government in asking them to release these prisoners when normal conditions have not yet been restored. Therefore, I would ask Honourable Members to vote against this motion.

Mr. Shri Krishna Sinha (*Gaya cum Monghyr Non-Muhammadan*): Sir, there are moments in the life of a man when it is very difficult for him to restrain his feelings. I had a shrewd suspicion of what was passing in Bengal in the name of law and order. My Honourable friend, Amarendra Babu, has tried to lift the veil, and what little glimpse we could have into what is happening in that province leads me to believe with my Honourable friend, Mr. Paliwal, that the moment has arrived when it is very difficult for one to restrain one's feeling. But I assure the Treasury Benches that I have made up my mind not to give vent to feelings of anger and resentment in what I have to say as regards this motion.

Sir, I support the motion moved by my Honourable friend, Mr. Aney, the Leader of the Nationalist Party, and I do so on grounds more than one. I support it not only because the state of affairs in this country has changed, but on higher grounds. I say that, even if the state of affairs in India had not changed, even if the Civil Disobedience Movement had

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been going on in full swing throughout the country, even if the jails in British India had been full of civil disobedience prisoners, even then a Government, much more a Government which claims itself to be a civilised Government, should not have adopted all those measures of repression which this Government had recourse to during the last three or four years. At this moment, when I rise to support a motion for censuring the policy of the Government, I cannot but be reminded of those painful days in the years 1930-1933 when innocent youths were shot down in the streets in a town in my own district in the name of law and order. (*Cries of "Shame" from the Congress Party Benches.*) I cannot forget how a whole village was penalised and two lakhs of rupees were realised from the inhabitants of that village simply for one fault, and that was, the youths of that village took to the lessons which Mahatma Gandhi wanted to teach them, defied this Government and rushed to the jails in large numbers. It is because of this that I say that I support this motion on a higher ground. I support this motion on a still further ground. I say this Government has been impervious to public opinion in this country. It was in the beginning of this century that the nationalist movement was born in this country, and, simultaneously with the birth of nationalism in this country, this Government started on a policy of repression. Within the short time at my disposal it is not possible for me to give this House the history of the policy of repression which the Government have adopted towards this country. I remember the days when I was a student, Government raked up an archaic law, the Regulation III of 1818 and deported under that Regulation one of the foremost patriots of India of that time, I mean, the late Lala Lajpat Rai. (*Cries of "Shame" from the Congress Party Benches.*) I remember the flutter which that deportation caused in the country. I remember the resentment which that deportation caused in the country. My Honourable friend from the Punjab who had just now risen and recounted all the acts of crime committed by some terrorists—I can assure him that so long as I am under the banner of the Saint of Sabarmati who wants to lead us on in the path of non-violence, I can have no sympathy with a man who wants to murder another human being, much less the Governor of a Province. (*"Hear, hear" from Official Benches.*) But I want to assure him that what I object to is the recourse of the Government to archaic laws to suppress the growth of nationalism in this country. I charge this Government with having regularly and consistently flouted public opinion in this country. Since the time the Government initiated the policy of repression, there has been a volume of public opinion against that policy. But day by day Government have been intensifying that policy of repression, and though public discontent against this policy has been growing, Government have been impervious to public feeling against that policy.

Yesterday, there was the unique sight of a legal luminary from Bengal rising from his seat and quoting one of those plain sections of the Government of India Act simply to remind this House that the Government of India were responsible to the Secretary of State and not to the people of this country. I think the Honourable the Leader of the House entertains the same opinion of us and perhaps he too thinks that we belong to that same class to which another Honourable Member has relegated us. But because he is not connected with the military department,

therefore he, like a military man, did not blurt out his feeling. I can assure the Honourable the Leader of the House that we are not oblivious of the fact that the Members of the Treasury Benches who sit there are responsible to a Government which is six thousand miles away from here. But I may tell him that even this Government of India Act expects them to respect public opinion in this country.

My Honourable friend, Mr. James, from Madras said that in our attempt to censure the Executive Council of the Government of India in order that they might act according to the opinions of this House, we were against the spirit of the Government of India Act. Only the other day we were told by Members occupying the Treasury Benches that we should look behind the proposed Government of India Bill and look to the intentions which have impelled the framers of that Bill to propose that measure. Acting on that principle, I hope the Honourable the Leader of the House will not now take recourse to the plea that he is to be guided by the letter of the law and not by the intentions which impelled the framers of the present Government of India Act. If he cares to read the Montagu-Chelmsford Report, he will find that the one object of reforming the Central Legislature and the India Council was to make the Central Government here and the Government in England responsive to public opinion. The authors of the report have distinctly said that it was impossible that while in certain fields Government were made responsible to the people in the provinces, the Government at the centre should remain impervious and irresponsible to public opinion. I know the distinction between irresponsible and irresponsible Governments. The Government of India Act intends that those who occupy the Treasury Benches should be responsive to public opinion. In that Report, it is distinctly laid down that autocracy is to come to an end, and, by enlarging the Central Legislature, the authors of that Report hoped that public opinion would influence the Government of India and the Government in England in their works of administration. That was the message that was conveyed to India by the Duke of Connaught. Only the other day, the Finance Member in the name of a pledge given to the Civil Service has saddled India with the expenditure of crores of rupees. I would ask the Honourable the Finance Member to remember another pledge which the Duke of Connaught gave to this House. He said that autocracy was definitely to come to an end. No sooner the new Central Legislature met, a motion was brought by the Right Honourable Srinivasa Sastri in the Council of State.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

According to that Resolution, a Committee was appointed to consider the question of repealing the repressive laws of this country. For the information of the House, I may say at the very beginning that in that Committee were included two prominent Members of the Government, one of whom was Sir William Vincent. If you read that Report, you will find that four things prominently emerge out of that Report. That Report is unanimous. It has been signed by Sir William Vincent and Mr. Hammond. It says that the Regulation of 1818 and other allied Regulations required to be amended, so as to make them conform to the original intention with which they were enacted. According to them too the Regulations ought not to have been applied to the cases to which they were being applied. The

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next point which they mention in the Report is that the retention of these arbitrary laws was more dangerous than the evils which they are meant to cure. The third thing which they mentioned is that the powers of arbitrary imprisonment is bad for the country, especially after the new Constitution had been inaugurated in the country. After the Constitution embodied in the Act of 1919 had been inaugurated, though the Government of India remained responsible to England, yet by it a new policy had been inaugurated in India and the retention on the Statute-book of laws and regulations like Regulation III of 1818 and other similar laws, which still encumber the Statute-book of India, was inconsistent with the new principle thus inaugurated. Last of all, they say that the presence of these arbitrary Acts will be a cause of resentment to the people. With these objects in view, the Committee recommended that the Regulation of 1818 and other allied Regulations were to be amended so as to confine their application to cases for which they were originally meant. They recommended that all the repressive laws were to be repealed save and except two, the repeal of which were to be deferred for the time being. From this it is clear that the authors of the report intended that the Government of India should be responsive to public opinion. The Committee on which two prominent Government Members sat recommended that the Regulations should be amended so as to limit their operation.

Now, Sir, the other day, the Honourable the Commerce Member told us in what ways Government were trying to meet the wishes of this House. He told us that he was going to meet the wishes of this House so far as their desire to get redressed the grievances of the third class passengers was concerned. We are all thankful to him for this. But I ask the Honourable Member, as a Member of this Government, to tell me how far Government have been able to meet the unanimous demand of the people so far as these repressive laws are concerned. There was a Committee which condemned these Regulations. If we have to make a choice between the redress of the grievances of third class passengers and the repeal of these laws, then I can tell the Honourable the Commerce Member that we would rather travel in the present dirty third class carriages than allow our liberties to be touched.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Shri Krishna Sinha: I am sorry, my time is up. Then, I have to give up many of the points that I wanted to raise. A friend from Bengal said that he is a Bengali first and an Indian afterwards. He has recounted some stories. My friend from the Punjab has recounted certain stories. I want to assure Members of this House and those who fight shy of terrorism that we on this side of the House deprecate murder. We deprecate murder whatever the motive might be. But we know that national affairs are not to be guided in a short sighted fashion. When that gentleman from Bengal was speaking, I was reminded of what I have read in books on the American revolution. It is the Government servants who sent false reports to England, misguided the Government of England into a policy of repression which resulted in the loss of America to England. I want that the Honourable Sir Henry Craik should take recourse to a higher policy. I ask the Government if they are sure that there is a net work of revolutionary organisations in the country. Are they sure of the fact that the whole of the Bengali population is so seized with the idea of violence that it has

become necessary to establish military rule in Bengal? Then, it is time to cry halt and take stock of the situation to find out some remedy. It has been one of the most perplexing problems for political philosophers to find out what it is that makes men submit to a rule which is not based on popular will and they have come to the conclusion that it is the natural disinclination of man to court imprisonment and suffering and they desire to lead a life of ease. In spite of this natural instinct in man, there is to be found in this country a large number of men who march to the scaffold, mount it smilingly with the cry of "Bande Mataram" on their lips, of which the Government are so much afraid and thus make the worst suffering. In the cause of truth and non-violence for which Mahatma Gandhi stands, more than a million men have gone to jails. It is now time for the Government to think over the whole thing, come to grips with the situation and find out some conciliatory policy.

I know that autocracy has got its own way. It is blind. Autocracy contains the germ of ruin in itself. Louis of France had to pay the penalty for the sins committed by his ancestors. He had to mount the scaffold. Matternich, the greatest despot of the 18th century, who made the whole of Austria tremble, had to flee from his capital when faced with popular discontent, hiding himself in a cart. I know this Government will meet the same fate if it pursues that policy. I know that this Government has lost its foresight. Only the other day, the Honourable the Commerce Member was preaching thus to this side of the House: "What will you do if you reject this Joint Parliamentary Committee Report?" He seemed to think that the movement for freedom was dead and that India was helpless. If we reject the Report, what was the alternative, he asked? He meant to say, we are a helpless race. Sir, I know the atmosphere in which he works, has bred in him this mentality. The same mentality was displayed by the Honourable the Leader of the House yesterday in retort to the point raised by Mr. Satyamurti. He said that the Congress was dead. Now, we did not hear anything. We heard only the noise created in this House and the repercussion which this noise creates outside. I say, Sir, this shows that this Government is short-sighted. I want to tell this Government that a revolution is never dead. Once a nation wakes up, it can never be put down.

Sir Cowasji Jehangir: Are you supporting or opposing the motion?

Mr. Shri Krishna Sinha: I am supporting the motion.

Sir Cowasji Jehangir: Your arguments are all for opposing it.

Mr. Shri Krishna Sinha: I am sorry if that is the impression created. Sir, revolution is like a tidal wave. It has receded now, but the murmurs are still there. I know from a circular letter issued from the Home Department that the Government expect their officers to go to the villages. If these servants of Government do go about and see things correctly, they will find the murmurs there. It is gathering strength. If this Government in its short-sighted policy does not hear that murmur, then it will come back with added strength, will deluge them all, will sweep away the last vestige of autocracy in this country and leave the ground free for the construction of that magnificent edifice of Swaraj under which India will rise to the height of its being and come to its own. India will, thanks to the Almighty, celebrate its day of emancipation. (Loud and Prolonged Applause.) There is, I say, Sir, still time for the Government to

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retrace their steps, to discard the principle of autoeracy, to discard the principle and policy of repression. It has never succeeded in old days. It will never succeed here. Let the Government take the people into their confidence, take that great apostle of non-violence into confidence and thus stem the rising tide of a revolution. Otherwise, that tide will come, sweep them off their feet and take the course dictated by history. Conciliate, I say. Repeal the repressive laws and do your duty to the country. (Loud and Prolonged Cheers.)

The Honourable Sir Henry Craik: Sir, before I address myself to the subject of the motion, there is one statement that has been made in the course of this debate which I want to take the first possible opportunity of contradicting, and contradicting in the most emphatic manner possible. It is a statement that, so far as I know, ought never to have been made; it is an attack on persons who are not here to defend themselves, and it is a completely *ex parte* statement which I for one refuse for a moment to believe. The Honourable Member who sits over there stated, gave some story of a whole village having been stripped naked by troops in Bengal. Now, Sir, I find that various allegations were made against the conduct of troops in Bengal in a debate in this House about a year ago by Mr. S. C. Mitra

Mr. Amarendra Nath Chattopadhyaya: That was before the troops had gone there—that was by the police.

The Honourable Sir Henry Craik: Who committed these outrages?

Mr. Amarendra Nath Chattopadhyaya: The police.

The Honourable Sir Henry Craik: Sir, this is the first time any such charge against the police has been made, so far as I am aware. I was under the impression that the Honourable Member mentioned the troops. If he did not, then I apologise to him, but even so far as the police were concerned, I can find no mention in any of the charges of this nature that have been investigated in Bengal at the instance of the Government of India, of any kind of charge of that sort ever having been made, much less substantiated.

Now, Sir, I will address myself to the motion before the House, and, in doing so, I find myself in a state of some confusion, because the debate wandered over a very large field, and because I am not sure whether the intention of the Honourable the Mover of the motion is in any way the same as that of the various speakers who have followed him. My Honourable friend, Mr. Aney, confined himself in his very eloquent and very restrained speech to what he called the repressive policy of Government towards those who had taken part in the Civil Disobedience Movement. He made only a very passing reference, to the best of my recollection, to what he called the detenus, that is the terrorists or suspected terrorists. .

Sir Cowasji Jehangir: Quite right.

The Honourable Sir Henry Craik: And I understand that his motion was confined entirely to what he thought or what he thinks, no doubt with perfect sincerity, to have been the repressive policy of Government towards persons who took part in the Civil Disobedience Movement. Now, Sir, in regard to that part of the motion or to the motion as a whole, if that is the whole of it, I plead not guilty. I do not admit for a moment

that Government have shown any spirit of vindictiveness or repression towards people who have taken part in the Civil Disobedience Movement. Long before the Civil Disobedience Movement was withdrawn or suspended or abandoned or whatever you may like to call it, long before Mahatma Gandhi made his statement, which was, I think, on the 7th of April of last year, the Government of India had instructed Local Governments to expedite the release of persons convicted of offences connected with the Civil Disobedience Movement; and the figures actually show that the number of such prisoners in jails had fallen from something like 13,000—I give round figures only—to under 1,500, before the Civil Disobedience Movement was withdrawn at all. Now, if that is repression, I wonder what generosity is! It is idle to say that that was repression; and immediately civil disobedience was officially suspended, the process of release was expedited. I don't use the word "withdrawn", that is not an accurate expression for it was made perfectly clear by its leaders that it was suspended only, because it might be revived again in more favourable circumstances. (A Voice: "Why not?").

An Honourable Member: Nobody ever said that.

The Honourable Sir Henry Craik: An Honourable Member says: "Nobody ever said that". May I remind him of the words of Mahatma Gandhi in this connection? In an exclusive interview given to the *Statesman* less than a fortnight after he had made his statement regarding the suspension of the Civil Disobedience Movement, Mahatma Gandhi was asked whether it was correct to say that the suspension of Civil Disobedience was only temporary or whether he meant that it would have to be resorted to in the near or distant future. His answer was as follows:

"He had no notion when the call would come to him to ask his co-workers to resume the struggle."

And, a month later, he said: "by suspending civil disobedience"—this is from his speech at Patna—"by suspending civil disobedience, he had saved this weapon for the country for future use when the country would be ready".

Now, my friend, the Honourable Baronet from Bombay, asked me what I understood by the word "withdrawal". Well, to my mind, "withdrawal" means, in the case of a weapons like this, "to cast it aside altogether". It is perfectly obvious from these and from a dozen similar utterances I can quote, and also from half a dozen remarks made in the course of this afternoon's debate that there is no intention that the Civil Disobedience Movement should be finally abandoned. Speaker after speaker has said that they would be within their rights to resume civil disobedience whenever their conscience calls them. That may be their theory of the duty or the privilege of a good citizen; it is not mine. Anyhow, that is a matter of abstract theory, and it is not important. But what is important is this that the civil disobedience is no more abandoned than I abandon my coat when I take it off to go to bed. The Civil Disobedience Movement is there and its leaders have stated quite plainly that it is within their rights to revive it at a suitable moment and they have further hinted that when it is revived, the struggle will be more acute and more severe than hitherto. Now, Sir, in spite of those utterances, my claim is that the Government, when the Congress announced the suspension of the Civil Disobedience Movement, took it literally at its word and that was made perfectly plain in the communiqué that was published early in June, 1934, in which it was stated that the ban on purely Congress

[Mr. Shri Krishna Sinha.]

retrace their steps, to discard the principle of autocracy, to discard the principle and policy of repression. It has never succeeded in old days. It will never succeed here. Let the Government take the people into their confidence, take that great apostle of non-violence into confidence and thus stem the rising tide of a revolution. Otherwise, that tide will come, sweep them off their feet and take the course dictated by history. Conciliate, I say. Repeal the repressive laws and do your duty to the country. (Loud and Prolonged Cheers.)

The Honourable Sir Henry Craik: Sir, before I address myself to the subject of the motion, there is one statement that has been made in the course of this debate which I want to take the first possible opportunity of contradicting, and contradicting in the most emphatic manner possible. It is a statement that, so far as I know, ought never to have been made; it is an attack on persons who are not here to defend themselves, and it is a completely *ex parte* statement which I for one refuse for a moment to believe. The Honourable Member who sits over there stated, gave some story of a whole village having been stripped naked by troops in Bengal. Now, Sir, I find that various allegations were made against the conduct of troops in Bengal in a debate in this House about a year ago by Mr. S. C. Mitra

Mr. Amarendra Nath Chattopadhyaya: That was before the troops had gone there—that was by the police.

The Honourable Sir Henry Craik: Who committed these outrages?

Mr. Amarendra Nath Chattopadhyaya: The police.

The Honourable Sir Henry Craik: Sir, this is the first time any such charge against the police has been made, so far as I am aware. I was under the impression that the Honourable Member mentioned the troops. If he did not, then I apologise to him, but even so far as the police were concerned, I can find no mention in any of the charges of this nature that have been investigated in Bengal at the instance of the Government of India, of any kind of charge of that sort ever having been made, much less substantiated.

Now, Sir, I will address myself to the motion before the House, and, in doing so, I find myself in a state of some confusion, because the debate wandered over a very large field, and because I am not sure whether the intention of the Honourable the Mover of the motion is in any way the same as that of the various speakers who have followed him. My Honourable friend, Mr. Aney, confined himself in his very eloquent and very restrained speech to what he called the repressive policy of Government towards those who had taken part in the Civil Disobedience Movement. He made only a very passing reference, to the best of my recollection, to what he called the detenus, that is the terrorists or suspected terrorists. .

Sir Cowasji Jehangir: Quite right.

The Honourable Sir Henry Craik: And I understand that his motion was confined entirely to what he thought or what he thinks, no doubt with perfect sincerity, to have been the repressive policy of Government towards persons who took part in the Civil Disobedience Movement. Now, Sir, in regard to that part of the motion or to the motion as a whole, if that is the whole of it, I plead not guilty. I do not admit for a moment

that Government have shown any spirit of vindictiveness or repression towards people who have taken part in the Civil Disobedience Movement. Long before the Civil Disobedience Movement was withdrawn or suspended or abandoned or whatever you may like to call it, long before Mahatma Gandhi made his statement, which was, I think, on the 7th of April of last year, the Government of India had instructed Local Governments to expedite the release of persons convicted of offences connected with the Civil Disobedience Movement; and the figures actually show that the number of such prisoners in jails had fallen from something like 13,000—I give round figures only—to under 1,500, before the Civil Disobedience Movement was withdrawn at all. Now, if that is repression, I wonder what generosity is! It is idle to say that that was repression; and immediately civil disobedience was officially suspended, the process of release was expedited. I don't use the word "withdrawn", that is not an accurate expression for it was made perfectly clear by its leaders that it was suspended only, because it might be revived again in more favourable circumstances. (A Voice: "Why not?").

An Honourable Member: Nobody ever said that.

The Honourable Sir Henry Craik: An Honourable Member says: "Nobody ever said that". May I remind him of the words of Mahatma Gandhi in this connection? In an exclusive interview given to the *Statesman* less than a fortnight after he had made his statement regarding the suspension of the Civil Disobedience Movement, Mahatma Gandhi was asked whether it was correct to say that the suspension of Civil Disobedience was only temporary or whether he meant that it would have to be resorted to in the near or distant future. His answer was as follows:

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Now, my friend, the Honourable Baronet from Bombay, asked me what I understood by the word "withdrawal". Well, to my mind, "withdrawal" means, in the case of a weapons like this, "to cast it aside altogether". It is perfectly obvious from these and from a dozen similar utterances I can quote, and also from half a dozen remarks made in the course of this afternoon's debate that there is no intention that the Civil Disobedience Movement should be finally abandoned. Speaker after speaker has said that they would be within their rights to resume civil disobedience whenever their conscience calls them. That may be their theory of the duty or the privilege of a good citizen; it is not mine. Anyhow, that is a matter of abstract theory, and it is not important. But what is important is this that the civil disobedience is no more abandoned than I abandon my coat when I take it off to go to bed. The Civil Disobedience Movement is there and its leaders have stated quite plainly that it is within their rights to revive it at a suitable moment and they have further hinted that when it is revived, the struggle will be more acute and more severe than hitherto. Now, Sir, in spite of those utterances, my claim is that the Government, when the Congress announced the suspension of the Civil Disobedience Movement, took it literally at its word and that was made perfectly plain in the communiqué that was published early in June, 1934, in which it was stated that the ban on purely Congress

[Sir Henry Craik.]

organisations would be removed and that the process of releasing prisoners, which had already been in force for more than a year, would be expedited. The only reservation made was that revolutionary organisations which had been proscribed, and which were distinct from the Congress, though they had been working more or less in close association with the Congress, would not necessarily have the ban removed. It was left to Local Governments to decide when the ban on such revolutionary organisations could safely be withdrawn.

Sir, I maintain that that policy has been faithfully and sincerely carried out. There remain today, as the Honourable the Leader of the House explained, only 69 out of the many thousand prisoners who were convicted in connection with the Civil Disobedience Movement. Though I have not got exact details of all those cases, the House may take it from me that these persons are either persons who were convicted of offences of violence, or who were convicted after the formal withdrawal of the movement, because they had attempted to revive it against the directions of their leaders, or who are known to have been connected with revolutionary that is, terrorist, organisations and possibly a few more whose conduct jail has been particularly objectionable. Even as regards these few remaining prisoners, I am assured by the Local Governments that their case are being again reviewed with a view to expediting their release. As regards the revolutionary organisations, some have been mentioned by name in the course of this debate, especially one, the Hindustani Seva Dal. That organisation is not banned throughout India. It is a banned organisation in four provinces only. The four Local Governments in question have retained the ban upon it, because they are certain that it is a definitely revolutionary organisation; that many of its leaders are intimately connected with the terrorists and that in the case of this organisation, or, at any rate, most of its branches, the profession of non-violence and peacefulness is absolute pretence. One of the principal activities of that particular association is drilling in military formation and teaching youths the use of weapons. How can it be claimed that in those circumstances it is a peaceful organisation?

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): May I ask, Sir, what weapons they are trained to use?

The Honourable Sir Henry Craik: Any weapons they can get hold of, including in one case at least the use of the rifle.

Now, Sir, it is perfectly well-known that when the Central and Local Legislatures passed these special Acts, they were intended only partially to deal with civil disobedience. They had other objects too. There are other and far more dangerous organisations than the Civil Disobedience Movement with which the Government are called upon to deal. In particular, I refer to those organisations which I have in a previous speech styled as public enemy No. 1, that is, the terrorist; and public enemy No. 2, that is, the communist agent. My case is that since the suspension of the Civil Disobedience Movement, those special Acts have been used, to the best of my belief, not against anyone simply for activities in connection with the Civil Disobedience Movement, but only against terrorists and communists agents. I do not for a moment admit that we have been repressive towards people who were concerned in the Civil Disobedience Movement. I recognise that it has been suspended and I recognise that that suspension is a gesture in the right direction. Another gesture is the

decision of the Congress to take part in the elections and to enter the Legislatures. We have been told—I think again by my friend, the Honourable Baronet from Bombay—that we should hold out our hand to grasp the hand of co-operation offered to us. I sometimes wish as I listen to the debates in this House, that the hand offered to us was a little more conspicuously offered. I think my Honourable friend, Mr. Satyamurti, said yesterday in the course of the debate, “We have come to this House to co-operate with Government”, but almost in the same breath, with that inconsistency for which he is so famous, he said: “Our object in coming here is to smash the prestige of the Government”.

Mr. S. Satyamurti: On a point of personal explanation, Sir. I said we have come here to co-operate with the Government, but if the co-operation is returned in the contemptuous terms in which it is being returned, our object then will be to destroy the prestige of this Government. It is on the Government whether they are going to extend their hand of co-operation or not. I am convinced after coming here, that they have no intention of grasping our hand of co-operation. It is, in that sense, that I said, and I repeat it again, that, if they do not respond, we are here to destroy the prestige of the Government.

The Honourable Sir Henry Craik: I am sorry my recollection does not agree with that remark. His expressed determination to smash the prestige of the Government was absolute and not conditional. However, if he is really genuine in his desire to extend the hand of co-operation, he will not find Government slow in grasping that hand.

Now, Sir, I have dealt with the attitude of the Government towards the Civil Disobedience Movement. I now come to the attitude of Government towards a more dangerous and a more sinister movement, the terrorist movement. I confess that I felt considerable regret when so many of those practised orators on the back Benches opposite took a less wise line than the Honourable the Mover of the motion, and were so insistent in expressing their sympathy for the terrorist detenu. That sympathy has been expressed time after time in questions, in speeches, and particularly in this debate. But I should be sorry to think that it reflected the genuine attitude of the responsible Congress leaders towards the terrorist. I should have hoped that occasionally, at any rate, there might have been some word of sympathy for the terrorist victims, for that dreary and pitiful procession of widows who returned to their homes leaving their murdered husbands behind them, for the policeman who was bombed and who lingers in agony for months before losing his eye-sight and his career and for a hundred other cases as heart-rending and as tragic as these. But no, the sympathy of the Honourable gentlemen opposite is reserved for these well-fed detenus, on their Rs. 2 a day food allowance and their Rs. 35 a month personal allowance. With them, I have no sympathy. I say that the Government are entitled to take any measure, even more severe measures than they have taken hitherto, to stamp out this terrible evil.

Sir, I would remind the House of the words used in a Royal Proclamation many years ago when this dreadful evil of terrorism was just becoming prominent in India. Speaking in a Proclamation to his Indian people, His Majesty King Edward VII said:

“It is a paramount duty (that is of my Government) to repress with a stern arm all conspiracies that have no just cause and no serious aim. These conspiracies are abhorrent to the loyalty and faithful character of the great host of my Indian subjects and I will not suffer them to turn me aside from my task of building up the fabric of civilised security and order.”

[Sir Henry Craik.]

Those words were spoken, Sir, many years ago, but they seem to me to be equally true today as they were when they were spoken. It is still the duty of the Government to repress with stern arm those crimes which have brought such ill-fame to one part of India and they will not be deterred from carrying out that task by mis-begotten sympathy with the terrorists.

Sir, my case is this: that as regards civil disobedience people, we have not shown repression, we have shown clemency in that we started releasing from jail before this subversive movement which is a breach of the law was stopped. Towards the terrorists, we cannot show any mitigation of our policy till the evil is crushed. At the moment, the position is this, that there has been a considerable improvement, but still the recruitment of young men to that movement is going on. The poison is being spread and there can be no relaxation of our efforts in that direction until the situation is far better than it is now. (Applause.)

Mr. Bhulabhai J. Desai: Mr. President, I regret very much that my Honourable friend, Mr. James, yesterday thought that I could 5 P.M. ever be guilty of expressing either venomous sentiment or using a venomous language, and I want him to be reassured, if ever assurance is needed, that in any observation that I make before this House, I will always venture to firmly express my opinion, but it is not intended to convey and there is not behind it any tinge of bitterness of any kind, an assurance which I am obliged to give by reason of the way in which he appeared to have been moved yesterday and it becomes appropriate because of the nature of the motion before the House today so that in anything that I say, I will attempt to weigh every word that I speak to the best of my ability, but I want to be weighed in a balance a little less difficult than the one by which I was weighed yesterday.

Sir, in supporting the motion of my Honourable friend, Mr. Aney, there are two things which I wish to make clear inasmuch as constant reference necessarily had to be made to the Congress, its attitude and its policy. It is not my desire to take a historical review beginning with the *Ram raj* as some of the more ambitious Honourable Members on the other side attempted to do. I am one of those who believes that after all is said and done, there is such a thing as considering a living question and it is to that that I address myself in the few minutes that I want to occupy. The first point on which there should be no disagreement between me and any Member on the Treasury Benches at all is that every State must draw a line both in the matter of any law making or their enforcement between men's opinions and their expression in words or translation in conduct of the assertion of those opinions by either of these methods. For indeed, I think that even the boldest of Kings, however autocratic he may be, would attempt to eradicate from human mind principles which that mind believes in as being right. For one thing we shall never accept as a condition of any agreement or imposition that we should forswear our belief in "Satyagraha" as a true instrument of our deliverance and this no more and no less than the Germans, when they were defeated, forswore in the Treaty which had to enter into that war and a war of force as an instrument they would not resort to in the future for the purpose of their deliverance. The real issue between the State and its citizens is always on what occasions and under what circumstances the principles in which you believe are actually to be put into operation in

our words or by our conduct. I have never yet heard that principles by which you live have got to be forsworn as a condition of your being re-admitted to the confidence of those with whom you have every right to deal and be dealt with justly, equally and fairly. That clears, I hope, the ground between us, and whatever language may have been used, notwithstanding the passages which have been read by the Honourable Sir Henry Craik, the passages only indicate what might have occurred in any other document whether expressed or unexpressed, if ever circumstances are such that this country, according to the conception of those who believe in it, is not getting a fair deal by and after an appeal to every sense of reason, every sense of justice, to every sense of what are called inherent ideas of freedom, I dare say there may arrive a time, sooner or later, when my countrymen and countrywomen may feel it their duty to carry on a movement of direct action in order to attain their deliverance. I do not think that passages written in that historical sense can ever be called up by a Government, even a too-cautious Government for the purpose of continuing a policy which was embarked upon for the purpose of meeting a movement while it was going on. I am here to tell them that passages of this kind ought not to be stressed in the manner in which they are stressed and I wish them to understand that they express a historical truth to which they could not take any objection and that they should not be perverted. I know that they are not perverted in any insincere sense, and should not be construed so as to be a justification or an excuse for a continuation of the policy which may have been justified (whether I agree or disagree, this is not the occasion for the purpose of discussing that issue). Ever since last April, so far as the body of Congress opinion is concerned, it has made it plain that the Satyagraha struggle has been suspended for more reasons than one. I hope and trust that this termination may become final if circumstances alter, of which alteration there are few signs at present.

The other day, I heard the Archbishop of Canterbury ordering a prayer throughout England and the English Churches in order that England and India may understand each other better. I am quite certain, His Grace was quite sincere in the appeal that he made. So are we sincere in the manner in which we offer our hand of friendship. But I am here to say that we believed and still believe that unless circumstances materially alter undoubtedly without direct action there seems to be no deliverance for India. But we shall avert it, and when we say that, we mean every syllable and every letter of that syllable. Every strength that I can put into it, every earnestness, every sincerity that I can put into it, is at your disposal, but beyond that nobody can say more.

My Honourable friend, Mr. Monteath,—I had not the pleasure of personally knowing him except here,—referred to the Bombay Presidency. And it is with reference to that Presidency of which I can speak with personal knowledge and with confidence as to the aftermath, if I may say so, of what is left at the end of the Civil Disobedience Movement, that I make also a further appeal. I am aware myself of at all events a long list with which I will not trouble you, but the typical lists I will present to this House through you, so that my Honourable friends on the other side may consider it not merely in terms of a general progressive policy of revision, but in terms of the attention which they deserve. I happen to be myself a trustee of an educational institution over which we spent some lakhs of rupees, and in which 150 boys and some girls were being housed

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and educated. This Anavil Ashrama in Surat is a most enviable institution in every sense. Its education was of the best, its discipline was perhaps even better. That institution was declared an illegal Association under the Criminal Law Amendment Act which came in very handy. And I am not here to go into the past history of how these Acts were used, whether they were intended for the purposes for which they were used. This law was professedly and admittedly made with a view to meeting every form of violence, murder and dacoity. The words used were that the Government might in its discretion, in the event of a breach of the peace, declare any Association illegal. It was not even dreamt by the framers of these laws how these words would be used after a period of 23 years from the time they were actually used. And every single institution came in handy during the course of the Civil Disobedience Movement. All that the Government had to do was that the formula having been used before, only the name had to be inserted. And one of the institutions whose name was inserted was this Anavil Boarding School and for no other offence than the fact that the Warden of that institution was one of the persons who was sentenced during the course of this Civil Disobedience Movement. Even today, I happened to visit Surat only less than about 10 weeks ago, and that house there lies unoccupied, unused to any useful purpose, and for all that I can see, for no visible offence. I can give also further instances to Mr. Monteath, because it is not the number that they have discharged or disbanded which matters; what matters is what is left and why it is left. It is not a matter of proportion. There is another boarding school next door equally belonging to a similar institution of which any country might have been proud. Indeed I must speak a little more modestly for the simple reason that these two institutions in Gujerat have served as a great model for boys and girls to be trained up in every form of education including, of course, preserving, maintaining, and, if possible, strengthening the national spirit and nationalised point of view. But that is all their offence. Then I pass a little further on in the same territory. I will remind my friend that he will also see in Bardoli, there is no question of revolution, unless the word "revolution" means a desire, which I have already expressed as a matter of belief, that we deserve to be a self-governing people. If that is revolutionary, everything is revolutionary; and in that case it is not possible to draw a line between civil resistance and revolution. But if by revolution is meant a change of government by sheer physical force then, of course, I can understand the word "revolution". For, in India, these phrases are easily used and very easily abused also. It is not that my friends here individually are aware of these things, but the fact remains that when formulas are provided, by many a formula many a sin can be easily covered. And I will, therefore, remind my friends that throughout the Bardoli taluka in which there is Satyagraha in its best form of non-violence in thought, word and deed, and its best form of truth, every single institution in that taluka is still in the possession of Government, entirely unused, entirely uncared for and the buildings in some places are almost on the point of falling down. All that you find in that place is a few policemen squatting just for no other purpose than for the pleasure of seeing that these institutions are still under a ban. That has been the response from April 7th last to April 7th which we shall presently reach. All that I can say is that either those who are here are not well informed, or, if they have their sympathy with

of thing, they cannot very well ask themselves to be acquitted. There are many other institutions in Gujerat a little further north of which Mr. Monteath might well have been informed. There are some schools, and in as much as they bear the name of Mahatma Gandhi or Vallabhai Patel, for that offence only these institutions are still under a ban. Of the 69 prisoners that the Leader of the House spoke about, I can at all events personally testify to several of them, name by name if he had that list here, and I should be able to show that there is not a single one of those who has been guilty of any violence; they were guilty of no violence of any kind during the course of the Civil Disobedience Movement. Those remain still in gaol for no other purpose than that probably they have specially incurred the wrath of the particular officers who are in charge of reporting upon them. I was one of them who personally attempted to get in touch with the District Officers of all the districts in the constituency which I represent. I went not in a spirit of wrangling, not in a spirit of recrimination, I went in no spirit of arguing the past; I went only to inquire as to what could be done as to the future. And the only reply I got from the District Officers was, "We do not know, it is a matter of the policy of Government". That, Sir, is the position in so far as the response in my part of the country is concerned.

As regards the last moving appeal that my Honourable friend, the Home Member, made, I am sure, I can only endorse what Mahatma Gandhi has always said that it is not with us a matter of policy

The Honourable Sir Henry Craik: Sir, I am sorry to interrupt my Honourable friend; but I have a letter from a very high authority in Bombay dated only the other day which says that there are not more than 30 prisoners left in Bombay.

Mr. Bhulabhai J. Desai: I will accept that correction. It may easily be that 10 or 11 have been released in the interval of my information.

Sir Cowasji Jehangir: Supposing there are 30 left, can the Honourable Member satisfy us that they were non-violent?

Mr. Bhulabhai J. Desai: I can certainly testify to it. I was one of those who have been in the midst of at least 800 prisoners in the Nasik Jail, and it became our business seeing that we had plenty of time, seeing that we had established a real genuine democracy and equality between ourselves, to know every single one of them as the meanest was as good as the best of us. I also know many of some sixteen hundred odd persons who were in jail in Visapure near Ahmednagar, and I can testify to every single one of them that he was not guilty of any violence during the course of Satyagraha movement.

I do not wish to keep the House very much longer. Coming to the last moving appeal that the Honourable Sir Henry Craik made, I am not, as I said, perhaps as fit as Mahatma Gandhi to join with him in the appeal that he made: in fact, I happened to be in England at the time when one of the officers—I believe it was Mr. Burge—happened to have been shot in Bengal: and I remember the appeal made by Mahatma Gandhi at the time, not merely personally to his own countrymen, but all over the world, because, as I said, with us it is not a matter of mere expediency: I know we can easily be judged by a lower standard: I know

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we can easily be told "Oh, you have not the strength, and, therefore, non-violence suits and befits you". But we are of those who believe—whether we are right or wrong in our belief will be tested by the future. Most civilized minds believe that evolution must be on the lines on which we believe, whether the evolution would be near enough in practical politics is another matter—I ask them to believe in the sincerity of the belief that we profess that it is not a mere question of expediency or a case of having nothing else to do, of merely trying the method of non-retaliatory measures, so that even those who are armed may be disarmed: but we sincerely and genuinely believe that all arms are disarmed when a person refusing to retaliate bares his breast against attack, in order only to assert what he believes to be right. That is what we believe, and, therefore, every form of violence we shall agree with him in condemning, not merely as I said as a matter of expediency, but as a matter of genuine and sincere belief: and although he will always have ample co-operation, I cannot very well agree with another friend—I must guard against him—to be a police informer or to take up violence for the sake of fighting violence along with the Government, because that was the kind of appeal which one of my friends made on my side of the House

Mr. M. Ghiasuddin: On a point of personal explanation, Sir. I never said that the Honourable the Leader of the Opposition can degrade himself to the level of becoming a police informer: what I meant to say was that if these violent people did not listen to the appeals made by Mahatma Gandhi and to the appeals of men like my Honourable friend, Mr. Desai, the Congress should have joined hands with the police to fight the terrorists and hunt them down.

Mr. Bhulabhai J. Desai: I am obliged to my friend for his explanation, but I hope he will allow me to continue.

What I was saying was this: with us it being a matter of principle, our sympathy is not merely verbal, but is real and genuine. In what form and to what extent it could be expressed in our conduct is a matter on which we may easily differ. But you may be certain that in so far as it is otherwise consistent with our beliefs, it is not merely lip sympathy, but it can be easily expressed at least up to a point.

Before I sit down, there is one more word I have to say: I recognise that in this particular matter I cannot separate myself from you: we are only separated by a form of Constitution: we cannot separate members of a State much too long: and if we continue to be separated as members of a State much too long, it would be deplorable, and it is, therefore, our duty to come together in condemning all forms of violence. While undoubtedly putting down every form of violence, we should be careful not to exceed such limits in the process of extirpation as would probably aggravate and propagate the disease itself. It is a warning which has a meaning and which has a sense; and I have not the smallest doubt that my friends, who are immediately in charge of these matters, will see to it that the measures which they take to fight violence are adequate and just adequate, so that there may be no occasion for any complaint in this House that liberties of the innocent persons have been restricted in the prosecution of even of a campaign against violence. I do, however, say that the response,

which we have got, after a period of nearly a year now, is in halting and poor measure; and all I can say is that I hope and still hope that the revival of direct action to which reference has been made may never be necessary. The other day, I read in a book by Mr. Keynes in which he said that the British Empire was disintegrating almost by mutual consent as the result of the Statute of Westminster, and that the British Empire is now represented by India: and, therefore, irrespective of abstract theories, if self-government is established in this country making consistent the interests of both India and England. I am quite certain a revival of direct action may be avoided and become a thing of the past. I have, therefore, not the smallest doubt that, in a matter of this kind, it is wise to be generous, but it is dangerous to be ungenerous. (Applause.)

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Can I speak for one moment?

Several Honourable Members: The question may now be put.

Mr. President (The Honourable Sir Abdur Rahim): The question is, that the question be now put.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:—

"That the demand under the head 'Home Department' be reduced by Rs. 100."

• The Assembly divided:

AYES—63.

Aaron, Mr. Samtel.
Abdul Matin Chaudhury, Mr.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U
Badi-uz-Zaman, Maulvi.
Banerjee, Dr. P. N.
Baqai, Mr. M. A.
Bardaloi, Srijut N. C.
Bhagavan Das, Dr.
Chattopadhyaya, Mr. Amarendra
Nath.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Essak Sait, Mr. H. A. Sathar H.
Fakir Chand, Mr.
Giri, Mr. V. V.
Govind Das, Seth.
Hosmani, Mr. S. K.
Iswar Saran, Munshi.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Khan Sahib, Dr.
Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi
Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Sham Lal, Mr.
Sheodass Daga, Seth.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Sinha, Mr. Shri Krishna.
Som, Mr. Surya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Thein Maung, U
Umar Ali Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.

1956

LEGISLATIVE ASSEMBLY.

[8TH MARCH 1957]

NOES—58.

Abdoolah Haroon, Seth Haji.
 Abdul Aziz, Khan Bahadur Mian.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Anwar-ul-Azim, Mr. Muhammad.
 Ayyar, Rao Bahadur A. A.
 Venkataswami.
 Bewoor, Mr. G. V.
 Bhagechand Soni, Rai Bahadur Seth.
 Bhoré, The Honourable Sir Joseph.
 Buss, Mr. L. C.
 Chatarji, Mr. J. M.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Drake, Mr. D. H. C.
 Fazl-i-Haq Piracha, Khan Sahib
 Shaikh.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Ghasiuddin, Mr. M.
 Ghulam Bhik Nairang, Syed.
 Gidney, Lieut. Colonel Sir Henry.
 Graham, Sir Lancelot.
 Grigg, The Honourable Sir James.
 Hockenbuhl, Mr. F. W.
 Hudson, Sir Leslie.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kirpalani, Mr. Hiranand Khushiram.
 Lal Chand, Captain Rao Bahadur
 Chaudhri.
 Lindsay, Sir Darcy.
 Mehr Shah, Nawab Sahibzada Sir
 Sayad Muhammad.

Metcalfe, Mr. H. A. F.
 Milligan, Mr. J. A.
 Monteath, Mr. J.
 Morgan, Mr. G.
 Mukerjee, Mr. N. R.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Nayar, Mr. C. Govindan.
 Noyce, The Honourable Sir Frank.
 Owen, Mr. L.
 Raisman, Mr. A. J.
 Rajah, Raja Sir Vasudeva.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Ram Chandra, Mr.
 Rau, Mr. P. R.
 Richards, Mr. W. J. C.
 Row, Mr. K. Sanjiva.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Scott, Mr. W. L.
 Sher Muhammad Khan, Captain
 Sardar.
 Siddique Ali Khan, Khan Sahib
 Nawab.
 Singh, Mr. Pradyumna Prashad.
 Sinha, Raja Bahadur Harihar Pros
 Narayan.
 Sircar, The Honourable Sir
 Nripendra.
 Sloan, Mr. T.
 Swithinbank, Mr. B. W.
 Tottenham, Mr. G. R. F.
 Yakub, Sir Muhammad.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Before the House is adjourned, the Chair has to inform Honourable Members that as regards tomorrow and the morning of Monday which have been allotted to motions standing in the names of Honourable Members who are attached to any Party, the Chair does not find that they have been able to come to any agreement or to notify to the Government Members which the motions they want to move and in what order. The Chair has received a representation from Captain Chaudhuri Lal Chand, Shaikh Fazl-i-Haq Piracha and another gentleman that they want to move four motions the time allotted, one about labour grievances, another about Baluchist a third about the grievances of rural population in respect of services, and a fourth about horse-breeding conditions. (Laughter.) But there are so other Members who have not signified their assent to these motions be moved or in any particular order. Government Members will find it very difficult to prepare their case and to be ready . . .

Sir Ghulam Hussain Hidayatallah: I understand they have agreed to . . . order in which . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair does not find, for instance, the signature of Mr. Anwarul Azim, Mr. Baijnath Bajoria (he is not here), or Dr. Thein Maung, who also, the Chair believes, has given notice . . .

THE GENERAL BUDGET—LIST OF DEMANDS.

1957

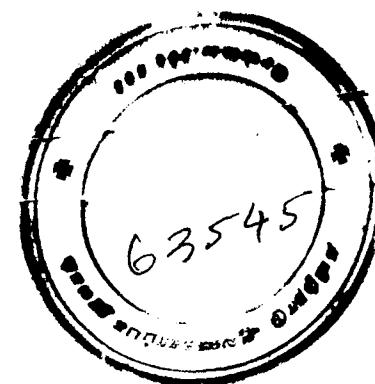
Sir Ghulam Hussain Hidayatallah: But he does not want to move . . .

Mr. President (The Honourable Sir Abdur Rahim): Unless Honourable Members who have motions in their names can persuade Government that they will not object to their motions being taken in a particular order, that is to say, they will be ready to reply to them tomorrow, what the Chair proposes to do is to take those motions in the order in which notice has been given.

The Honourable Sir Henry Craik: May we hear again what the motions are?

Mr. President (The Honourable Sir Abdur Rahim): The Chair proposes to take the motions which stand in the names of the Honourable Members who are not attached to any Party, in the order in which notice has been given.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 9th March, 1957.



D
 V2.31 N35
 N35-2

Abdoolah Haroon, Seth Haji.
 Abdul Aziz, Khan Bahadur Mian.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Anwar-ul-Azim, Mr. Muhammad.
 Ayyar, Rao Bahadur A. A.
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 Milligan, Mr. J. A.
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 Singh, Mr. Pradyumna Prasad.
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 Yakub, Sir Muhammad.

THE GENERAL BUDGET—LIST OF DEMANDS.

1957

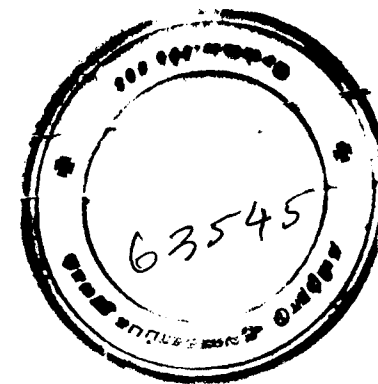
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