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**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume II, 1939

(16th February to 13th March, 1939)

NINTH SESSION

OF THE

**FIFTH LEGISLATIVE ASSEMBLY,
1939**



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LEGISLATIVE ASSEMBLY.

Thursday, 16th February, 1939.

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. Astad Dinshaw Gorwala, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

STATISTICS ON THE ECONOMIC ASPECTS OF INDIAN MINERALS.

450. *Mr. S. Satyamurti (on behalf of Seth Govind Das): Will the Honourable Member for Labour please state:

- whether Government have any agency for ascertaining comprehensive statistics on the economic aspects of Indian minerals;
- whether Government have any institution to impart to the people information regarding mineral economics;
- whether Government have expert intelligence with regard to the reserve and resources of minerals, except coal, in the country; and
- whether he proposes to publish a comprehensive report on the reserve and resources of minerals in the country?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). Yes.

(d) The Geological Survey of India has been doing this since 1856.

Mr. S. Satyamurti: Apart from this historical process, may I know whether in recent years Government have intensified the nature of the work of the agencies, in view of the very great importance of conserving India's mineral resources?

The Honourable Sir Muhammad Zafrullah Khan: I really do not know what the Honourable Member means by intensifying that work. The work goes on steadily and the results are published in various publications.

Mr. S. Satyamurti: In view of the fact that fresh minerals are being found in this country and fresh uses for minerals are being discovered by modern research, I want to know whether Government have got adequate machinery, first, for knowing the mineral resources of the country, secondly,

for exploring them and, thirdly, for conserving them? I want to know whether the Geological Survey does all these things, that is to say, exploring the minerals, conserving those resources and finding uses for them?

The Honourable Sir Muhammad Zafrullah Khan: Adequacy is a relative matter. The Geological Survey certainly studies these things and makes reports and suggestions. I do not know whether conservation is primarily the duty of the Geological Department.

Mr. S. Satyamurti: May I ask whether there is any machinery on behalf of the Government of India which examines the reports of the Geological Survey and plans the future of these minerals from the points of view I have mentioned?

The Honourable Sir Muhammad Zafrullah Khan: The reports, when they are submitted to the Department, are naturally examined.

Mr. Manu Subedar: Have Government seen the list of industries which will be federal as against the industries which are generally a provincial subject? If so, which items of that list cover minerals?

The Honourable Sir Muhammad Zafrullah Khan: That question does not arise out of this question.

Mr. M. Thirumala Rao: With regard to the answer to part (b) of the question, do the Geological Survey of India keep themselves in touch with the research institutions in the country like the post-graduate studies in science in various universities?

The Honourable Sir Muhammad Zafrullah Khan: I believe so.

Mr. S. Satyamurti: Have Government considered the question of these minerals from the point of view of the industrial development of this country, and is there any machinery for bringing the knowledge which is at the disposal of the Government to the notice of those who are interested in planning the industrial future of this country?

The Honourable Sir Muhammad Zafrullah Khan: These reports are published and they are available.

Mr. M. Thirumala Rao: Does the Department keep in touch with the Provincial Governments that are carrying on mineral researches at the present moment, *e.g.*, the United Provinces Government?

The Honourable Sir Muhammad Zafrullah Khan: I could not answer that without notice.

PETROLEUM FUEL OF INDIA.

451. ***Mr. S. Satyamurti** (on behalf of Seth Govind Das): Will the Honourable Member for Labour please state:

- (a) the total requirements of petroleum fuel of this country;
- (b) the total production of petroleum fuel in India;

(c) whether Government have been taking necessary steps to improve the supply of petroleum from India and finding out fresh venues for prospecting; and

(d) whether Government have devised ways and means for controlling the wastage in the oil industry in this country?

The Honourable Sir Muhammad Zafrullah Khan: (a) About 500 million gallons.

(b) 76 million gallons.

(c) This is a matter for private enterprise.

(d) There is no appreciable preventible wastage in the oil industry in India.

Mr. Manu Subedar: Is it a fact that there are oil concessions given to certain Companies which are not working fully or at all in India?

The Honourable Sir Muhammad Zafrullah Khan: I could not answer that without notice.

Mr. S. Satyamurti: With reference to the answer to clause (c) of the question, in view of the great importance of increasing the supply of petroleum inside the country, may I know whether Government propose to leave it entirely to private enterprise, or take any steps by way of pioneering in the matter of prospecting for petroleum in the areas where it can be found inside the country?

The Honourable Sir Muhammad Zafrullah Khan: At present there is no intention that the Government should undertake these projects themselves.

Mr. S. Satyamurti: In view of the fact that our requirements are 500 million gallons and we produce only 76 million gallons, will Government find out if more petroleum cannot be found in the country itself?

The Honourable Sir Muhammad Zafrullah Khan: Sir, private enterprise is so keen in this matter that Government are of opinion that if there were reasonable possibilities of finding petroleum in the country, it would be prospected for by private enterprise.

Mr. Manu Subedar: May I ask whether the requirements of India as stated by the Honourable Member in reply to part (a) of the question are having regard to the production of power alcohol in this country or without taking that into consideration at all?

The Honourable Sir Muhammad Zafrullah Khan: These are the requirements of petroleum.

Mr. S. Satyamurti: With reference to the answer to clause (d) of the question, may I know if Government have any machinery by which they have ascertained that there is no wastage in the oil industry in this country or whether it is a mere assumption in view of the private enterprise in this matter?

The Honourable Sir Muhammad Zafrullah Khan: No wastage has been brought to the notice of the Government.

INDEBTEDNESS OF INDIAN CANEFARMERS IN FIJI.

452. ***Mr. S. Satyamurti** (on behalf of Seth Govind Das): Will the Secretary for Education, Health and Lands please state:

- whether his attention has been drawn to the report on agriculture in Fiji by Sir Frank Stockdale dealing with the indebtedness of Indian canefarmers in Fiji;
- whether Government have made suggestions regarding schemes to remedy the extensive indebtedness of Indians in Fiji; and
- whether he will lay on the table a copy of the report by Sir Frank Stockdale, Agricultural Adviser to the Secretary of State for the Colonies?

Sir Girja Shankar Bajpai: (a) Yes.

(b) Government will consider this question when examination of the Report which has only recently been received is completed.

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

Mr. S. Satyamurti: When did Government receive the report of Sir Frank Stockdale, and when do they hope to be in a position to complete their examination of the report?

Sir Girja Shankar Bajpai: The report was received on the 30th of January. I have got a copy of the document with me and I have looked through it and I doubt whether there will be very much for us to say when its examination will be completed.

Mr. S. Satyamurti: Are Government in a position to do anything with regard to the excessive indebtedness of Indians in Fiji as a result of this report?

Sir Girja Shankar Bajpai: I could not anticipate the result of the careful examination of the report.

VESTING OF RECIPROCAL POWERS ON THE INDIAN MEDICAL COUNCIL WITH REGARD TO BRITISH MEDICAL QUALIFICATIONS.

†453. ***Mr. T. S. Avinashilingam Chettiar:** Will the Secretary for Education, Health and Lands state:

- whether Government have received any representations from the Indian Medical Council to amend the Indian Medical Council Act with a view to vesting in the Council reciprocal powers with regard to British medical qualifications;
- whether the representation has been considered by Government; and
- if so, with what results?

Sir Girja Shankar Bajpai: (a), (b) and (c). I would refer the Honourable Member to the reply already given to parts (a) and (b) of Mr. Lalchand Navalrai's starred question No. 52 on the 4th February, 1939.

†Answer to this question laid on the table, the questioner being absent.

PERSONS RECRUITED TO THE POLITICAL DEPARTMENT.

454. ***Mr. Abdul Qaiyum:** Will the Honourable the Leader of the House please state:

- the total number of persons recruited to the Political Department between 1924—1930;
- how many of these were Indians;
- the total number of recruits to the above Department between 1931—1938;
- how many of these were Indians;
- what is the method of recruitment, both direct and by promotion, to the above service;
- the percentages fixed for Indians and non-Indians, respectively; and
- the steps taken, or proposed to be taken, to Indianise this Department?

The Honourable Sir Nripendra Sircar: (a) 52.

(b) 17.

(c) 68.

(d) 7.

(e) The attention of the Honourable Member is invited to rules 29, 31 and 32 of the Civil Services (Classification, Control and Appeal) Rules.

(f) No fixed percentage is at present in force.

(g) Indians have been recruited regularly since the Political Department was opened to them in 1921.

Mr. Abdul Qaiyum: May I know if any percentage was at any time fixed for Indians in this Department?

The Honourable Sir Nripendra Sircar: I have not got that information. I know that at present there is no fixed percentage.

Mr. Abdul Qaiyum: In view of the fact that from 1931 to 1938 only seven Indians have been recruited in this Department as against 61 non-Indians, may I know whether Government will take up the matter immediately and recruit Indians only in future so that this disparity can be done away with?

The Honourable Sir Nripendra Sircar: I am afraid I cannot give any assurance in this matter.

Mr. S. Satyamurti: May I ask why Government depart in this Department from their normal policy of Indianising the Government Departments? I think I am right in saying that the normal policy of Government is to Indianise the Departments as much as they can. What are the reasons for making an exception in regard to this Department, where no percentage is fixed and only seven Indians have been recruited as against 61 non-Indians?

The Honourable Sir Nripendra Sircar: I do not admit that percentages have been fixed everywhere nor do I admit that any injustice has been done.

Mr. S. Satyamurti: May I ask whether the general policy of Government is not in favour of Indianising all their Departments, including the Indian Civil Service, to the extent of 50:50? I want to know what are the peculiar circumstances concerning this Department. Why do Government not propose to fix a percentage or Indianise the Department?

The Honourable Sir Nripendra Sircar: Well, Sir, I am not really aware that the percentage has been fixed for every branch of the Services. I do not admit that major premise.

Mr. Abdul Qaiyum: May I know if any fixed percentage of commissioned officers from the Indian army is recruited to this department?

The Honourable Sir Nripendra Sircar: I want notice.

Mr. Manu Subedar: May I know whether it is the proposal of the Government that the whole of the Political Department will be placed under the Crown Representative and the budget of that Department will be taken out of the purview of the Federal Legislature?

The Honourable Sir Nripendra Sircar: I submit that question does not arise.

Mr. President (The Honourable Sir Abdur Rahim): Perhaps the answer to that can be found in the Act itself.

Mr. S. Satyamurti: What is the reason why there are so many non-Indians in this Department and so few Indians?

The Honourable Sir Nripendra Sircar: One obvious answer is that this Branch has been opened out to Indians only in 1921.

Mr. S. Satyamurti: What is the percentage of recruitment year after year?

The Honourable Sir Nripendra Sircar: I have no information.

REPORT OF THE TARIFF BOARD ON SERICULTURAL INDUSTRY.

455. *Mr. S. Satyamurti: Will the Honourable Member for Commerce be pleased to state:

- (a) whether it is a fact that the Tariff Board report on protection to the sericultural industry has been received by the Government of India;
- (b) whether it is a unanimous report, or a majority and minority report; and
- (c) whether Government propose to publish this report for public criticism, and, if so, when?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (c). I would refer the Honourable Member to the reply given to Sardar Mangal Singh's starred question No. 193 on the 8th instant.

(b) There is both a majority and a minority report.

Mr. S. Satyamurti: Do Government propose to bring up their conclusions in the form of legislative proposals before this Session of the Assembly concludes?

The Honourable Sir Muhammad Zafrullah Khan: They will try to conclude the examination of the report as quickly as possible, and if it can be done they will bring the legislative proposals before the Session concludes. If it cannot be done, there is no help for it.

FIELD FOR ARCHÆOLOGICAL INQUIRIES AND EXCAVATIONS IN SOUTH INDIA.

456. *Mr. S. Satyamurti: Will the Secretary for Education, Health and Lands be pleased to state:

- (a) whether his attention has been drawn to the leading article in *The Madras Mail* of the 9th January entitled "Archæology in South India";
- (b) whether his attention has been drawn to the particular statement of Sir Leonard Woolley that South India offers a vast field for archæological inquiries and excavations, but that adequate steps are not being taken in this direction; and
- (c) whether Government propose to take adequate steps in this direction, and, if so, when?

Sir Girja Shankar Bajpai: (a) and (b). Yes.

(c) It is hoped that it will be possible to expand the Department's activities in South India when the financial situation improves.

Mr. S. Satyamurti: May I know whether Government have examined the question of the present scale of expenditure such as is sanctioned to the Department and are satisfied in view of Sir Leonard Woolley's suggestion that the expenditure set apart for South India should, at any rate within the limits of the present finances, be made larger in that Department?

Sir Girja Shankar Bajpai: The position is that the proportion of the funds allotted to South India is related to essential activities elsewhere and has stood at a certain figure for a period of years. I am not for a moment suggesting that this proportion or figure is satisfactory. We hope that Sir Leonard Woolley's recommendation may, provided financial improvements take place, help to put South India into the picture more prominently than it has been so far.

Mr. S. Satyamurti: Will Government re-examine the present allotment of expenditure in view of the remarks of Sir Leonard Woolley "that South India offers a vast field for archæological inquiries and excavations but that adequate steps are not being taken in that direction", and think of increasing the present allotment for South Indian archæological excavations?

Sir Girja Shankar Bajpai: I had a personal discussion on this subject with Sir Leonard Woolley before he left this country. His emphasis is not so much upon conservation, which takes up the bulk of the money

of the Archæological Department at the present moment, as excavation, for which there is practically no provision at present. We cannot do much for South India until we have more money for excavation.

Mr. S. Satyamurti: Has the Department pressed upon the Finance Department for increased grant for excavation work?

Sir Girja Shankar Bajpai: Yes, Sir. As against that there is always the pressure of Honourable Members opposite for continued economy.

Mr. M. Thirumala Rao: Will Government consider the advisability of opening an Archæological museum in Andhra districts where there are such famous Buddhist remains as Nagarjuna konda and Amaravati in Guntur District, very useful from archæological point of view.

Sir Girja Shankar Bajpai: I am not personally aware of the importance of these exhibits to which my Honourable friend has referred, but I will convey his suggestion to the Director General of Archæology.

CONCLUSIONS REACHED AT THE TENTH INDUSTRIES CONFERENCE.

457. *Mr. S. Satyamurti: Will the Honourable the Commerce Member be pleased to state:

(a) the conclusions reached at the Tenth Industries Conference held at Bombay on the 23rd and 24th January, 1939; and

(b) whether a report of the proceedings of the conference and its decisions will be placed before this House for consideration, and, if so, when?

The Honourable Sir Muhammad Zafrullah Khan: (a) I would invite the attention of the Honourable Member to the Press Notes issued on the 23rd and 24th January, 1939, which contain the conclusions of the Conference. Copies are available in the Library of the House.

(b) No, but the proceedings will be published and it will be open to any Member who desires to do so to table a Resolution on the subject.

Mr. S. Satyamurti: In what form will it be published? Will it be available for sale?

The Honourable Sir Muhammad Zafrullah Khan: In the form of a report. Certainly it will be available for sale.

Mr. S. Satyamurti: Will copies be placed in the Library of the House?

The Honourable Sir Muhammad Zafrullah Khan: Yes.

Mr. Manu Subedar: Will copies be made available to Members of the House?

The Honourable Sir Muhammad Zafrullah Khan: A copy will be placed in the Library of the House and it will be available to Honourable Members for consultation.

Mr. Manu Subedar: Will a copy be made available to each Member of the House?

The Honourable Sir Muhammad Zafrullah Khan: I am unable to say that.

REPORT OF THE NON-OFFICIAL ADVISERS OF THE INDO-BRITISH TRADE AGREEMENT.

458. *Mr. S. Satyamurti: Will the Honourable the Commerce Member be pleased to state:

(a) whether the Government of India have decided to publish the reports of the non-official advisers to the Government of India in respect of the negotiations for replacing the Ottawa Pact;

(b) when they propose to publish these reports; and

(c) whether a report on the conclusion or non-conclusion of an agreement to take the place of the Ottawa Pact will be made to the Assembly before the end of this Session for its opinion before the agreement is signed by the Government of India?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I would refer the Honourable Member to the answers given on the 8th instant to the supplementary questions arising out of Mr. Abdul Qaiyum's question No. 200.

(c) The Honourable Member's attention is invited to answers to parts (c) and (d) of question No. 225 and the supplementary question asked by him on the 8th instant.

Mr. S. Satyamurti: May I know whether Government stick to the position that these reports are to be published only along with the conclusions of the Government of India on this matter?

The Honourable Sir Muhammad Zafrullah Khan: Not the conclusions of the Government of India. But as I was hoping all relevant portions will be published as part of the material which will be supplied to Honourable Members to enable them to study the whole matter.

Mr. S. Satyamurti: May I take it that they will be published in time for Honourable Members who are interested in the subject to study them before this matter comes up for discussion in the House? -

The Honourable Sir Muhammad Zafrullah Khan: I gave an assurance on a previous occasion that all relevant material will be published and that in time and made available to Honourable Members to enable them to study the whole matter before it is debated in the House.

RAISING OF THE RATE OF CESS LEVIABLE ON TEA EXPORTED FROM INDIA.

459. *Mr. Akhil Chandra Datta: (a) Will the Honourable the Commerce Member please state whether the Indian Tea Market Expansion Board has recommended the rise in the rate of cess leviable on tea exported from India?

(b) If so, to what extent?

(c) Have Government come to any decisions?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, Sir.

(b) From Rs. 1-4-0 to Rs. 1-6-0 per 100 lbs of tea exported from India.

(c) The matter is at present under consideration.

Mr. Brojendra Narayan Chaudhury: May I know whether, before coming to any decision and before sanctioning the rate of Rs. 1-6-0, Government have made thorough enquiries to satisfy themselves that the poor people's money is being expended with utmost economy?

The Honourable Sir Muhammad Zafrullah Khan: They will take into consideration every relevant factor.

Maulvi Abdur Rasheed Chaudhury: May I know whether the Tea Market Expansion Board submitted their recommendations of their own accord or whether they consulted the tea industry before submitting their recommendations?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that question.

Mr. M. Ananthasayanam Ayyangar: May I know whether the levy of a further tea cess will not adversely effect the coffee industry in South India?

The Honourable Sir Muhammad Zafrullah Khan: I submit that question does not arise.

Maulvi Abdur Rasheed Chaudhury: Under what rule the Board submitted its recommendations?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member can study the Act and the rules for himself.

Mr. Badri Dutt Pande: Will the Honourable Member consult this Assembly before he revises the cess?

The Honourable Sir Muhammad Zafrullah Khan: I cannot give any undertaking to that effect.

Mr. M. Ananthasayanam Ayyangar: Will the Honourable Member place on the table of the House a copy of the report of the work done so far to find out the need for additional cess before Government comes to any conclusion.

The Honourable Sir Muhammad Zafrullah Khan: That does not arise.

REVIEW OF THE CASE OF SARDAR GURCHARAN SINGH, *EX*-MAHARAJA OF NABHA.

+460. *Sardar Mangal Singh: Will the Honourable the Leader of the House please state:

(a) when the case of Sardar Gurcharn Singh, the *ex*-Maharaja of Nabha, was reviewed last; and

(b) when the order of his imprisonment will continue indefinitely, or whether there is any limit to it?

The Honourable Sir Nripendra Sircar: (a) Last month.

(b) The *ex*-Maharaja is not in prison. He has been ordered to reside in Kodaikanal; no period has been specified.

LEGISLATION FOR THE RELIEF OF AGRICULTURAL INDEBTEDNESS.

+461. *Sardar Mangal Singh: Will the Education Secretary please state:

(a) which Provincial Governments have passed legislation regarding the relief of agricultural indebtedness;

(b) whether the Government of India intend to take some action in that direction for the centrally administered areas; and

(c) if the answer to part (b) be in the affirmative, when and what steps are contemplated, and whether any Bill will be brought forward during this Session?

Sir Girja Shankar Bajpai: (a) All Provincial Governments except Bombay and Sind.

(b) Yes.

(c) Legislation for the relief of agricultural indebtedness already exists in Baluchistan, Coorg and Delhi. Government have under consideration the question of introducing legislation in respect of Ajmer-Merwara, but I am unable to say whether any Bill will be brought forward during this Session of the Assembly.

PROPOSED RESTRICTIONS ON THE SALE OR HIRE OF PROPERTIES TO INDIANS IN SOUTH AFRICA.

+462. *Mr. T. S. Avinashilingam Chettiar: Will the Secretary for Education, Health and Lands state:

(a) whether they are aware of the news under the caption 'Indians in South Africa—Further restrictions foreshadowed', on page 8 of the *Hindu*, dated the 25th January, 1939;

(b) whether the Government of South Africa contemplate taking steps to prohibit sale or hire of properties to Indians within certain areas; and

(c) what action Government have taken in the matter?

Sir Girja Shankar Bajpai: (a) Yes.

(b) and (c). The attention of the Honourable Member is invited to the reply given by me on the 4th February, 1939, to Mr. K. Santhanam's starred question No. 64 and the supplementaries thereto.

+Answer to this question laid on the table, the questioner being absent.

RATE WAR BETWEEN SHIPPING COMPANIES CARRYING HAJ PILGRIMS.

463. *Mr. Abdul Qaiyum: Will the Honourable Member for Commerce please state:

- (a) whether rate war has again been resorted to by the shipping companies in the recent Haj season;
- (b) whether the agreement arrived at between the rival companies under the auspices of the Government of India was adhered to; if not, who violated the agreement and in what manner;
- (c) whether fares in the first week of last December came down from nearly Rs. 200 to as low as Rs. 80 and below; and
- (d) whether Government have collected the latest information on the point and what that information is?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (d). The attention of the Honourable Member is invited to the answers given by me to question No. 218 and its supplementaries on the 8th February.

Mr. Abdul Qaiyum: What is the answer to part (c)? Whether the rates came down?

The Honourable Sir Muhammad Zafrullah Khan: I have no precise information.

Mr. Abdul Qaiyum: May I ask whether the Haj Enquiry Committee recommended that the Indian Shipping Act should be so amended as to vest power in the Government to fix rates before the Haj season starts.

The Honourable Sir Muhammad Zafrullah Khan: I have already answered that question on the last occasion.

Mr. Abdul Qaiyum: Is it not a fact that if this unhealthy competition is allowed to continue unchecked there is a danger of one company going out of the field and a virtual monopoly established by the other company?

The Honourable Sir Muhammad Zafrullah Khan: That is a matter of opinion.

Mr. Manu Subedar: May I know whether Government will get into touch with the two competing companies and may I know whether there are any negotiations going on between these two companies through the good offices of the Government?

The Honourable Sir Muhammad Zafrullah Khan: If there is any negotiation going on between the two companies, I am not aware of it.

Mr. Manu Subedar: Have the good offices of the Honourable Member been requisitioned by the two companies for negotiations?

The Honourable Sir Muhammad Zafrullah Khan: Considering that the Haj season has come to an end, I think the whole matter is allowed to rest for the moment.

Mr. Abdul Qaiyum: May I know if the Port Haj Committees, Bombay and Calcutta, recommended that, before the Haj season starts, Government should fix, in consultation with shipping companies and the Haj Committees, the rates.

The Honourable Sir Muhammad Zafrullah Khan: I answered that question last time as to what the Port Haj Committees recommended.

Mr. Abdul Qaiyum: Did they ever recommend this?

The Honourable Sir Muhammad Zafrullah Khan: That does not arise.

Manvi. Abdur Rasheed Chaudhury: May I know whether Government are so powerless that they cannot stop this rate war?

Mr. President (The Honourable Sir Abdur Rahim): That cannot be allowed.

Mr. Abdul Qaiyum: What is the reaction of the Government of India to this request?

The Honourable Sir Muhammad Zafrullah Khan: I am afraid I cannot answer about reactions.

LEASES OF LANDS HELD BY INDIANS AND APPOINTMENT OF AN INDIAN AGENT IN FIJI.

464. *Mr. Abdul Qaiyum: Will the Secretary for Education, Health and Lands please state:

- (a) whether steps have been taken to allay the anxiety of Indians in Fiji about the leases of lands held by them which were about to expire;
- (b) if so, what was the action taken;
- (c) whether Government have considered the question of the appointment of an Indian Agent in Fiji; and
- (d) if so, when such an Agent is likely to be appointed?

Sir Girja Shankar Bajpai: (a) and (b). The attention of the Honourable Member is invited to the reply given by me on the 14th November, 1938 to Mr. T. S. Avinashilingam Chettiar's starred question No. 1222 and the questions asked during the present Session.

(c) and (d). As I have already informed the House, the question of the appointment of an Agent in Fiji is under consideration.

Mr. Abdul Qaiyum: May I know if the Indian community recently held a conference under the presidentship of Pandit Hirday Nath Kunzr in which there was a unanimous demand for the appointment of such an Agent?

Sir Girja Shankar Bajpai: Yes, Sir; and I have already answered question on that point in this House, during the present Session to the effect that such a resolution has been passed by the Indian community of Fiji.

Mr. Abdul Qaiyum: May I know how long the Government of India will take to come to a decision on this?

Sir Girja Shankar Bajpai: It is not a matter in which a unilateral decision can be taken. We have to depend to some extent upon the wishes of the Colonial Office.

Mr. Muhammad Azhar Ali: Will Government take advantage of Pandit Kunzru's experience and consult him on this matter of lands in Fiji?

Sir Girja Shankar Bajpai: As far as I know, on this one particular question of the appointment of Agent there is no difference of opinion between Government or Pandit Kunzru or any section of the Indian community in Fiji.

Mr. S. Satyamurti: In view of the fact that the interests of vast numbers of Indians are involved and they are keen on having this Agent as early as possible, will Government expedite this question or request His Majesty's Government to this effect?

Sir Girja Shankar Bajpai: I think I can take my Honourable friend and this House into confidence on this question to this extent that the matter has been placed before the Colonial Office within the last few weeks.

OFFICIAL DEPUTATION FROM MALAYA.

465. *Mr. Abdul Qaiyum: Will the Secretary for Education, Health and Lands please state:

- (a) whether the talks have concluded with the official Malayan Delegate, and the representatives of the Central Indian Association of Malaya;
- (b) whether any decisions have been arrived at, and the nature thereof; and
- (c) whether the said decisions will be made public?

Sir Girja Shankar Bajpai: With your permission, Sir, I will answer parts (a), (b) and (c) together. Certain proposals for a recalculation of standard wages in Malaya, partly on a fresh basis and partly with reference to changed circumstances, were made by the Government of India delegates to the Malayan delegation. The Malayan delegation were at first unwilling to consider these proposals but subsequently offered to place them before the Malayan Governments for examination, on their return to Malaya. In view of the desirability, from the Indian point of view, of exploring the possibility of settling certain other outstanding questions as well, in particular those relating to the status of Indians in the Malayan States and the provision of adequate educational facilities for Indians of all classes, advantage was taken of the presence of the delegates to discuss these questions as well. The Malayan delegates undertook to have the suggestion of the Indian representatives on these points also examined by their Government. The Malayan delegates have now left Delhi to return

to Malaya and the negotiations will be carried on by means of correspondence between the two Governments. The Government of India will shortly be addressing the Malayan Governments in a despatch which will cover all the questions raised.

Mr. Abdul Qaiyum: May I know if the Government of Madras have suggested a basic wage for Indian labour, 50 cents. for males and 40 cents. for females? What was the attitude of the Malayan delegation to this important question of basic wage?

Sir Girja Shankar Bajpai: I do not think that any Government, *e.g.*, either ourselves or the Madras Government, have committed themselves to any specific figures at this stage. We are considering the principles on which the standard wage should be calculated.

Mr. Abdul Qaiyum: May I know whether there is a Passenger Restriction Ordinance in the Malayan Federated States which is aimed particularly against the entry of Indians into that area?

Sir Girja Shankar Bajpai: I am not aware of any such Ordinance.

Mr. S. Satyamurti: May I know whether the Government of India have made it clear to the Malayan delegation with the concurrence of the Madras Government that pending a solution of these outstanding matters between this Government and the Malayan Government the *status quo ante* will continue and emigration will be permitted?

Sir Girja Shankar Bajpai: The Malayan delegates and the Malayan Government understand that until these negotiations are completed the *status quo ante* remains.

Mr. Abdul Qaiyum: Will the Honourable Member make inquiries whether such an Ordinance as the one referred to does exist in the Federated or Unfederated Malayan States which puts a check on the entry of Indians into this particular area?

Sir Girja Shankar Bajpai: I can tell my Honourable friend that our Agent is here and we have been in conference with him with regard to all matters of interest to the Indian community. There is an Ordinance which is of general application but there is no Ordinance which discriminates against Indians as such.

Mr. Abdul Qaiyum: May I know if it is a fact that efficient control of labour in this particular area is not possible as long as Malayan officials are allowed to recruit labour and to stimulate emigration? I want to know whether the Malayan officials can recruit labour and affect the flow of emigration in this country.

Sir Girja Shankar Bajpai: At the present moment, as my Honourable friend is aware, emigration is under a ban. Therefore nobody is in a position to stimulate recruitment.

ARCHÆOLOGICAL EXCAVATION OF GANGA GOVINDA'S TEMPLE.

466. *Mr. Brojendra Narayan Chaudhury: Will the Secretary for Education, Health and Lands please state:

- (a) whether he is aware that the site of village Mayapur, the birthplace of "Lord Gauranga" is in dispute and that an influential party has for some years set up a temple in a place and call it the birthplace, whereas another party led by Broja Mohan Das Babaji say that the birthplace is in another place where Dewan Ganga Govinda Singh of historic fame had built a temple and that Ganga Govinda's temple lies buried by the silt of the river;
- (b) whether he is aware that an Association named "Association for ascertaining the birthplace of Lord Gauranga" has been organised by influential Hindus, like Maharaja Srish Chandra Nandi, Sriyut Narendra Nath Seth, the said Babaji and others; and
- (c) whether Government propose to consider the question of taking up this archæological excavation of Ganga Govinda's temple, in view of the statement of the landlord, that he would not permit anybody except the Archæological Department to excavate, as reported in the newspaper?

Sir Girja Shankar Bajpai: (a) and (b). Yes.

(c) Government do not consider excavation in the river bed to be feasible.

Mr. Brojendra Narayan Chaudhury: Have Government come to the conclusion that the search for the birthplace of Sree Gauranga and the location of the temple of Dewan Ganga Govinda Singh are not matters of sufficient archæological importance?

Sir Girja Shankar Bajpai: No, Sir; that does not arise from the answer I have given.

Mr. Brojendra Narayan Chaudhury: May I know the reason why Government should not undertake the excavation of the temples?

Sir Girja Shankar Bajpai: Because, as I have already informed the House, for technical reasons excavation in the river bed is considered to be impracticable.

Mr. Brojendra Narayan Chaudhury: May I know who the engineering experts were who advised that the excavation is not feasible?

Sir Girja Shankar Bajpai: The Director General of Archæology.

RECRUITMENTS TO THE MARINE SERVICE.

467. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Commerce Member please state:

- (a) whether there have been recruitments to the Marine Service this year in various branches, and whether the only place for recruitment is Bombay;

- (b) the numbers taken in different grades, the salary and prospects in different grades;
- (c) the numbers taken in the various grades, Province by Province; and
- (d) whether the appointments are made solely by competitive examination with a medical test of physical fitness?

The Honourable Sir Muhammad Zafrullah Khan: The question should have been addressed to the Defence Secretary.

CONSTITUTION OF THE ALL-INDIA CATTLE SHOW AND EXHIBITION BOARD.

†468. *Prof. N. G. Ranga: Will the Secretary for Education, Health and Lands be pleased to state:

- (a) if the new All-India Cattle Show and Exhibition Board was constituted by Government and, if so, what are its function and the sources of its funds;
- (b) who was responsible for appointing its personnel and what is its constitution;
- (c) whether any public bodies of agriculturists like the Kisan Sabhas, Zamindar Leagues, were consulted either in regard to its constitution, personnel or functions; if not, why not;
- (d) whether Provincial Governments were consulted and, if so, which of them have agreed to its being constituted and to finance it;
- (e) whether it is proposed to give special opportunities for exhibiting all the important breeds and also the Ayurvedic veterinary medicines at its Delhi Exhibition; and
- (f) whether it is one of the objects of the Board to give financial and other assistance to any exhibitions or shows organised by private agencies in the Provinces?

Sir Girja Shankar Bajpai: (a), (b) and (f). The Honourable Member is presumably referring to the All-India Cattle Show Committee. Copies of the Resolution of the Government of India constituting the Committee and the Memorandum of Association of the Committee, which furnish the information asked for, have been placed in the Library of the House.

(c) No. The Government of India did not consider it necessary to do so.

(d) All Provincial Governments, except the Government of Assam, have agreed to co-operate and the Ministers concerned are members of the Committee. They were not asked to finance the Committee.

(e) The answer to the first portion is in the affirmative. The Committee have advertised the terms upon which they accept advertisements.

†Answer to this question laid on the table, the questioner being absent.

EMPLOYMENT OF WOMEN PROHIBITED FROM WORKING IN MINES AND ACTION ON THE RECOMMENDATIONS OF THE COAL MINING COMMITTEE.

†469. *Prof. N. G. Ranga: Will the Honourable Member for Labour be pleased to state:

- (a) what steps have been taken to find employment for women who were prohibited from working in mines;
- (b) how many of them have thus been provided with other equally remunerative work;
- (c) whether, as a result of this prohibition of women from working in mines, the wages of miners have been raised and if so, to what extent and in what percentage of mines;
- (d) whether any special steps are being taken to minimise accidents in coal mines, and when Government propose to implement the recommendation of the Coal Mining Committee to insist upon compulsory stowing in coal mines;
- (e) whether Government have not already examined the technical and financial aspects of stowing, and coal mining has become a paying industry during the last three years;
- (f) what are the reasons for this delay in giving effect to this recommendation of the Mining Committee;
- (g) for how many people out of the 248 persons who were involved in the 208 total accidents in 1937-38, was compensation paid and what was its total and average amount per each person killed; and
- (h) whether, and, if so, when legislation will be undertaken to provide compensation to workers who are killed in mine accidents which are found to be due to deceased's fault?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Many of the women excluded from the underground workings of mines have been found employment on screening plants, on general surface work in coal mines and in quarries. The Government of India have made grants to the Governments of Bengal and Bihar towards schemes for the training of about 200 such women for a year in handloom weaving, basket making, etc., with a view to their setting up cottage industries in their own homes with the aid of Government.

(c) At most of the coal mines in Bengal and Bihar the rates of wages were increased by about two to three annas per tub of coal.

(d) to (f). A number of new regulations recommended by the Coal Mining Committee for the prevention of accidents have been promulgated or are in the process of being framed. A Bill on the subject of stowing was introduced in this House on the 8th February and has since been referred to a Select Committee.

(g) The information is not available.

(h) I would refer the Honourable Member to clause (b) of the proviso to sub-section (1) of section 3 of the Workmen's Compensation Act, as amended by Act XV of 1933, in which the provision he mentions has already been enacted.

†Answer to this question laid on the table, the questioner being absent.

MONOPOLY FOR THE SUPPLY OF MILK IN NEW DELHI.

†470. *Prof. N. G. Ranga: Will the Secretary for Education, Health and Lands please state:

- (a) whether it is a fact that the monopoly of milk supply to New Delhi residents has been given this year to a European concern named Mesars. Keventer's and Company and that almost all Indian *gowalas* have been ousted from the new capital area;
- (b) whether Government or the New Delhi Municipal Committee have got any representations from Service Associations protesting against the monopoly and drawing the attention of the authorities to the serious inconvenience of New Delhi residents in consequence of the decision referred to in part (a) above;
- (c) whether he is aware that *gowalas* used to bring cows and buffaloes every morning and evening to the outer compounds of their customers and supplied fresh and pure milk, milked in their presence, at eight seers a rupee;
- (d) whether it is a fact that Keventer's taking advantage of the monopoly, are now charging a rupee for six seers;
- (e) whether Government are aware that the milk supplied by Keventer's is much inferior to what the *gowalas* used to supply and that white sediments are found at the bottom of utensils;
- (f) whether Government are aware that several customers have been refused supply of milk on their pointing out to Keventer's pedlars about the accumulation of sediments referred to in part (e) above;
- (g) whether Government are aware of the serious consequences that are likely to accrue to little babies by this monopoly; and
- (h) if in any other big or small town in India such a monopoly has been given for the supply of milk to only one concern; if not, why this has been done in New Delhi?

Sir Girja Shankar Bajpai: (a), (d) and (e). The attention of the Honourable Member is invited to the reply given by me on the 4th February, 1939, to Mr. K. S. Gupta's starred question No. 76.

(b) Representations were received both by Government and the New Delhi Municipality.

(c) Government believe that the practice referred to in the first part of the question prevailed, but have no knowledge either of the quality of the milk supplied or of the price charged.

(f) No.

(g) No. On the other hand, Government are assured that under the new arrangement at least one source of supply of milk of good quality has been provided.

†Answer to this question laid on the table, the questioner being absent.

(h) Government have no information regarding other towns, and as regards New Delhi I would invite the attention of the Honourable Member to my reply to Mr. K. S. Gupta's question No. 76.

CATTLE BYRES IN NEW DELHI.

†471. *Prof. N. G. Ranga: Will the Secretary for Education, Health and Lands please state why cattle byres have proved a failure in New Delhi?

(b) Are Government aware that even after all health and sanitation restrictions in New Delhi the fly and mosquito nuisance persists?

Sir Girja Shankar Bajpai: (a) Government are not aware that the cattle byres in New Delhi have proved a failure.

(b) Government are informed that as a result of anti-malarial measures, mosquitoes have practically disappeared. The fly nuisance has also been considerably reduced owing to the closing of the old dumping grounds.

NEHRU ENQUIRY INTO THE COMPETITION FROM JAPAN TO SMALL INDUSTRIES.

472. *Mr. Manu Subedar: (a) Will the Honourable the Commerce Member please state when the Nehru enquiry into the competition from Japan to small industries was instituted and when and for what reasons it was suspended?

(b) Have Government received any representations for the completion of this enquiry?

(c) Do Government propose to have this enquiry completed before negotiations for an Indo-Japanese Trade Agreement are started?

(d) Are Government aware that in many lines there has been dumping from Japan during the last twelve months owing to the anxiety of the Japanese Government to maintain a favourable balance of trade?

The Honourable Sir Muhammad Zafrullah Khan: (a) The attention of the Honourable Member is invited to the answer to parts (c) to (f) of Professor Ranga's question No. 20 on the 4th February, 1938, and to the Commerce Department Press Communiqué, dated the 3rd November, 1937, copies of which are in the Library.

(b) Yes.

(c) Government do not intend to re-open the enquiry since the condition described in the Press Communiqué referred to in answer to (a) are still operative.

(d) The complaints of severe Japanese competition so far investigated and the balance of trade for April to December, 1938, do not show that there has been dumping of Japanese goods.

Mr. Manu Subedar: With regard to part (c) of the question, before the starting of the Indo-Japanese trade negotiations do not Government think it desirable to reach some definite conclusion as to the effect of Japanese competition on the small industries?

†Answer to this question laid on the table, the questioner being absent.

The Honourable Sir Muhammad Zafrullah Khan: If the conditions become normal again and such an inquiry becomes possible, yes.

Mr. Lalchand Navalrai: In view of the fact that all markets are overflooded with Japanese goods, which are affecting our factories here, will Government do something in this direction?

The Honourable Sir Muhammad Zafrullah Khan: That is the question that I have been answering.

Mr. M. Ananthasayanam Ayyangar: Are Government aware that nearly 20,000 handlooms have been thrown out of work in the Salem district alone on account of Japanese competition, and on that ground will Government reconsider their decision and follow up the inquiry?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir, I am not aware of the information given by the Honourable Member but the grounds for discontinuing the examination which was started are not that there is keen competition or the absence of keen competition but that conditions are such that no investigation which might lead to useful results is possible just now.

Mr. M. Ananthasayanam Ayyangar: Do those conditions prevail here in India or in Japan?

The Honourable Sir Muhammad Zafrullah Khan: In Japan.

Mr. Lalchand Navalrai: May I know what those conditions are?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will read the press communiqué to which I have referred, he will find them stated therein.

Mr. Manu Subedar: In view of the fact that when the inquiry was originally started Government were fully satisfied that there was depression among the small industries due to Japanese competition, what has subsequently happened to make Government waver in their desire to ascertain this in the interests of the small industries?

The Honourable Sir Muhammad Zafrullah Khan: That is what the press communiqué explains.

INDUSTRIES ADVERSELY AFFECTED BY GIVING PREFERENCE TO GREAT BRITAIN.

473. *Mr. Manu Subedar: Will the Honourable the Commerce Member please state whether any small industries are being adversely affected in the proposed schedule of preferences to Britain now offered by India to the United Kingdom in the course of negotiations? If so, which?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member's attention is invited to the answers given to parts (b), (c) and (d) of Mr. Satyamurti's question No. 1123 on the 19th September, 1938.

Mr. Manu Subedar: I take it that the Government of India have made up their mind as to the terms, whatever they are: I am not inquiring about that. All I am inquiring about is which small industries are going to be affected. I recollect the question referred to and the Honourable Member did not then give the information which I am asking for today. May I have that information now?

The Honourable Sir Muhammad Zafrullah Khan: I did not give the information on that occasion but I gave the reason for my inability to give that information; and the same reason still applies.

Mr. M. Ananthasayanam Ayyangar: Was not this question as to which industries would be affected taken into consideration in arriving at a decision regarding the Indo-British trade agreement?

The Honourable Sir Muhammad Zafrullah Khan: Most certainly.

Mr. M. Ananthasayanam Ayyangar: Then what are those industries?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member cannot have the information just now.

Mr. M. Ananthasayanam Ayyangar: Will the Honourable Member lay a statement on the table as early as possible regarding the industries adversely affected by the preference?

The Honourable Sir Muhammad Zafrullah Khan: I have not admitted that there will be any industries adversely affected.

Mr. Manu Subedar: Will the Honourable Member state those reasons for the benefit of this House why he cannot give the information?

The Honourable Sir Muhammad Zafrullah Khan: Why should I state a second time what I have already stated before?

QUESTIONS ON BURMA RIOTS UNDER DISCUSSION WITH THE GOVERNMENT OF BURMA.

474. *Mr. C. N. Muthuranga Mudaliar: Will the Secretary for Education, Health and Lands please state:

- (a) whether there are any applications for compensation from Indians who were or are resident in Burma, as a result of the recent Burma riots; and if so, how they have been dealt with; and
- (b) the questions which are at present under discussion between the Government of Burma and the Government of India arising from the riots?

Sir Girja Shankar Bajpai: (a) Applications for compensation so far received have been passed on to the Agent of the Government of India in Burma.

(b) The question of compensation for loss of Indian lives and property in Burma and the measures to be taken to prevent such loss in future.

Mr. S. Satyamurti: Has any further progress been made with regard to the proposed appointment of an *ad hoc* committee by the Government of Burma for investigating this question of liability for compensation and payment of the same?

Sir Girja Shankar Bajpai: I answered the question, as far as I remember, only last Monday and there has been no development since.

Mr. S. Satyamurti: Have Government heard from the Government of Burma anything?

Sir Girja Shankar Bajpai: No; if I had heard anything I should have answered my Honourable friend's question.

Mr. S. Satyamurti: Is this correspondence being carried on by telegraph or only by letters?

Sir Girja Shankar Bajpai: No. The original communication was by telegram and the reminders have been by means of letters.

Mr. Manu Subedar: Has the Agent from Burma said anything on this subject?

Sir Girja Shankar Bajpai: No.

OFFICERS IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

475. *Mr. C. N. Muthuranga Mudaliar: Will the Secretary for Education, Health and Lands please state:

- (a) the total number of officers of and above the rank of Assistant Secretary in the Department of Education, Health and Lands on the 1st January, 1936 and the 1st January, 1939;
- (b) the percentage of increase in number and expenditure;
- (c) the reasons for the increase;
- (d) whether it is a fact that the Department administers subjects almost all of which have been completely transferred to Provincial Governments; and
- (e) if so, how the increase in the number of officers is explained?

Sir Girja Shankar Bajpai: (a) and (b). A statement containing the information is laid on the table.

(c) and (e). I would refer the Honourable Member to the reply given by the Honourable the Home Member on the 9th December, 1938, to part (b) of his starred question No. 2008.

(d) No.

Statement showing the number of officers of and above the rank of Assistant Secretary in the Department of Education, Health and Lands on 1st January, 1936, and 1st January 1939, and the percentage of increase in number and expenditure.

Number of officers on 1st January, 1936.	Number of officers on 1st January, 1939.	Percentage increase in number on 1st January, 1939.	Percentage increase in the expenditure on 1st January, 1939.
6	*10	66.6	50.6

* One post was terminated on the 7th January, 1939.

POSTS FILLED BY EXPERTS UNDER THE DEPARTMENT OF EDUCATION,
HEALTH AND LANDS.

476. *Mr. C. N. Muthuranga Mudaliar: Will the Secretary for Education, Health and Lands please state:

- the posts under the Department and its Attached Offices which are filled by experts;
- how many of them are Europeans, Englishmen and others;
- whether these Europeans are required to train up Indians; if not, why not; and
- whether adequate steps are now proposed to be taken towards this end before the termination of the contract or service as the case may be of these officers?

Sir Girja Shankar Bajpai: (a) and (b). A statement is laid on the table.

(c) Yes, in all cases where this is suitable.

(d) Does not arise.

Posts under the Department of Education, Health and Lands and its Attached Offices filled by Experts.

Posts.	No. of posts.	Filled by		Remarks.
		*Euro- peans.	Others (Indians).	
Educational Commissioner with the Government of India	1	1	..	
Director, Zoological Survey of India	1	..	1	
Assistant Superintendents, Zoological Survey of India	5	..	5	
Officer-in-Charge, Timber Testing, Forest Research Institute and College, Dehra Dun	1	..	1	
Officer-in-Charge, Seasoning, Forest Research Institute and College, Dehra Dun	1	..	1	
Officer-in-Charge, Paper Pulp, Forest Research Institute and College, Dehra Dun	1	..	1	
Wood Technologist, Forest Research Institute and College, Dehra Dun	1	..	1	
Officer-in-Charge, Minor Forest Products, Forest Research Institute and College, Dehra Dun	1	..	..	Vacant.
Officer-in-Charge, Wood Preservation, Forest Research Institute, Dehra Dun	1	..	..	Vacant.
Officer-in-Charge, Wood Workshop, Forest Research Institute and College, Dehra Dun	1	1	..	Post temporary.
Mycologist, Forest Research Institute and College, Dehra Dun	1	..	1	
Biochemist, Forest Research Institute and College, Dehra Dun	1	..	1	

*All European experts are British subjects.

Posts under the Department of Education, Health and Lands and its Attached Offices filled by Experts.

Posts.	No. of posts.	Filled by		Remarks.
		*Euro- peans.	Others (Indians).	
Silviculturist, Forest Research Institute and College, Dehra Dun	1	1	..	
Utilisation Officer, Forest Research Institute and College, Dehra Dun	1	1	..	
Forest Botanist, Forest Research Institute and College, Dehra Dun	1	1	..	
Forest Entomologist, Forest Research Institute and College, Dehra Dun	1	1	..	
Systematic Entomologist, Forest Research Institute and College, Dehra Dun	1	1	..	
Mathematical Adviser in Geodetic Branch, Survey of India	1	..	1	
Superintendent, Mathematical Instrument Office, Survey of India	1	1	..	
Assistant Superintendents, Mathematical Instrument Office, Survey of India	2	1	..	1 post vacant.
Managers, Photo-Litho Office, Survey of India	2	2	..	
Assistant Managers, Photo-Litho Office, Survey of India	3	1	1	1 post vacant.
Head Engraver, Engraving Office, Survey of India	1	1	..	
Assistant Head Engraver, Engraving Office, Survey of India	1	1	..	
Archaeological Chemist	1	..	1	
Director, Imperial Agricultural Research Institute and Imperial Agricultural Chemist	1	1	..	
Imperial Agriculturist	1	1	..	
Imperial Mycologist	1	..	1	
Imperial Entomologist	1	..	1	
Imperial Economic Botanist	1	..	1	
Second Imperial Economic Botanist	1	..	1	
Imperial Sugarcane Expert	1	..	1	
Second Cane-breeding Officer	1	..	1	
Second Entomologist (Dipterist)	1	..	1	Post is temporary.
Plant Pathologist	1	..	1	
Imperial Dairy Expert	1	..	1	
Curator, Industrial Section of the Indian Museum	1	..	1	
Director, Imperial Veterinary Research Institute	1	1	..	
Serologist	1	1	..	
Pathologist	1	..	1	
Protozoologist	1	..	1	
Officer-in-Charge, Biological Products Section	1	..	1	
Officer-in-Charge, Animal Nutrition Section	1	..	1	
Entomologist	1	..	1	
Assistant Serologist	1	..	1	
Assistant Pathologist	1	..	1	Post is temporary.
Systematic Protozoologist	1	..	1	
Officer-in-Charge, Poultry Research Section	1	1	..	

*All European experts are British subjects.

Posts under the Department of Education, Health and Lands and its Attached Offices filled by Experts.

Posts.	No. of posts.	Filled by		Remarks.
		*Euro-peans.	Others (Indians).	
Agricultural Commissioner with the Government of India	1	1	..	
Animal Husbandry Commissioner with the Government of India	1	1	..	
Agricultural Marketing Adviser to the Government of India	1	1	..	Post is temporary.
Director, Imperial Institute of Sugar Technology	1	..	1	Ditto.
Assistant Agricultural Expert	1	..	1	
Assistant Animal Husbandry Expert	1	..	1	
Professor of Sugar Technology, Imperial Institute of Sugar Technology	1	..	1†	Post is temporary.
Professor of Sugar Engineering, Imperial Institute of Sugar Technology	1	1	..	Ditto.
Assistant Professor of Sugar Technology, Imperial Institute of Sugar Technology	1	..	1	Ditto.
Assistant Professor of Sugar Engineering, Imperial Institute of Sugar Technology	1	..	1	Ditto.
Assistant Professor of Sugar Chemistry, Imperial Institute of Sugar Technology	1	..	1	Ditto.
Assistant Professor of Sugar Chemistry (Organic), Imperial Institute of Sugar Technology	1	..	1	Ditto.
Physical Chemist, Imperial Institute of Sugar Technology	1	..	1	Ditto.
Bio-Chemist, Imperial Institute of Sugar Technology	1	..	1	Ditto.
First Assistant to Sugar Technologist	1	..	1	Ditto.
Director, Central Research Institute, Kasauli	1	1	..	Ditto.
Assistant Directors, Central Research Institute, Kasauli	3	2	1	
Assistant Director, Nutrition Research, Coonoor	1	1	..	
Director, King Institute of Preventive Medicine, Guindy	1	..	1	
Director, Haffkine Institute, Bombay	1	..	1	
Director, Pasteur Institute, Shillong	1	..	1	
Assistant Directors, Haffkine Institute, Bombay	2	..	2	
Director, Pasteur Institute, Coonoor	1	1	..	
Director, Pasteur Institute, Kasauli	1	1	..	
Director, Pasteur Institute, Burma	1	..	1	
Posts under the Indian Research Fund Association	9	1	8	
Leave reserve posts under the Medical Research Department	4	2	2	
Director and Professor of Public Health Administration, All-India Institute of Hygiene and Public Health, Calcutta	1	..	1	

* All European experts are British subjects.

† Officiating temporarily.

Posts under the Department of Education, Health and Lands and its Attached Offices filled by Experts.

Posts.	No. of posts.	Filled by		Remarks.
		*Euro-peans.	Others (Indians).	
Professor of Malariology and Rural Hygiene, All-India Institute of Hygiene and Public Health	1	..	1	
Professor of Biochemistry and Nutrition, All-India Institute of Hygiene and Public Health	1	..	1	
Professor of Sanitary Engineering, All-India Institute of Hygiene and Public Health	1	..	1	
Total	101†	32	65	

Mr. C. N. Muthuranga Mudaliar: May I know whether the appointment of the Public Health Commissioner goes to a European once again, and not to an Indian?

Sir Girja Shankar Bajpai: My Honourable friend is asking me something about which I know nothing at all at the moment.

Mr. S. Satyamurti: With reference to clauses (a) and (b), will my Honourable friend oblige me and the House by stating what is the proportion of Europeans and Indians in all these appointments under his department and attached offices?

Sir Girja Shankar Bajpai: I cannot express it in terms of proportions for different departments, but I can give him the total figures. 101 is the total. Four appointments are vacant. 32 are held by Europeans and 65 by Indians.

Mr. S. Satyamurti: May I know if in all the cases where these posts are held by Europeans it is a case of seniority or survival by length of time, or it is a case of these Europeans having been selected because no suitable Indians were available for these posts?

Sir Girja Shankar Bajpai: The statement covers something like 13 departments; and my Honourable friend will appreciate the difficulty of my being able to give an answer which would cover all of them with meticulous accuracy; but generally speaking I should say that in those departments where selections are made from organised services, such as the Indian Medical Service and the Indian Forest Service, other things being equal, seniority prevails. In other departments if Europeans have been appointed it is only because suitable Indians have not been found in this country or outside.

* All European experts are British subjects.

† Includes 4 posts vacant.

Mr. S. Satyamurti: With reference to clause (c) of the question, may I know what are the cases which in the Government's judgment are not suitable for requiring Europeans to train Indians to take their places when they fall vacant?

Sir Girja Shankar Bajpai: That is rather a large question. I should say off-hand that only where we are dealing with reserved posts for a particular service it is not generally insisted that the European or the Indian, as the case may be, holding the post should train a member of a particular race.

Mr. C. N. Muthuranga Mudaliar: May I know whether the officer in charge of the Institute of Dairying is an expert in dairying?

Sir Girja Shankar Bajpai: There is no Institute of Dairying at the moment in existence.

BIFURCATION OF THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

477. *Mr. C. N. Muthuranga Mudaliar: Will the Secretary for Education, Health and Lands please state:

- (a) whether, as a result of the Wheeler and Maxwell Committees' recommendations, it was decided that the Department of Education, Health and Lands should be bifurcated; and
- (b) the stage at which the question now is?

Sir Girja Shankar Bajpai: This question should have been addressed to the Honourable the Home Member.

STATUS OF THE IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

478. *Mr. C. N. Muthuranga Mudaliar: Will the Secretary for Education, Health and Lands please state:

- (a) if the Imperial Council of Agricultural Research has been declared an office attached to the Government of India;
- (b) the financial effect of this new status; and
- (c) the present status of the Vice-Chairman of the Council, whether it continues to be that of a Secretary to the Government of India with the salary attached to that post?

Sir Girja Shankar Bajpai: (a) Yes.

(b) None.

(c) The Vice-Chairman's status is unaffected though he is no longer a Secretary to Government. His salary is that of Vice-Chairman of the Imperial Council of Agricultural Research and not of Secretary to the Government of India.

Mr. C. N. Muthuranga Mudaliar: May I know whether the Vice-Chairman of the Imperial Council of Agricultural Research is an Indian or a European?

Sir Girja Shankar Bajpai: That fact should certainly be known to my Honourable friend. The present Vice-Chairman is a European.

STARRED QUESTIONS FOR ORAL ANSWERS IN THE LEGISLATIVE ASSEMBLY.

479. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Leader of the House please state:

- (a) if Government have considered the advantages and disadvantages of the existing rule about starred questions for oral answer as against the rule in some of the Provincial Councils under which both the questions and the replies are printed and made available to members half an hour before the House meets; and
- (b) whether inquiry has been or is proposed to be made if the latter practice saves time and is conducive to pertinent and useful supplementary questions?

The Honourable Sir Nripendra Sircar: (a) I would refer the Honourable Member to my reply to Mr. Mohan Lal Saksena's starred question No. 657 asked on the 5th March, 1935, and to the report of the Select Committee, dated the 6th March, 1936, on the motion moved by Mr. C. N. Muthuranga Mudaliar for the amendment of the Standing Orders on the lines contemplated by the Honourable Member.

(b) Government are in complete agreement with the views expressed in the report to which I have referred and they do not, therefore, propose to institute any further inquiries, and I hope the Chair will allow me to add that I do not accept the insinuation made in part (b) that at the present moment the supplementaries which are asked are either impertinent or useless.

Mr. Brojendra Narayan Chaudhury: Is it because these supplementaries are in a form which is convenient to the Government Benches?

The Honourable Sir Nripendra Sircar: I have disposed of supplementaries with the greatest convenience.

HIGHER EDUCATION IN BRITISH BALUCHISTAN.

480. *Mr. Abdul Qaiyum: Will the Education Secretary please state:

- (a) whether there is a single college for higher education in British Baluchistan;
- (b) whether grant made for the building of an intermediate college at Quetta has been revoked; and
- (c) the policy of Government with respect to higher education in that Province?

Sir Girja Shankar Bajpai: (a) No.

(b) Yes.

(c) The Government of India propose to make provision for higher education in Baluchistan as soon as financial conditions permit.

Mr. Abdul Qaiyum: May I know the reason why this proposal for starting a college was turned down and the grant was revoked?

Sir Girja Shankar Bajpai: Simply for the purpose of securing economy. My Honourable friend has been informed by the Honourable the Finance Member that this year we had to effect economies of the order of Rs. 114 lakhs and all of us had to contribute something towards that sum.

Mr. Abdul Qaiyum: In view of the fact that there is not a single college for higher education in Baluchistan, may I know if it was proper economy on the part of Government to turn down this proposal?

Sir Girja Shankar Bajpai: That is a matter of opinion, I think.

Mr. Abdul Qaiyum: May I know who took the initiative in the matter of turning down this proposal, whether it was the Government of Baluchistan or the Political Department or some other department?

Sir Girja Shankar Bajpai: I am afraid I cannot say who took the initiative. I can only inform my Honourable friend of the conclusion.

Mr. Abdul Qaiyum: May I know if Government will remedy this deplorable state of affairs by starting a college for higher education immediately in Baluchistan, which does not have a single college, even after the British administration has been at work there for about 80 or 90 years?

Sir Girja Shankar Bajpai: I think I can tell my Honourable friend that we recognise the desirability, indeed the necessity of starting this institution as early as possible.

Dr. Sir Ziauddin Ahmad: In view of the fact that the Government of India are responsible for education in Baluchistan, may I ask whether the Government of India ever initiated a scheme of starting even an intermediate college there?

Sir Girja Shankar Bajpai: It was this scheme of starting an intermediate college which for financial reasons had to be postponed.

Mr. Lalchand Navalrai: May I know if the Baluchistan Government was consulted before turning down this proposition?

Sir Girja Shankar Bajpai: I have already answered that question.

APPELLATE JURISDICTION OF THE FEDERAL COURT IN CIVIL MATTERS.

481. *Mr. M. Ananthasayanam Ayyangar: (a) Will the Honourable the Leader of the House be pleased to state whether Government propose to enlarge the appellate jurisdiction of the Federal Court in civil matters so as to do away with the necessity of direct appeals to the Privy Council? If so, in what matters? If not, why not?

(b) Are Government aware of a ruling of the Federal Court that that court has no power under the Act to give special leave for any appeals for being preferred before it?

(c) Do Government propose to take any steps to have the Act suitably amended?

The Honourable Sir Nripendra Sircar: (a) I would refer the Honourable Member to the reply given by the Honourable the Home Member to parts (c) and (d) of Qazi Muhammad Ahmad Kazmi's question No. 1252 on the 7th April, 1938.

(b) Government have seen this ruling.

(c) No amendment of the Act is contemplated on this point.

Mr. Manu Subedar: Is it contemplated on several other points?

The Honourable Sir Nripendra Sircar: That does not arise. They are either under contemplation or they are not; but I am not called upon to make a statement on that.

CONSUL-GENERALS, ETC., APPOINTED BY THE GOVERNMENT OF INDIA.

†492. *Sardar Mangal Singh: Will the Honourable the Commerce Member please state:

- (a) in which countries the Government of India have appointed Consul-Generals or any other representatives; and
- (b) how many of these consular appointments are held by Indians?

The Honourable Sir Muhammad Zafrullah Khan: (a) Honourable Member's attention is invited to the reply given by me to his starred question No. 222 on the 15th August, 1938. In addition, an Indian Trade Commissioner has been appointed at Alexandria. The Government of India have also a High Commissioner for India in the United Kingdom and Agents in South Africa, Ceylon, Malaya and Burma.

(b) Of the 13 appointments which I have referred to above all except two are held by Indians.

UNSTARRED QUESTIONS AND ANSWERS.

EDUCATIONAL FACILITIES FOR THE CHILDREN OF INDIAN ESTATE LABOURERS IN CEYLON.

10. Mr. Manu Subedar: Will the Secretary for Education, Health and Lands state:

- (a) whether it is a fact that the children of Indian estate labourers in Ceylon are provided with adequate educational facilities of the same standard as the children of the rest of the population in Ceylon are provided with; and
- (b) if the answer to part (a) be in the negative, whether Government are prepared to request the Ceylon Government to bring the syllabus of education for the children of the Indian estate labourers in Ceylon into line with the syllabus of the rest of the schools in the rural areas of Ceylon?

Sir Girja Shankar Bajpai: (a) and (b). The Agent of the Government of India in Ceylon reports that the syllabus of work for estate schools has been revised and brought into line with that of ordinary assisted schools in respect of reading, writing and speech.

VILLAGE COMMUNITY ORDINANCE OF CEYLON.

11. Mr. Manu Subedar: (a) Will the Secretary for Education, Health and Lands please state whether Government are aware that His Majesty's Government have recently given their assent to the Village Community Ordinance of Ceylon as amended by the Ceylon State Council?

†Answer to this question laid on the table, the questioner being absent.

(b) Is it a fact that the village franchise under the said Ordinance is extended to Indian estate labourers?

(c) If the answer to part (b) be in the negative, will Government be pleased to state what steps they have taken to get Indian estate labourers enfranchised?

Sir Girja Shankar Bajpai: (a) to (c). The attention of the Honourable Member is invited to the reply given by me on the 4th February, 1939, to Mr. S. Satyamurti's starred question No. 73.

MATERNITY BENEFIT PROVIDED TO INDIAN ESTATE WOMEN LABOURERS IN CEYLON.

12. Mr. Manu Subedar: Will the Secretary for Education, Health and Lands please state:

(a) whether Government are aware of the fact that the maternity benefit now provided by law to Indian estate women labourers in Ceylon is quite insufficient, and that it is only in some well kept estates that midwives and maternity wards are available; and

(b) whether Government are aware that the draft Maternity Benefit Ordinance, recently published by the Government of Ceylon, proposes to give more liberal benefit to labourers outside estate areas; if so, whether Government propose to consider the desirability of representing to the Ceylon Government that the maternity benefits to the estate labourers should legally be made adequate to the Indian female labourers working on estates in Ceylon?

Sir Girja Shankar Bajpai: (a) The statement in the first part of the question is a matter of opinion; that in the latter portion is generally true.

(b) The draft Maternity Benefit Ordinance, recently published, makes no distinction between estate labourers and other labourers. Apprehensions have, however, been expressed that estate labourers may be excluded and representations on this aspect of the matter have been made to the Ceylon Government in consultation with the Government of Madras.

DISCRIMINATION AGAINST INDIAN ESTATE LABOURERS IN CEYLON IN THE MATTER OF OPTION-POLL FOR THE CLOSURE OF TAVERNS.

13. Mr. Manu Subedar: Will the Secretary for Education, Health and Lands please state whether any discrimination against Indian estate labourers in Ceylon exists in the matter of local option-poll for the closure of taverns? If so, what steps do Government propose to take in the matter?

Sir Girja Shankar Bajpai: The reply to the first part is in the negative. The second part does not arise.

EMPLOYMENT OF DISPENSERS ON INDIAN ESTATES IN CEYLON.

14. Mr. Manu Subedar: Will the Secretary for Education, Health and Lands state:

(a) whether Government are aware that 625 'Approved' dispensers employed on estates in Ceylon are unqualified;

(b) having regard to the risk of entrusting the treatment of Indian estate labourers into the hands of unqualified men, whether Government have considered the question of taking early steps to ensure that duly qualified men are employed in their place;

(c) whether it is a fact that planters wanted to employ duly qualified Indian L. M. P.'s as dispensers on their estates, but that the Ceylon Government refused to approve of their appointment; and

(d) whether it is a fact that the Government of Ceylon, as early as 1926, undertook to see that duly qualified apothecaries were employed on estates?

Sir Girja Shankar Bajpai: (a), (b) and (c). Yes.

(d) In 1926 the Ceylon Government generally accepted the suggestion of the Government of India about the establishment of estate dispensaries in charge of trained apothecaries but stated that practical difficulties, financial and otherwise, stood in the way of its immediate adoption.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, two Messages have been received from the Council of State. The first Message runs as follows:

"Sir, with reference to the provisions of sub-rule (4) of rule 36 of the Indian Legislative Rules, I am directed to inform you that the Council of State has, at its meeting held on Wednesday, the 15th February, 1939, agreed to the Bill further to amend the Indian Income-tax Act, 1922, as further amended by the Legislative Assembly at its meeting held on Monday, the 6th February, 1939."

The second Message reads as follows:

"Sir, I am directed to inform you that the Council of State, at its meeting held on the 15th February, 1939, agreed without any amendment to the Bill further to amend the Indian Merchant Shipping Act, 1923, which was passed by the Legislative Assembly at its meeting held on the 6th February, 1939."

THE INDIAN PATENTS AND DESIGNS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Labour): Sir, I present the report of the Select Committee on the Bill further to amend the law relating to the protection of Inventions and Designs.

THE RAILWAY BUDGET—GENERAL DISCUSSION.

Mr. President (The Honourable Sir Abdur Rahim): Before the general discussion of the Railway Budget commences, I have to announce to the House that I fix 15 minutes for each speaker who will participate in the discussion. This is to enable as many Honourable Members as possible to take part in the discussion, and in special cases I shall have the discretion to extend the time limit if necessary.

[Mr. President.]

As regards the Government Member who replies, he generally has half an hour to three quarters of an hour, and he will have that much time on this occasion also. So I take it that he will begin some time after quarter past four.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, there is nothing very peculiar in the Budget speech of the Honourable Member, but one cannot but congratulate the Honourable Member for the manner in which he has been able to conceal the truth, as is usual. Sir, we have got only 15 minutes to speak, and, therefore, I shall straight away deal with some of the figures and statements only to show how truth has been concealed. The figures and statements will speak for themselves.

These two nice volumes have been recommended by the Honourable Member, I mean the Reports by the Railway Board on Indian Railways for 1937-38, to be studied as part of his own speech. Without attempting to make any general observations, for which I have no time, I shall come to page 78 of the first volume, wherein a table of figures has been given. In the Railway Budget, generally, year after year, some stress is laid on the stores purchase policy and, particularly, last year a cut motion was moved and passed on this purchase policy of the Railways. Neither this fact nor the item "purchases" is referred to in the speech at all. Railways are sometimes called our national assets. It will be neither national nor assets, if we simply purchase manufactured steel, timber and textiles abroad, and are made to store and use them here to show a surplus of a crore or two out of the tax we pay. If Railways are meant to develop the country—its genius and skill and its resources and industries, the purchases which formerly amounted to from 23 to 35 crores,—and now 15 crores in the year under report and may amount to over 20 crores in the budget year,—are undoubtedly a very important item to be considered.

The table here contains figures representing amounts of purchases of stores both foreign and indigenous. Explaining the figures, there appears the statement (top of page 79), that "the value of stores imported direct by State-managed Railways has decreased from 103.23 lakhs in 1931-32 to Rs. 37 lakhs in 1937-38". It is astoundingly misleading and the reason assigned for the huge reduction is the exclusion of the Burma Railways. But, whatever the reason may be, the statement is a varnished untruth. The actual fact is, the imported purchases by State-managed Railways this year amount to Rs. 322.37 lakhs. Stores imported direct are rather economically better than stores imported and purchased through middlemen and the very next column shows that 322 lakhs worth of articles have been purchased in this country and they are imported articles. What is then the meaning of saying that stores directly imported have decreased. Does it give any more impetus to the indigenous skill or industry?

Then again, Sir, follows the statement that "the percentage of value of indigenous stores to the total value of all stores purchased by State-managed Railways has increased from 58.11 per cent. in 1931-32 to 62.91 per cent. in 1937-38". Very conveniently here for comparison with the year 1937-38 has been chosen the year 1931-32; but what was the position in the previous year 1936-37? It was 66.9 per cent. From 66.9 per cent. in

it has come down to 62.9 per cent. this year; the year before 1936-37 was 64.2. Then, in the year before that again, i.e., in 1934-35 it was 63. Then it was 65.7, and then it was 63 per cent. in 1932-33. But conveniently the year 1931-32 has been chosen and why? To deceive. If it is not a deception played upon the public, I can call it else. Our Railway Board should be more careful in presenting facts to the public.

again, our purchases before 1931-32 were to the tune of 23 to 35 crores and Indian purchases came upto at least from 13 to 15 crores in 1934-35. What is the position now? Our indigenous purchases are more than seven to nine crores; and it must be remembered, more than one of this purchase one big slice, which was hitherto termed 'other materials', such as, coal, coke, stone, bricks, lime, ballast, per-sonal, sundries, broomstick, and things like these,—this is about one-third more of the 'indigenous stores'. From 1931-32 this is roughly one-third more a year. These stores surely cannot be purchased from abroad.

This item of 'other materials' must necessarily be indigenous. Then, what does the above percentage show? That must also be stated. The item 'other materials' is separately given upto the year 1934-35 in Appendix A of Volume II. After that, this item does not appear.

It has been mixed up with Indian purchases and all purchases so cannot be found out from the list whether things obtained in India are locally purchased or not. Upto that year from 1931-32, however, in the 'other materials' the percentage of indigenous purchases is 100. For these four years the percentage of imported articles comes to about the same figure, if not more.

1, again, the figures for State-managed Railways and Company-managed Railways have been distinctly given. This is a very useful table, which has been introduced in the report newly, after 1934-35. From these figures it will be found that Company-managed Railways in their purchases are practically stationary, I speak of the percentage always, for these years ranged from 11 to 16 crores during these years. So, I speak of the percentage. The Company-managed Railways are practically stationary; their percentage of imported purchases for these seven years is 42, except only 1932-33, when it was 39.2. But it is the State-managed Railways which have increased their imported purchases when- ever to whatever extent it has been found possible. And, in face of this, the remark that indigenous purchases have increased from 62.9 per cent. I again emphasize that our friends on the opposite side ought to be a little more careful, and at least make an attempt to show the railways our national assets.

had time, Sir, I would have given the history as to how the purchases were diverted by persistent efforts of this House to indigenous stores.

But, here, if you look at Appendix A in Volume 2, look at the item 'other materials'. Now, permanent way does not appear alone; the item is permanent way material and track tools—I do not know what that means.

Perhaps it is to introduce into this item some English purchases which may not be distinguished at once. We have, however, got the details of rails, steel sleepers, and wooden sleepers. The rails were being purchased from the Tatas and now all the rails are supplied by the Tatas. Two years before the year under report here Rs. 38,000 worth of rails were purchased from abroad, and I put a note to the effect that Sir Raghavendra Rau gave the reply that they were Sorbetic.

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LEGISLATIVE ASSEMBLY.

[16TH FEB. 1939.]

[Pandit Nilakantha Das.]

rails. I asked for the composition. The composition was of a little high carbon. I suggested, 'let the Tatas be asked'. The reply came some time later that Tatas were ready to make it. It was then again practically understood that no more should be purchased from abroad. Now, we have got 178 lakhs worth of rails coming from abroad. In this year 1937-38, it is the Bombay, Baroda and Central India Railway which is mostly responsible. Practically the whole amount has been purchased by the Bombay, Baroda and Central India Railway. We are not technical men, and perhaps we shall be told that they are transparent rails or some such thing. In 1929, it was agreed that steel sleepers would not be purchased from abroad, and if Tatas, Henry William and other firms cannot supply them, then, instead of steel sleepers cast iron sleepers, which are even more useful and more durable, would be used. It was so done and year after year it was being done I believe, but now here 144 lakhs steel sleepers have been imported. It is entirely done by the Bombay, Baroda and Central India Railway. In case of rails I made a mistake. It is not the Bombay, Baroda and Central India Railway. It is Bengal and North Western Railway Rs. 172 thousand, Assam Bengal Railway Rs. 3 thousand, Bengal Nagpur Railway Rs. 1 thousand and Bombay, Baroda and Central India Railway only Rs. 2 thousand. Then wooden sleepers even Rs. 182 thousand.

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

Pandit Nilakantha Das: I am sorry I cannot go into many details and I could not take up a very big item, advance grant sanctioned for general purposes stores, which has grown into a scandal. In our Railway stores purchases, it has an interesting history. It is by means of this that our purchases are being secretly out of the view of this House diverted with enormous increase year after year to foreign country.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must conclude his speech now.

Pandit Nilakantha Das: I am concluding, Sir.

Mr. President (The Honourable Sir Abdur Rahim): No, the Honourable Member's time is up.

Pandit Nilakantha Das: I finish here, Sir, thank you.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the present budget shows a little deterioration as compared with the budgets of the last two years. The percentage of net traffic receipts on the capital at large in 1937-38 was 4.3, it was 4.1 last year, and this year it is reduced to four per cent. The working expenses ratio has increased during the same period—53, 53.9 and 54.5, respectively. So this working ratio has increased, and it is due to an increase in the expenditure, but the change is not abnormal though it shows a little deterioration.

Today, I will only touch on those points which are not likely to be raised during the discussion on the demands for grants. First, I take 12 NOON. the question of the depreciation fund. It is called the depreciation reserve fund. It is neither a depreciation nor a reserve fund. It can more appropriately be called a bank deposit. They have arbitrarily fixed

up 1/60th of the capital at charge and they call it depreciation fund. It works out to be 12½ crores per annum. Money spent in renewals and repairs is divided into three parts. One part is debited to the account of depreciation, one part under the account of the working expenses and one part is called capital expenditure and is met by fresh borrowing. Now, to allocate the proportion of these three divisions, we require three highly paid accountants which the Railway Board provides for this work. May I ask Mr. DeSouza, who is supposed to be the encyclopedia of railways, whether any such system is adopted in any other railway in the world? May I ask whether such a big amount is kept in the depreciation fund anywhere outside India? If the Railway Board don't deposit four crores a year in this way, then they will be able to pay four crores to the general revenues in payment of their obligations. Taking the figures of the last 15 years we find that we have been regularly adding four crores to this fund and have accumulated 61 crores under this head. We deposit 12½ at an average and take out 8½ crores for renewals. Out of a deposit of 61 crores we have borrowed half the amount to meet our deficits. We borrowed it in the same manner as we borrowed from the bank. Are you going to increase this fund for an indefinite time to an indefinite amount? Is it the idea that when an earthquake shatters all these railways, you will require several hundred crores from this fund to rebuild our railways *de novo*? The idea of building up indefinite reserve is against the practice of every other country in the world. Why don't you set apart a necessary amount for renewals and repairs? Why first deposit in Depreciation Bank and then withdraw from it? Why don't you adopt a simple policy, a policy adopted by all the Railways of the world, that all expenditure which is not of paying nature and on which there will be no income should be debited to revenue account and the expenditure which is going to yield some income ought to be debited to the capital account and paid out of borrowed sum. This is a simple division which everybody can understand and you need not have an army of accounts experts to allocate the division artificially made by them. -

The next point I should like to touch is the bungle regarding the accountancy of the strategic lines. I have repeatedly demanded that this system should be kept on a sound footing and especially when we are on the eve of handing over the Railways to the Statutory Railway Authority. We should definitely decide something about it. I suggest that the administration of the strategic lines should be taken up by the railway administration. No other authority can do it and they should settle with the Government of India in the Defence Department to give them a subsidy which may be equivalent to the losses which the Railway Board may suffer. This subsidy may be fixed up by taking up the figures of the last 15 years. In fixing the amount you should allow that strategic lines bring a fair amount of traffic to the Railways. The other alternative is that the bill for deficit may be sent to the Government of India (Defence Department). At present there is a great deal of bungle about this. Whatever deficit there is, they put it to the account of the Government of India and deduct it from the one per cent. capital at charge which they are required to pay every year to the general revenues. There is something very peculiar about the accountancy of this particular fund as is revealed on page 7 of the Budget report. In calculating the losses they also calculate the interest on the money which they have borrowed from the depreciation fund to meet the deficits. This reminds me of the story of a man who had lost a rupee.

[Dr. Sir Ziauddin Ahmad.]

He said that he had lost three rupees. He explained it by saying that he lost one rupee. He had borrowed the rupee which is lost and he will have to repay one rupee to the man from whom he borrowed. To do this, you want three experts, the Director of Finance, the Director of Railway Audit and the Financial Commissioner for Railways. I ask when you debit the entire amount of the deficit incurred by the strategic lines every year, then why on earth you charge the interest on the depreciation fund.

The next thing I will refer to is the cut in salary—I find that the Finance Member is not here and I hope he will understand my point. I note that the Railway Member has made no reference to the cut. There is a big rumour that there will be a cut in the salary. Individually I had cut. If economy is needed reduce the scale of salaries. I want to tell the House that it is not only my personal opinion but the opinion of a very large number of Members that if the cut is imposed on salaries of less than Rs. 200, it will be very strongly resented not only by service but by us here also. If we have a choice between the two, we would have no cut at all, rather than have a cut on salaries below Rs. 200. Whatever may be the private understanding between an individual on this side and an individual on Treasury Benches, this much I can say that a cut on salaries below Rs. 200 will be strongly resented. My friend, the Finance Member, will calculate that if he applies the cut only to salaries above 200, his cut will apply to ten per cent. of the general expenditure on general revenues. My estimation is that 90 per cent. of the amount spent on salaries are of those who are drawing less than Rs. 200. The salary bill of persons drawing over two hundred will not exceed 10 per cent. of the total. Ten per cent. cut on higher salaries will lead to a saving of one per cent.,—and I think it will be really foolishness if not madness to dissatisfy service over a small saving of one per cent.

The next question I should like to refer to is the purchase of the railway. The Honourable the Railway Member said: 'I have endeavoured to indicate that there can be no hard and fast policy in these matters'. If he had stopped here, I would have supported him but I do not agree with him when he says: 'and that on each occasion it is for consideration whether the taking over of a railway is, from the point of view of the general taxpayer, a good financial proposition'. What happened in the case of the Bengal and North Western Railway? It was certainly a paying financial proposition in 1931. and in 1936 but we decided this question on grounds of policy. I had been very strongly in favour of State-management but we are on the eve of the establishment of a new railway authority and it is time for us to call a halt. State-management, in future, means that we are going to hand over the management to a company which will have seven directors and no shareholders. This is really a doubtful proposition. We purchase from a company which has shareholders and hand over to another company without shareholders is a problem which requires consideration. Whatever the policy in the past may have been, whatever the recommendations of the Acworth Committee may have been and whatever the speeches in this House may have been, the time has now come to call a halt. We should wait till the Statutory Railway Authority has come into existence and we visualise how it would work.

Now, I come to the system of appeals. I am not going to repeat the speeches I delivered here about five years ago when a cut was moved on the appeal system. I said without any contradiction that really speaking

no officer seriously reads the appeals. A clerk writes down a note, it goes to the superintendent, and on his note a servant is punished. When the aggrieved person files an appeal, the papers are filtered down to the same clerk who has written the note and the servant gets the invariable reply that officer sees no reason to interfere. Then it goes to the Agent who sends it back to the Divisional Superintendent and then it comes back to the same clerk. Ultimately, it goes to the Railway Board but it is really one and the same person who works and nobody takes the trouble to read the papers. This practice has repeatedly been divulged. One of the Railway Board Members in his investigation said that an Agent in one of his letters wrote down definitely that he went personally into the matter but he never did so. This is a matter which should receive consideration and I strongly advocate that in the offices of the Agents and of the Railway Board a civilian ought to be attached whose business it should be to look into the question of appeals. I think the railway officials are most incompetent.

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

Dr. Sir Ziauddin Ahmad: to listen to appeals, they will never listen; therefore, it is very desirable that we should have a civilian in the Railway Board and a civilian attached to the office of the Chief Manager whose business will be to look into the appeals concerned and thus justice should be done to the subordinate staff. At present I assure the Honourable the Railway Member that subordinate servants are exceedingly dissatisfied.

The next question I shall touch upon briefly is that of the rating policy. As regards that rating policy, I think what the Honourable Member said is what I would call a bogus dictum, viz., 'charge what the traffic can bear', and 'the value of the services rendered'; I know these are bogus words which can be interpreted by every person to suit his own convenience. In fact the Railway should charge the very minimum which the people can pay without transgressing the limit between profit and loss. We must have a profit, and then we should try to capture the maximum volume of traffic by reducing charges to minimum. Don't charge what traffic can bear, but leave what you can without incurring loss. One other thing is very important in the case of the rating policy. It has been repeatedly recommended by various Committees, but the Railway Board have never paid any attention to it, is that they should make no differentiation between foreign traffic and home traffic. Sir, I think every booking from one station to another station on the same line or on a different line also should be treated as through booking and not booking on different lines. My Honourable friend, Mr. DeSouza, is an authority on this question and if he will calculate it he will notice the enormous difference involved if we take up the whole traffic as through traffic.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I am glad I have got an opportunity at an early stage to speak but we cannot touch even the fringes of so many questions that are raised within the time limit. However, at the time of the different cuts I hope I will say what I have to say on different matters. Now, Sir, the picture presented by the budget is

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not a rosy one but I would give credit to the Honourable the Railway Member for at least having got out Budget, which has a surplus of two crores. But, we know how budgets are manipulated, and we also know how a surplus budget can be made into a deficit budget and *vice versa*. I must next refer to the obligation which I owe to my Honourable friend, the Railway Member, and that is with regard to what he has provided for Sind railways. Sir, with regard to the Sind railways he has provided $\frac{3}{4}$ crores of rupees for projects, which I feel are not solely in the interests of the people but mostly in the interests of the Central Government, namely, to recover their debts from the barrage. However, I would not look at the gift horse in the mouth and I would thank him that he has made this provision though those are small mercies, but there is one thing which I must say that he should not forget. It is the great demand of the Sind people which has several times been brought to his notice. People have come in deputation to him and several other officers including the Honourable Sir Guthrie Russell and matters have been explained to them that there should be no delay in the construction of the Sind-Bombay Railway.

Now, this project has been hanging fire since a very long time and at one time there were hopes and such hopes were actually given that Bombay will be connected with Sind by a broad gauge line which will go through fertile country and also increase the income of the Railways. At one time I must say it was considered that this would be a remunerative proposition, but, latterly, for certain reasons well-known to the Honourable Member apparently the interest of the steam navigation companies came to have some influence on this question. Were it not for this shipping interest creeping in, by this time we would have seen this railway an accomplished fact. Then some turn was given to it and every time we are now told that it is not a remunerative concern. I have not got much time to go into details but I must say that the members of the Karachi Merchants Association and the Buyers' and Shipping Association, when they met the Honourable the Railway Member in deputation, last year, undertook to further investigate into the facts and figures so as to produce cut and dried estimates showing that this railway connection would be positively remunerative, and by this time they have engaged an office where experts are employed and they have actually prepared estimates a copy of which has, I hope by this time, been sent to the railway officers; I hope, therefore, that considering the importance of this railway, the demand from the people, and also the fact that on account of the barrage it is very necessary that there ought to be this direct railway, they will now construct it. Even from the passenger traffic point of view the passengers, when they go at present from Hyderabad (Sind) to Bombay, know the conditions of that slow Jodhpur Railway trains, the barren country they pass through on the way, not even getting something to eat on the way side stations. Therefore, I submit that if my Honourable friend, during his regime here, is going to complete and implement this railway, he will have very many thanks and gratitude from the people of Sind.

Sir, next I come to the question of the freights and rates. Now, on this point I need not go beyond what the Indian Merchants' Chamber, Bombay, have said recently, and I must say one thing before I read this to the Honourable Members, that it has now been established that if the freights are reduced and conveniences to passengers are given, then there is bound to be an increase in the railway income, and that is exemplified

by what happened on the occasion of the Kumbh Mela at Hardwar. Sir, there the conveniences were increased, I personally witnessed them, and I say it was a credit to the railways to have increased the conveniences and also, I think they taught a little more of civility to their subordinates there how to deal with third-class passengers and others and to provide better accommodation, respecting waiting halls, waiting rooms, and so forth. I was much gratified to see that. The result of it was that there is a rise in the income and that is due to the conveniences that have been provided and also to the reduction of freight. I, therefore, submit that no deaf ear should be turned when a decided opinion comes from the Indian Merchants' Chamber of Karachi and Bombay to reduce freights. This is what they say:

"Freight rates which were fixed before or after the War have not only been not reduced, but on the contrary, they have been increased, even when price indices of certain commodities have gone down. As an instance, I shall only give you some figures of cotton freight at different periods from Karachi."

Then, they have given various figures and I would like to give only one. In 1917, the rate from Multan to Karachi, a distance of 575 miles was Rs. 1-0-9 whereas, now it is Rs. 1-13-9. It goes on increasing from day to day. Then the report goes on to say:

"This increase hits the finances of railways as well as the cultivators in villages. Repeated representations have been made to Government to revise their freight policy in the light of new circumstances, but to no purpose. Sir Purshotamdas Thakurdas, in his recent presidential address before the East India Cotton Association voiced the same grievance of the cultivators and merchants dealing in cotton towards this aspect of freight charges—both internal and external."

I need not say anything more. I hope the Honourable Member will not give us the usual consolation that the rates all over the world have been increased and that the rates here are the lowest. That is no ground at all. If you want to make the Indian railways popular, in these days when there is so much competition not only in freights but in the passenger traffic also, then you must come forward and meet the demands of the people.

In the next place, I would like to say a few words on the burning question with regard to the subordinate staff in grade I. This question has been agitated in this House and also outside this House several times, but no help has been given to them. Even yesterday, when certain questions were put by my Honourable friend, Sardar Sant Singh, I found that the replies that were given were not encouraging. During the course of the last budget this question was also brought to the notice of the Honourable the Railway Member and the Honourable Member mentioned three grounds for not giving them promotion. In the first place, he said that their case was different from that of the clerks in the office of the Railway Clearing Accounts. We will leave that aside. The second ground that he mentioned was that even if this concession was extended to them, there will not be proportionate benefit obtained. These subordinates, whether they are in the Railways or elsewhere, are persons who are doing more work than the officers who are above them. They supply everything to them and yet they say that no benefit can be extended to them. Their work and the benefit derived cannot be calculated mathematically. These subordinates have to serve on Rs. 60 all their life and it is absolutely against human nature that these people should not be given any promotion when their case has become the hardy annual and is being brought to the notice of the officers every now and then. The third reason given was that there is a likelihood

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of a flow to Grade No. II. In regard to that, I would like to quote what the Honourable the Railway Member said last time in his budget concessions. He said:

"It has been said that the effect of maintaining these two grades is that the clerks in the lower grade have to retire on the maximum pay of that grade. Now, my latest information is that there are sufficient vacancies occurring in the upper grade as to allow a reasonable flow from the lower to the upper."

Now, yesterday, questions were put. Unfortunately, there was a mistake in the question that my Honourable friend, Sardar Sant Singh, had put in and advantage was taken of that without having regard to the actual facts. The Honourable the Railway Member said that on that showing also 50 per cent. of flow had happened. But that is not the fact. The mistake occurred in this way. My Honourable friend, Sardar Sant Singh, had said that out of 422 grade I clerks, 280 have been blocked, and the reply was that that showed 50 per cent. promotion.

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

Mr. Lalchand Navalrai: I am closing, Sir. They have not been promoted but the fact is that they have not reached their maximum and only 20 persons have been promoted. At the utmost you can see that only seven per cent. have gone into the higher grade. I submit, therefore, that these are questions over which there is a great discontent. I hope you do not wish that there should be a strike among them or they should create any kind of other trouble. I hope, therefore, Government will meet their demands and consider their questions sympathetically.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Mr. President, with your permission, before I deal with the railway budget, may I be permitted to offer to the Honourable Member in charge of Communications my sincere congratulations on his appointment as the Governor-designate of Bihar and let me add that what will be Bihar's gain, will be this Assembly's loss. I am sure, I am voicing the opinion of the entire House when I say that we have never had a Member in charge of this Department who had met all our appeals and requests with such courtesy, with such tolerance and with such patience. Personally I have always received this treatment from him, and I wish publicly to thank him for it.

Let me now turn to the budget. I would describe the budget, as presented to us, as a colourless, sensationless, thrill-less and a ripple-less budget. At the same time, I would say that it is a recital and a review of the steady work done during the past year against great odds and great handicaps, but it reflects great credit on the Honourable Member in charge and his Department to show in these days a surplus of over two crores. If the railways were exempted from their interest charges of 29½ crores for a few years, what could they not do? Instead today, after paying over 29½ crores as interest charges, they are left with a balance of two crores to carry on with. It would be very interesting to know in regard to the payment of these interest charges, how the strategic railways stand in comparison with those that are non-strategic. I would like the Honourable Member to give this House his views on this matter. With my limited time, there are only a few points I can review. I must, therefore, reserve my detailed remarks during the demands for grants.

The first point to which I wish to refer is really one of supreme and vital importance to the railways in India and it concerns a matter that I have more than once brought to the notice of the Honourable Member in charge of this Department. I refer to the leave reserve of subordinates. At the outset, let me state that the condition of the leave reserve, as between the subordinate and the official, is not comparable. The railway official can reserve his steamer berth months before his leave is due and he, therefore, books his passage. On the other hand the railway subordinate rarely gets his leave, though in some railways, like the Bengal Nagpur Railway, he is encouraged to take his leave during the off season. I readily concede the difficulties with which railways are presented when subordinates apply for leave during the busy season. I can appreciate that difficulty, but there are cases, really genuine ones where leave is due or urgently needed and which is refused because there is no leave reserve. I warn the Railway Department that if this is not remedied at once on all Railways it will lead to one of the biggest railway smashies which you have ever had in the country. The subordinates, who have been greatly reduced in numbers, are called upon to do overtime work, they are slaves to their posts of duty, their emoluments and their privileges and everything else have been cut down to the barest minimum and, yet, the mileage of the railways has increased tremendously. I challenge the Railway Board to place on the table of the House any figures to disprove what I have said, viz., that your staff has been reduced though your total mileage has enormously increased and, yet, the railways are not taking serious notice of the matter. Last year, I brought this matter to the notice of this House and I was promised that action would be taken. I have here a note from the Railway Board, received yesterday, to say that action was taken, but, as the matter was so complex, no result has accrued so far. I consider this admission to be a distinct dereliction of duty on the part of the Railway Board and to be a distinct dereliction of duty on the part of the Railway Board. It makes no I openly make this charge against the Railway Board. It makes no difference to them if the railway subordinates suffer so long as they can show economy and enable the budget to be balanced. I once said that the Railway Board was cracked, I know not whether at the top or at the bottom. But none will deny that a most serious situation exists today and, yet, for a year nothing has been done to relieve the suffering of the subordinates. The men are overworked. As my Honourable friend, Mr. Lalchand Navalrai, pointed out, they cannot get proper rest. I know that of times they will not take it, because, in many cases, they get overtime and in these days of poor pay for new recruits, they are keen to seize every penny. I would ask the Honourable Member to give this his immediate attention. It seems that the Railway Board cannot get an answer from the Agents. It is truly said that big issues and little men go ill together. Here is a big issue and who are the men dealing with it? Little men no doubt—for nothing has been done so far for a year. This House demands from the Honourable the Communications Member that serious notice and immediate action should be taken on the matter and the position remedied. It is not right that these men should be slave workers, and thus expose the public to danger by inefficient work produced by muscular and nerve exhaustion due to over-work and under-rest.

Another point to which I wish to refer is the system of appeals. Much has been said about this before. I say that the appeal system in the Railway Board is absolutely bad and I can sum it up in most cases by saying that the accuser and the Judge are one and the same person. Of course there is some improvement on what existed a few years before

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due to agitation in this House, but there is still much need for reform, and I would beg of the Honourable the Communications Member, in his desire to administer justice to one and all, to give his earnest attention to this vital matter.

On the question of cuts in salaries, I warned the Railway Board last year and I warn them again today that if there are any further cuts in the salaries, they will have to face the biggest Railway strike India has ever witnessed and they will be brought to their bended knees within the next 24 hours and beg the men to work.

An Honourable Member: Don't threaten us.

Lieut.-Colonel Sir Henry Gidney: You—the opposition—can say what you like. You will also be on your knees begging the men to resume work and I challenge you to try it. If it is done I will be in the fight and I know on what side I shall be found. Let me ask Honourable Members of this House why don't you cut your daily and your travelling allowances: I can only sum it up by saying, "don't cut your nose to spite your face", for you will regret it.

The next question to which I wish to refer is that of passes. This has become a hardy annual. The question of passes was brought up last year and the Honourable Member promised to look into the matter. I know he has done so and I know some amelioration has been given. But what is it? A few crumbs, Sir, I am not going to dilate on this matter. We have done it *ad nauseam*, *ad libitum*. May I ask the Honourable the Railway Member again to give his serious attention to this pressing matter? Many of the men claim it as an inherent right, inherent in the privileges that were theirs, before the 31st December, 1924, when the State took over the two Railways, the Great Indian Peninsula and the East Indian Railways. They claim that it is a right and a privilege which has been taken away from them. Whether they are right or wrong, I do not know. But might I suggest to the Honourable Member to place the matter before the Public Services Commission or before some independent Tribunal and ask them to decide whether the men have or have not been dealt with fairly. Passes have been the one attraction of railway service and this you have taken away. It is a deprivation which has created the greatest upheaval among railwaymen from the humblest to the biggest. Why should railway officials in the higher ranks who can easily afford to pay their fares be provided with passes or saloons and why do you deprive the poor subordinates of their legitimate right? Why do you ask the Assistant Station Master to travel with a sweeper or a cooly in a third class compartment? Why don't you ask the Agent of a Railway to travel in the same carriage with a guard? No! He has a saloon given for his exclusive use. Will the Honourable Member for Railways travel with his Secretary? No, he has his own luxurious saloon. Sir! Humanity is built on a particular social system one of which is self-respect. I, therefore, ask how can an Assistant Station Master, Guard, Fireman, etc., claim any respect from the man who sweeps the floor at the station when he has to travel in the same third class carriage with him. I submit that most railway subordinates will be drawing less than Rs. 76 p.m. and, therefore, they will have to travel in a third class carriage. Moreover very few of them will get Rs. 176 p.m. to entitle them to a second class pass. The Railway Board know full well that under the new scales of pay given to the men, very few of them will draw Rs. 176 which entitles them to a second class

pass and still fewer men will draw more than Rs. 76. Yet these are the two limits of pay offered to subordinates. Again I ask how can an Assistant station master travel with his sweeper or cooly or cook in the third class and yet demand respect from him when he sits in his office chair. This is not right. I would ask the Honourable Member to give this his serious attention.

Another question which has been agitating the minds of railway subordinates considerably on the N. W. R. is this. The position today is one of considerable anxiety and concern. We have the Wedgwood committee report before us and we know exactly what that committee recommended. The N. W. R. suddenly found themselves in need of eleven skilled Foremen. Before I say another word, let me tell the House there is a tendency among certain State Railways not to encourage their men to apply for posts outside their particular Railway however eminently desirable and capable these men may be. Let a subordinate make any effort to get transferred to a vacancy in any other railway and he will be told to "shut up". When he repeats his appeal, he will be firmly asked to shut up and if he persists, he will be told that he will be discharged and he can seek employment elsewhere. In short he becomes a marked man and, yet, it is the usual practice for officials to be transferred from one to any other railway to fill suitable vacancies. Why this marked difference between officials and subordinates. The Honourable Member knows that suddenly the N. W. R. have discovered that they want eleven skilled Foremen and they asked the High Commissioner for India in London to recruit these men in England. Owing to agitation in India I am told this advertisement was withdrawn. But what is the position today? I have no doubt the Railway Board will in the end say "No suitable qualified men are to be obtained in India." Do you really mean to say you cannot get skilled foremen in India? If so, what have you been doing in the training of your men on your railways? Have you been maintaining a set of fools as covenanted Foremen or retaining a set of fools as chargemen acquiring no experience and unfit for promotion to Foremen, though many of these very men have officiated as such for years? If so, it does no credit to the Railways themselves? Sir, it is high time the Railway Board got out of its head that intelligence is the perquisite of Europeans or Englishmen. Indians also possess intelligence and of no mean order; while Anglo-Indians are born mechanics and yet you advertise in England where at the present critical moment only inferior mechanics will be available.

Sir, I can only conclude by telling this House a story. There was once an Englishman who got up and said, "Ladies and Gentlemen, I am proud that I am a son of England, the finest country in the universe. I am so glad to tell you that I was born an Englishman. I am so happy to tell you that I have tried to live an Englishman and I hope I will die an Englishman". Among the audience that listened to him there was a Scotsman,—in this case let us suppose it was an Indian or an Anglo-Indian,—and his reply was, "Mon, hae ye no ambition?" All that I can say is that we have got sufficiently qualified men in this country; and I say with all respect to the Honourable Member who I know will listen to this with sympathy, that this matter cannot be shelved. He must recruit men in this country and it is absurd to say that we have not got efficient men here.

Sir, I shall refer to other points when the time comes, particularly to the question of railway unions and their recognition by Agents. I

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notice that there are still many Agents who look with an unkind eye towards railway unions; I do wish it were possible for the Honourable Member to instil into the minds of all railway Agents that the time has come when they must try and make their railway unions useful adjuncts to them in their administration, the same as I am glad to notice is being successfully done today by the present Agent of Bengal Nagpur Railway. Sir, with these few remarks I resume my seat.

Dr. F. X. DeSouza (Nominated Non-Official): Sir, I shall remark at the outset that the Railway Member seems to have started his administration of railways under a very lucky star. After a series of lean years and years of deficits his very first year was a year of surplus. Then followed a second year in succession of surplus and now we have a third year where the surplus is estimated at two crores of rupees. Sir, I think it is unfortunate that the Honourable Member is now transferring his activities to where his star is still in the ascendent higher spheres but I hope his lucky star will shine in those higher spheres also. My Honourable friend, Sir Henry Gidney, said that what is the loss of the railways will be the gain of Bihar.

The next point to which I should like to draw the attention of the House is the fact that I believe for the first time an Indian has been appointed a Member, temporary though he may be, of the Railway Board. I am particularly gratified at this appointment because the Honourable Member belongs to the community to which I have the honour to represent in this House. For years past the Railway Board was regarded as the close preserve of Europeans. It was feared that the Railway Board was the guardian of certain vested interests which the Indian may not be trusted to preserve. But still, the door has been thrown open, though in a tentative fashion, and an Indian has been admitted, although in a temporary vacancy. But, Sir, let me just give a piece of what is in my mind in connection with that appointment. I will respectfully remind my Honourable friend who has just been appointed to the Board that the art of advancing in the service of Government is not always the art of advancing in the service of the public. And I will ask him to remember that whenever there is a clash of interests between the public and Government he should now approach the question from a different point of view and will consider the interests of the public more than the interests of Government. His rise has been a most phenomenal rise from the lowest rung of the ladder right up to the top, more than that of anybody else in the Government of India. He is an illustration of Napoleon's saying that every private soldier carries with him in his knapsack the Marshal's baton. He has risen to the top and it is my earnest request that he will justify his appointment to the public.

I said the budget is a surplus budget and to that extent it is a matter of great satisfaction to this House as well as to the public. But I may remind this House that however gratifying it may be as a surplus budget, the surplus seems to have been obtained more as a sort of balance-sheet of a joint stock company rather than as a public utility concern. It is true that we have a surplus budget, but is there anything in this budget to show that the interests of Indian commerce and Indian industry have been advanced?

An Honourable Member: Specially of coffee?

Dr. F. X. DeSouza: My Honourable friend reminds me of coffee. I see no reason why I should not refer to that because it is an important Indian industry. Last year I made this point that it is an important Indian industry which is passing through the gloomiest of depression, and I asked the Honourable Member to consider the question of lowering the freights so that the internal consumption of coffee in various parts of India may be increased. That suggestion, at that time, was ignored and treated with contempt. If it were really a Government which had the interests of trade and commerce at heart could they have treated my request in that cavalier fashion? I may here remind Government of what the Government of Kenya has done. Coffee in Kenya has passed through the same crisis; the industry there has suffered from as much depression as our own industry here. What is the reply of the Government of Kenya? The freight on coffee, both in passenger rates and in goods rates throughout the country from Tanganyika, throughout East Africa, has been reduced by half. That is the immediate response to the demands of the planters. What was done by the steamship companies? All the steamship companies that ply between the African ports and England also immediately reduced their freights by more than half; and yet, our Government stands in supreme callousness not caring even a tuppence about the condition of the industry. When I brought this matter up to the notice of the Agent what did he say? He said, "Yes, I quite agree with you; it is true that the position of your industry is very bad, but you must remember that we are not a philanthropic concern, we are a money-making concern. And if you can show me that by reducing the freight on coffee you will add to the traffic in such a manner as not to cause serious loss, then only we shall consider the problem". That is the attitude with which a company of shareholders approach a question of this kind but it should not be the attitude of a public utility concern like the railways on which 800 crores of the taxpayers' money has been invested. I, therefore, again urge upon the attention of the Government Member that the question of freight on agricultural produce like cotton and coffee and many other products which have fallen so low and are passing through a severe period of depression should be considered.

Again, let me illustrate my point by reference to the competition between railways and motor traffic. Wherever I go station masters are jubilant and when I ask them they say: "Railway traffic has been restored. Our work has been doubled; the goods traffic has risen enormously." And when I ask, why, they say the motor lorries have been driven off the road. They are running shuttle trains for the convenience of railway passengers and giving facilities for goods transport from long distances. That is all very well; All praise to them. But what happens to the motor lorry? It is an enormous Indian industry: lakhs of people are interested in it; it contributes to the revenues of Government in more ways than one; and yet, look at the attempts made by the Central Government as well as by the various Provincial Governments to crush and kill the motor traffic. I have the misfortune to work a motor lorry myself. Would you believe it that there are no facilities given and yet first and foremost the annual provincial tax which I have to pay for running that lorry, between Mysore and the Madras Presidency, is as much as Rs. 1,500 a year? That is the tax I pay for running that lorry. Is it not obvious that the object of the Government is to crush and kill the motor industry? During the discussion on the Motor Vehicles Bill I suggested that some facilities should be given for inter-state and inter-provincial communications, and yet

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nothing was done and every time a lorry passes between Mysore and British India terrible taxes have to be paid—Rs. 800 in British India and Rs. 700 in Mysore. Is this the way in which an industry of this kind, the motor industry in India, should be encouraged? I agree that there should be no competition between motor lorries and railways. But when communication is sought between villages and towns, and towns and larger towns, what competition can there be? Why should the agriculturist who has to ply between these places to find a market for his produce, why should he be penalised? In whose interest? In the interests of the shareholders of the railway companies. I agree their interest should be protected and their dividends paid: but why should the producer, the agriculturist be penalised? Let the general taxpayer pay the dividend. I plead for the agriculturist who in order to save the railways from competition with motor lorries is penalised by killing the motor traffic.

I should like to urge one other point before this House and it is this. The ticketless traveller is our bugbear. I believe legislation has been brought to stop this evil, but at whose expense is it enforced? At the expense of the man who pays. How? I understand a squad of what they call travelling ticket examiners have been employed to deal with this evil. They travel without a uniform or a badge. They claim the right to enter any compartment at any time of the day or night. Even though there may be ladies travelling and even though they may be dressing at the time, they insist upon entering the compartment; and if, as sometimes happens, the door is bolted from inside and they are asked to come later, they refuse to do so and they travel on the foot board

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

Dr. F. X. DeSouza: It happened only the other day. What was the result? The travelling ticket examiner came and I refused him admission as the ladies in my compartment were then dressing; but he had his revenge: he accompanied me all the way—very nearly 200 miles—and then he put me through the indignity of having every bit of my luggage examined because he said it was underweighed: though the luggage had been handed over to the station master at the starting point for weighing and the station master weighed what he thought fit and left out what he thought fit, this man out of sheer spite charged me extra for eight seers on a total luggage of four maunds. This sort of persecution at the hands of travelling ticket examiners should be stopped. It is a scandal and I earnestly hope that steps will be taken accordingly.

Lastly, as regards the pass holder, although I can quite believe that pass holders have a right to ask for some sort of compensation for railway service, yet as a paying passenger I have right to claim that persons who are not accustomed to travel with their own money in the same compartment in which I travel should not be allowed to incommode paying passengers. You will remember, Sir, that subordinates are given second class passes, who, normally, would not dream of travelling in that class. I say railway servants have every right to claim a concession, but I would submit that in order to avoid first and second class passengers from the discomfort of travelling with persons of that status, either a bonus should be given to them and they should be allowed to travel with their own money or a small compartment should be reserved for them. That is all I have to say.

Mr. C. N. Muthuranga Mudaliar (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Mr. President, we may now congratulate ourselves on the small surplus of two crores and odd that promises to be made available for the Provincial Governments. With proper management the surplus could easily have been doubled. The tone of the speeches of the Honourable Members in both Houses is also conciliatory, but nice speeches cannot satisfy our hungry and famine-stricken countrymen. In no country would the railways be allowed to be administered as in India. Rs. 800 crores of the taxpayers' money is invested in this venture, and yet the administration is carried on in the interests of foreign capital and foreign employment. Take the administration of the Bengal Nagpur Railway. From 1924 up to date, it has been working at a loss and the total loss seems to be Rs. 21.10 lakhs. If we refer to page 40 of the Explanatory memorandum we see that from 1924 up to 1939-40 it is all minuses, working at a loss. Similarly, the Assam Bengal Railway and the strategic lines, all these work at a loss. If this state of affairs is allowed to continue till 1950, half of the capital invested in the Bengal Nagpur Railway will be wiped out, for the Government of India have guaranteed the interest on the capital invested in the company-managed railways. The same is the case with the Assam Bengal Railway.

The Honourable Member in his speech has said that they are purchasing the South Bihar Railway and the Hardwar-Dehra Railway
1 P.M. next year. This is good so far as it goes; but what is it compared with the Bombay, Baroda and Central India Railway, the Madras and Southern Mahratta Railway and the South Indian Railway? The Honourable Member has, in his speech, referred to questions asked on the floor of this House as to what the policy of Government was with regard to taking over of railways from company-management to state-management, as and when their contracts determine. I have endeavoured to indicate says the Member that there can be no hard and fast policy in these matters and that taking over to the State-management should be a general financial proposition. Sir, the Great Indian Peninsula Railway is under State-management and the Bombay, Baroda and Central India Railway is under company-management and it is a uniformly paying concern, while the Great Indian Peninsula Railway is not so always. Sir, I insist that the Honourable Member for Railways must give an assurance on the floor of the House that the Bombay, Baroda and Central India Railway will be taken up by the Government. The Federal Railway Authority may be foisted on us at any time, and they will, no doubt, try to benefit their cousins, the foreign companies. This is perhaps the last Budget presented to this House before the Federal Railway Authority takes charge. So, an assurance must be forthcoming that notice will be given to the Bombay, Baroda and Central India Railway authorities in time to terminate the contract and take over the management. Similarly, an assurance must be given that the Madras and Southern Mahratta and South Indian Railways would be taken over by the Government, at least in 1945. The Madras and Southern Mahratta Railway ought to have been taken over even in 1937; but the Government excused themselves on the plea that it would not be remunerative if managed alone, but that both the Madras and Southern Mahratta and the South Indian Railways must be taken over together and both worked as a single system. So they have extended the contract of the Madras and Southern Mahratta up to 1945, so that both the Railways may be taken up and worked as a single system. But both the

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Madras and Southern Mahratta and the South Indian Railways could have been taken over in 1937; though the contract of the South Indian Railway extended up to 1945, it was working at a loss for a number of years, and, according to the terms of the contract, *vide* page 201, History of the Indian Railways up to 1937. This is what is stated here:

"The Railway and all its appurtenances are absolutely the property of Government, who may terminate the contract on the 31st December, 1945, or at the end of any succeeding fifth year, by giving to the company in England, not less than twelve calendar months' previous notice; also at any time on six months' notice should the company fail to observe its obligations or the undertaking be worked at a loss for not less than three half-years continuously."

Government really want to see foreign companies thrive instead the State itself managing the Railway transport services. As if this is not enough, the Government seem to have permitted the Madras and Southern Mahratta and the South Indian Railway companies to run Road transport services in collaboration with foreign private capitalist companies. It is bad enough for the company-managed Railways to run Road transport. It is worse to take in private foreign companies for the exploitation of this country. Sir, the autonomous Provincial Governments are encouraging the local bodies to run the Road transport services in order to supplement their poor finances, and many of them are coming forward to do so. The Railway Administration should not interfere in their field. I have no doubt that the Provincial Governments will not take this encroachment lying down, but would strongly protest against this inroad of foreign capitalists with the aid of the Central Government.

Sir, the next question that I would like to deal with is the constitution of the Railway Board. It always consisted of Europeans except for a short period, when Mr. P. R. Rau was one of the members. As soon as he finished his period, he was transferred to some other duty, and a junior European took his place. In reply to a question of mine, the then Railway Member said that Mr. P. R. Rau has completed his period and no suitable Indian was available. Sir, it is adding insult to injury to say that no suitable Indians are available. As a matter of fact, there are a number of Indians in the Railway service itself who are suitable and more efficient than any European that the Government can think of. Sir, I am informed that there is a vacancy or is likely to arise in the near future in the Railway Board. It is but just that an Indian must find a place in it. As a matter of fact, when Mr. P. R. Rau completed his period, he could have been given an extension for another term. Was not Sir Guthrie Russell given a similar extension? Where there is a will there is a way. Let an Indian from the Railway Service be appointed, instead of a junior European that is sought to be appointed in the vacancy caused by the retirement of the European. The setting up of the Federal Railway Authority is kept a close secret, and we do not know when it will be brought into existence. We will then be deprived of even this privilege of crying in the wilderness.

Then, Sir, in accordance with the recommendations of the Wedgwood Committee, there has been a large reduction of maintenance gangs. I understand that instructions have been issued to transfer surplus men or

discharge them. A lot of gangsmen were sent home and many petty officials were also sent away. At the same time many high offices have been created and Europeans have been appointed to those places.

The Railways are said to be run on a commercial basis. Then how can the Administration run the strategic lines at a great loss? Then what about the nominal rents received from European refreshment rooms in several stations? Does it show that the Administration is running the Railways on a commercial basis? In answer to a question, a statement was laid on the table the other day, and from that statement it is clear that while Indian refreshment rooms are charged decently and even heavily, European refreshment rooms are charged even at Re. 0-1-0 per room per month. Even with poor business, the disparity is very great.

Then, Sir, in accordance with the recommendations of the Wedgwood Committee, the New York Agency Office was abolished. On the same plea, the London Offices can also be abolished. Its functions can be transferred to the Stores Purchase Department or the High Commissioner for India. Then again why should you continue the two Upper classes? Why not abolish the first class and have only one upper class?

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

Mr. C. N. Muthuranga Mudaliar: Why should the rates in the Grand Trunk Express be higher than in other lines? Is it because the passengers have to sit for longer hours in the Grand Trunk Express? Then speed up the train and reduce the rates. Why not give the facilities of coupon tickets and "Go as you like" to the general public on all the lines, as is done now on a few Railways?

An answer was given some time ago regarding the number of Indians in the superior appointments in the Railways. The pace of Indianisation has been so accelerated and the powers that be have been so sincere and sympathetic in their trust that we have no Indian Agent,—perhaps one Indian Deputy Agent and two or three Divisional Superintendents on the State Railways. A vast number of appointments have been created in the transportation and commercial departments, most of which seem to be the preserve for Europeans and perhaps a few Anglo-Indians. There are no Indian Chief Engineers on Railways nor is there any Indian Signal Engineer in the Great Indian Peninsula and East Indian Railways. I believe there are a few in the North Western Railway. There are no Indians in the senior ranks of the officers, and as regards new recruitment, I find that in 1937 there were 16 Anglo-Indians recruited out of a total of 84 in the Transport and Commercial Departments. Perhaps, they have a special aptitude for commerce and transport, just as they are supposed to have a special aptitude for telegraphs and army assistant surgeonship.

So far as I am aware, there is no Indian officer on the Railway Publicity side—there was none till 1937. This is the giddy pace at which Indianisation is being carried on, and there are countrymen of ours, still foolish enough to believe that we can put faith in the Britisher's promises. It is all a huge farce. And it will become much more of a farce with the inauguration of the new Federal Railway Authority.

Besides this so-called Indianisation of the higher ranks, it would be interesting to know how far the monopoly of Anglo-Indians and Europeans in what may be called the middle ranks—lower gazetted and others—has

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been broken on the State-railways, and how far the authorities still continue to get Europeans and Anglo-Indians for jobs in the mechanical, engineering, traffic and other departments, of which they have had a monopoly all along

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up. He must conclude.

(Mr. Muthuranga Mudaliar then resumed his seat.)

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, when we have got a surplus budget before us, we who have been accustomed for a long time to see deficit budgets have to congratulate the Honourable the Railway Member on introducing a second time a surplus budget. Not only that, but I desire to congratulate him on the exalted office to which he has been promoted by this morning's notification. He is a Member of this House and is going to a high place as the Governor of Bihar and he is going to leave us on the 1st April. My gratification is all the greater, because, when I started my political career for the first time as a member of the Municipal Board of Meerut, we both happened to be members of the same municipality for several years. I am very glad that a friend and colleague of mine, and he is a colleague even now, has risen so high. Though this is a happy budget, there is something in which it could have been improved, and with this end in view I will make a few observations. Though the budgeted surplus was 2,50 lakhs, he is only expecting now two crores.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after lunch.

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. S. Satyamurti (one of the panel of Chairmen) in the Chair.

Sir Muhammad Yamin Khan: Sir, I was saying that the surplus in the current year will be reduced to something like two crores five lakhs instead of two crores 50 lakhs. This, I find, is chiefly due to the rise in expenditure, and, according to the figures given by the Honourable Member in his speech, there will be a rise in expenditure of nearly a crore of rupees. That is, instead of 62 crores 50 lakhs, it is going to be something like 63 crores and 50 lakhs. This is a position that should not have been ignored at the time of framing the budget—that there should have been an expenditure of such a huge amount which comes to a crore of rupees. That position ought really to have been fully explained. Again, this year, we find that for 1939-40 it is laid down that we will have still a crore of rupees extra expenditure. I am not sure by the phrase which appears in the speech of the Honourable Member whether it will be a crore more than 63 crores and a half, or it means that it will be a crore more than last year's

to about $\frac{1}{2}$ crore less than in the current year". I would ask the Honourable Member that it should be clearly explained when he comes to reply. If he expects beyond 63.50 crores, then what are the causes, why this extra expenditure should come in? We find that we are having two real things to our advantage; one is that there has been a reduction in the interest charges of 33 lakhs, and then we find that 33 lakhs will be a rise in the receipts. This means that there will be a net gain of 66 lakhs of rupees. In spite of those two great advantages, we find that our surplus, which is expected to result, will come to something like 2.13-crores. But the position is that the goods earnings have gone up and passengers earnings have gone down by the same figure. This is not showing a happy position. It does not show that we can go on expecting the same kind of revenue which we were having in the past ten months. I think a word of caution should be said to the Railway Administration. The position may turn out to be happy, but at the same time it may not, because the signs are not really encouraging. Therefore, the Honourable Member must see that no expenditure, which is not absolutely necessary, is allowed to be incurred. I know that my friend, Mr. Staig, the Financial Commissioner, takes every precaution. Like a true Scotsman, he never allows a single penny to be spent which is not absolutely necessary. But sometimes he has got no powers. It is the powers of the Agents who can incur something like a lakh of rupees of their own free will. It requires great vigilance on the part of the Railway Finance Department not to allow any Agent to incur any expenditure without the sanction of the Railway Standing Finance Committee. In this respect, I would make a suggestion. There has been a saving of 33 lakhs of rupees in the interest charges, because the loan had been issued at a cheaper rate of interest. As the money market, at present, is very favourable, the Government should take steps to issue more loans at a cheaper rate and get the loans where they have to pay higher rates of interest replaced. In this manner they may be able to secure better profits than what they have been able to achieve in the current year or which they expect in the coming year. This may give them sufficient amount to meet the extra expenditure which they are going to incur. I think it is a good policy that the railways have been following for a long time, that whatever they have been losing on their roundabouts, they have been making up on their swings, but it was quite all right when there were no competitors in the field.

Now, the Honourable Member finds that there are competitors and he cannot make on swings all the losses which he has incurred on the roundabouts. Therefore, he must change his policy now and make no losses on the roundabouts in future because if his competitor chooses only to make the profits on the swings and he has to contract no losses on the roundabouts, then it is quite easy for the Honourable Member to make the change in the policy and that policy is that there should be no losses on one account which will not be made up by the gains on the other. That would be a right policy under the changed circumstances. From the figures given by the Honourable Member in his speech, we find that we are losing heavily and the loss is mostly due to the lorry competition. Now, the lorry owners give some kinds of facilities to the poorer passengers. If you cannot give those kinds of facilities, certainly you can never compete with them. The policy of the Railways ought to be to run long-distance trains

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has got only two minutes more.

Sir Muhammad Yamin Khan: Then if they must run shorter-distance trains, then they must be trains running between one junction and another junction, and all these trains must suit the times of the passengers who may have to go to Courts or different functions in the day. We find a long-distance passenger train running from Lahore right up to Delhi. Now, that is a useless passenger train, because it passes many stations at a very awkward hour when passengers would not like to get into that train, and the result is that the passenger finds it more convenient to get into a lorry which brings him at the proper time. Therefore, I would advocate that, between all the junctions, there should be trains which will run at times which may be more suitable and more convenient for the traffic at one side or the other, and then the return tickets issued to them for the day's journey for people like litigants and other people undertaking only one day's journey must be very cheap, which may cover the expenses of the people from their home town to the nearest railway station also. In that manner, the Railways will be able to compete, otherwise it will be very very difficult for them to compete and the losses are absolutely assured. These are the few observations I have made as I have now to close, and I hope the Honourable Member will be able to enlighten the House on the points which I have brought to his notice.

Mr. L. C. Buss (Nominated Non-Official): Mr. Chairman, the Railway Budget presented to the House by the Honourable the Communications Member on Monday last is probably the most unusual that has been placed before the House for many years. Its peculiarity lies in the fact that although ardent critics will find certain points on which to base criticism, there is really no item in it which stands out particularly as calling for explanation or remedy.

Perhaps the most striking fact contained in it is the correctness of the estimate for the year 1937-38, while, so far as the budgeting for 1938-39 is concerned, it would appear that the expectations on which the calculations for that period were based will be almost completely realised. From this it would appear that much closer attention has been given to this most vital item of budgeting in recent years. My Group, on a previous occasion, stressed the importance of this and we again take this opportunity to advocate the necessity for continuing to give this matter the greatest care and attention.

Railway traffic receipts have always been regarded as a reliable guide to the prosperity of a country and we can draw from the figures of receipts the inference that the internal trade of the country has been well maintained during a year in which the factors of security and optimism have very often been absent. The Honourable Member has informed us that the Department is devoting very considerable attention to improving the relations of the railways with the public with a view to satisfying their customers as well as to attract more business. He has pointed out that the Railways realise that they must go out to get the business and not depend on the fact that they are to a great extent a monopoly and that business will come to them. This is an attitude which we cannot but regard as evidence that they are moving with the times. On the other hand, the general public feel that it is in economy in administration that better results are most likely to be obtained. The Honourable Member, towards

the close of his speech on Monday, said that it is impossible in the course of a speech like this to cover the whole field of Railway activities in India and this is not surprising when one realises that the Indian State Railway system is one of the largest in the world coming under a single authority. It has a track mileage of over 41,000 miles and a staff of nearly 7,00,000, with a pay bill of some 35 crores of rupees per annum.

It is in a vast organisation like this that the tendency to waste and extravagance is difficult to avoid, and losses from these causes can only be mitigated by constant vigilance and the most methodical control. It is, therefore, with considerable satisfaction that we have received the assurance of the Honourable Member that efforts for economy by all concerned are in no way relaxed by reason of the fact that the actual expenditure for the year 1937-38 has been kept below the estimated figures of cost for that year. As I have stated, we are very gratified to have this assurance but we would impress on those whose duty it is to frame the policy of railway administration that in huge organisations "economy campaigns" carried out by efficient staffs specialising in this type of work are almost always profitable; and that this can best be ensured when there exists a reliable "yard measure" against which budgeting can be framed and with which costs can be compared. In this connection, we are not unmindful that the Wedgwood Committee expressed the opinion that the cost of our Railway Audit is extremely high. We understand that an examination of this is being conducted by the Auditor General and we look forward to very useful savings as a result of his work.

What the Honourable Member has told us with regard to the rate policy of the various railway administrations is of interest and we are glad to know that this policy is intended to be framed for the benefit of industry generally, though I do not think all who are engaged in industry would agree that this is the invariable result. It is unfortunate, moreover, that a representation to Railways on the matter of rates has to be made by such cumbersome and expensive procedure. In twelve years the railway rates advisory committee has dealt with comparatively few cases and the cost of these, at least to the lay mind, is enormously high. We shall have something more to say in this matter at a later stage.

As regards the third class passengers, who have been described by the Honourable the Communications Member as the best customers in the Railway, my Party notes with satisfaction that in answer to questions in the present Session Government have stated that new type carriages will replace existing carriages as and when it is financially possible to do this and that a complete overhaul of the food arrangements for third-class passengers is being undertaken. We hope that steps will be taken in both these directions at an early date, for we feel they will remove the main grievances of the railways' best customers.

On the other hand, air-conditioned carriages for first class travel are being increased, and my friends who sponsor the cause of the third-class passenger should not, I submit, deprecate this. For it is a profitable proposition and will provide funds for amenities in the direction in which they desire.

We feel that it is also a legitimate complaint that sufficient attention is not being paid by the Railway Engineering staff to improvements that have been carried out on the continent and in America designed to lower

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the capital cost of the railways compatible with complete safety and comfort of passengers. We cannot help feeling that if advantage were taken of modern scientific developments in railway engineering it would be found possible greatly to reduce the overhead cost of the railways and also enable the Railway Board to undertake capital expenditure with a greater likelihood of receiving an adequate return on their outlay. It is a well-established fact that every ton of rolling stock costs approximately Rs. 135 yearly—in coal alone for haulage purposes. Comparatively minor alteration in the design of carriages designed to lower their present elephantine weight would produce a very considerable saving. At the entrance to every carriage there is a handle bar on either side of the door to enable passengers to help themselves into the carriage. These bars are of considerable length and weigh seven lbs. each. A simple calculation would show the weight that is carried by all the trains running in India in the course of the year and it should not be beyond the capacity of the Engineering Department to plan a handle bar which would be perfectly adequate to the needs of the travelling public but which would be a little shorter and lighter and which would reduce the aggregate daily load by several hundreds of tons.

This is, of course, an extremely minor illustration, but there are others of far greater importance on which I have not touched because they enter the realm of technical Engineering. In brief, however, the fact remains that considerable reductions in weight could in fact be made to the rolling stock which would be a great saving in overhead costs, and I do not think that I am exaggerating when I say that the application of the very latest methods would also enable the Railway Engineering staff to start fresh capital expenditure urgently necessary for the better running of the railways but at present held up for lack of finance.

It is impossible to review the speech of the Honourable the Railway Member without reference to the disasters which have taken place during the year under review. We do not forget the past record of our railways so far as safety is concerned and while statistics may show that the loss of life which results from accidents on our railways makes a favourable comparison with the record of other countries one cannot but be appalled by disasters of the magnitude of those which have recently taken place. It would appear that some system of patrolling railway lines is almost imperative in certain districts if safety is to be secured. The cost would probably be high but it is a matter in which human life is concerned and, therefore, it would appear to be necessary that consideration be given to something of this nature which would probably demand co-operation from those responsible for law and order in the provinces concerned if the Tribunal which is to be set up should find that these disasters are the result of deliberate sabotage.

In conclusion, Sir, I should like to take this opportunity of congratulating the Honourable Member very heartily on his appointment as the Governor of Bihar in the near future and repeat the words of Sir Henry Gidney when he said that Bihar's gain will be our loss.

Mr. R. N. Basu (Cities of the United Provinces: Non-Muhammadan Urban): Sir, I will not take up the time of the House by bestowing compliments on, or offering congratulations to, the Honourable Member for

Railways, but I think it must be a matter of some satisfaction to him that he has been able to present budgets showing a surplus for three consecutive years. He had been in this respect more lucky than his predecessor. Somebody said in the past that the Indian budget is a gamble in the rains. What is true of the general Indian budget holds good regarding the railway budget as well. If we have good monsoons, we get good crops and the result is a surplus budget. Therefore, we may not be very sure that this surplus of a little over two crores is due to these fortuitous circumstances or due to the efficient and economic management of the railways. One need not be overjoyed at this. I find that every little detail has been taken into consideration in calculating this surplus. Even the leap year has been taken into consideration. I knew that in a leap year the marriage chances of old maids were increased, but I did know that it could also have an effect on the budget of the railways in India! Be that as it may, one need not be overjoyed at this. This surplus could easily have been increased if the Government had only paid a little attention to the suggestions offered on the floor of this House and also outside this House. Therefore, in my opinion, this surplus is no index of either the efficient management or the management of railways on national lines.

Now, coming to railway affairs in general, I think, what comes uppermost in one's mind is the case of these accidents. The accidents are growing with such frequency that I think the day is not far off when we may have to take them off from the category of accidents and classify them under the heading of things occurring at regular intervals. We cannot talk lightly of these accidents. I myself have been on the scene of the occurrence of one of the accidents which took place at Bamrauli, near Allahabad, where I come from. I think the railway authorities were thankful because I was there, because in a case that was subsequently filed by the railways for spreading certain false rumour, I was cited as a witness by the railway to contradict the rumour. All the same, I must say that these accidents are most deplorable. Whether these are due to running against the signals or to sabotage or to some other cause, the result is the same. There has been loss of life, limb and property. Generally, we are told that sabotage is the cause of some of the accidents. That may be an explanation but that cannot be a justification. If a sabotage occurs at such a frequency, and that particularly in one province, I think we must find out the reason for it. After all, it is not in human nature to indulge in useless and unnecessary destruction of life and property. Why should they take away the rails and take away the life of persons with whom they had no concern? Neither am I told that the loot is very great in these railway disasters. Therefore, what is the reason of this sabotage? It must be found out. It has been suggested that there has been a drastic retrenchment in the case of those persons who used to look after the lines. Perhaps, the railway lines are not being well looked after now and a little bolt that has not been tightened in time leads to a disaster which ends in the loss of lives of so many innocent persons. The other day, Sir Abdul Halim Ghuznavi told the joke which is going the round in Calcutta. The joke is that if you travel by A I R, you see the world, but if you travel by E I R, you see the next. It is certainly a joke, but it indicates the want of confidence of the public in the safety of railway travel. If something is not done to remove this evil, I think it must have its necessary repercussions on the railway finances as well. We are already troubled with competition with motor vehicles and if we do

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not improve things here, we may have further competition from air or motor vehicles and other means of conveyance. We may have competition even with vehicles which move with less speed.

Now, Sir, I need not detain the House any longer because of these accidents. One accident has already been inquired into by a Judicial Committee. There has been a judicial inquiry in the case of the Bihta disaster. Another judicial inquiry has been promised by the Railway Member. I hope there will be no delay in instituting this inquiry in order to enable us to find out the cause of the disaster. The Bihar Government has already requisitioned 500 policemen. That may be a step in the right direction but that will not be the final solution of the trouble. You cannot always police the lines of which there are 41,000 miles in India. You must go to the root of it and try to remedy the causes.

Now, Sir, from the question of accidents I will take up the question of the grievances of the third class passengers. This 3 P.M. is a hardy annual and it has been discussed on the floor of this House times without number and I must have perseverance to place their troubles and grievances before this House in my first speech before this Assembly. I think they are too well known to be recapitulated here. The third class passengers, as has been said by so many Honourable Members, are the best customers of the railway and yet, the best customers are treated with indifference which is very regrettable. They certainly pay for the piper and I think their demand is very modest. They do not want to call for the tune. They only want to listen to the tune when it is being played, and even this is denied to them. They are packed like sardines—I think I am wrong, even sardines would refuse to be packed like third class passengers. Whenever a question is put as regards the incivility of the railway officials to third class passengers no notice is taken of the same. Members on the Treasury Benches have little experience of the woes of third class passengers. Those of us who are from the people and who move amongst the people know how they are treated. I find in the speech of the Honourable Member for Railways reference to this subject of incivility and he says this is a bilateral problem. It must be found out if it is so. I have never seen any incivility on the part of third class passengers to railway servants. As a matter of fact the railway officials who are on the platform as Enquiry officers, Ticket collectors and so on do not treat the third class passengers properly. Whenever any question is put to the railway officials about the arrival or departure of trains, they do not give proper reply or, if at all, they give any reply, it is never understood by the passenger. There are other grievances which I hope Honourable Members who follow me will voice here. On this question of incivility, I want to bring to the notice of the House one point. Some time back the East Indian Railway took a right step in this matter and they started a series of lectures which were delivered by a gentleman who had experience of railway passengers and railway travelling. I think this did some good. This thing has been stopped for reasons which I do not know. I think such lectures cannot be delivered by persons who are connected with the railway. This work must be done by one who is not a railway official but one who has got experience of railway travelling specially with third class passengers. The Honourable the Railway Member has advised

us patience and I think we have exercised that virtue for a long time,—far longer than even the proverbial patience of Job. If a thing is wrong, it should be tackled at once and it should not be allowed to go on for a long time. What is the use of your spending lakhs of rupees on palatial stations like Cawnpore and Lucknow when the passengers who contribute towards it are left in such miserable condition. I think every pie that could be saved should be utilised for ameliorating the condition of third class passengers. The demand for fans for third class passengers and for waiting rooms has long been heard. I think the demand for fans has been turned down on the ground that it will cost money, about two crores. I think a budget which yields 94 crores can easily find two crores for this useful purpose. If it is not possible to provide the money in a single year, let it be spread over a number of years, say, three or four or even five years. Make a beginning somewhere.

As the time at my disposal is short, I will only refer to one point, that is pilgrim traffic. I come from Allahabad which is one of the biggest pilgrim stations. While the Honourable the Railway Member has taken credit for the arrangements made at Hardwar, I beg to join issue with him. As the House is well aware, there was an outbreak of cholera last year after Khumb mela at Hardwar. The railway could not cope with the rush of pilgrims who wanted to return to their places. Statistics have been quoted to prove one thing, that they carried 41 thousand pilgrims back in the previous Kumbh, this year 68 thousand pilgrims were handled in one single day. Considering that 12 lakhs of pilgrims assembled there, at this rate it would have taken 15 to 20 days. When there was cholera epidemic, you can imagine the loss of life amongst the pilgrims.

In conclusion I would only like to put in a strong plea for running the railways on truly national and economic lines. Let these railways be not utilised for furthering the interests of persons who are not here, let not the railways be utilised for furthering British Imperialistic interests and military strategic ends.

Maulvi Abdur Rasheed Chaudhury (Assam: Muhammadan): Sir, I carefully listened to the speech of the Honourable Member for Railways. The speech was conspicuous in one respect, namely, it avoided taking up any matter of Indian interest. First of all, I was rather a bit happy when he said that this was a prosperous year. We expected that there would be prosperity budget so far as profits of the railways were concerned. In the same breath we found that the profits accrued only to the extent of two crores, that is one-fourth per cent. An administration which produces only a profit of only one-fourth per cent. cannot be called really a good administration. It may be said that the actual profit is not merely two crores, if we take into consideration the gross earnings of the railways which are 32 crores. Then again, year after year, we find that about thirty crores are paid for interest on capital outlay. This railway administration is about seventy years old. If, in the course of seventy years, a business concern is not able to clear up its debt, an administration which keeps its debt for as long as seventy years cannot be called an efficient administration. It is a worthless administration. The more the prosperity of the year, the greater the expenditure. This is the normal feature every year so far as the railways are concerned. This year also

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we find they are going to increase the expenditure by a crore. Whatever may be the prosperity of the railways everything will be absorbed in expenditure more and more and nothing will be left for the country.

So long as the railway administration was carried on efficiently, accidents of a major nature were of rare occurrence. But now of late, this credit also has gone. Major accidents, one after another, are taking place. We ask them the reason and they say sabotage. We ask them who committed the sabotage and they remain silent. We ask them what steps they have taken to stop the sabotage and they say they are making inquiries. We ask them if the culprits have been found out and they reply in the negative. This is the way they are managing the administration or rather playing with the lives of the travellers of this country. So, their only credit of having managed the railways, without any accidents, has also gone from them. Now, I find in the speech it is said that their efforts for economy continue unabated. It contradicts what actually is happening. If they had really a mind for economy they would not have gone up to this very heavy extra expenditure of one crore this year. So far as our arguments in this House are concerned, we find that the things on which we concentrate our attention and our discussions are not touched at all. Last year we debated three or four items but I find that there is no mention of those items in the speech. It is one of our complaints that the Railway Department never made any serious effort to establish factories in this country for the production of locomotives. Last year there was a heated debate on this subject and I remember my Honourable friend, Mr. Santhanam, saying that the actual requirement of locomotives in this country is nothing short of 250 engines and 250 boilers, which in itself can provide a number of factories working throughout the year. The speech is altogether silent on this point, and there is no indication that any effort will be made to meet the wishes of the House in this respect. There was again a good deal of debate last year with regard to Indianisation of the Railway Department. From facts supplied in the orange coloured and red coloured and blue coloured books we find that the figures of the percentage of non-Indians in the railway services is almost the same as it was five years ago. That is not the case with the gazetted services only but in the lower subordinate services also they are getting recruits from other countries. I searched the whole speech but I do not find any reference to this aspect of the question discussed in the House last year. Then, Sir, we discussed the question of overcrowding in third class carriages. The Railway Member has eulogised himself by mentioning that he did a good deal for the comforts of the third class passengers in the Kumbh Mela, but he did not say what steps he has taken to ameliorate the condition of third class passengers so far as the ordinary trains are concerned.

Then, Sir, we all know what degree of heat we get in summer in this country, and I think the Honourable Member will agree with me, if he travels third class, that the third class carriages are no better than furnaces. We have been crying hoarse for the supply of electric fans in third class carriages and last year most of the debate was centred round this point. But the speech is conspicuous by the absence of any reference to this most desired subject. Then, Sir, we also debated last year the rate of third class fares and there were a good many suggestions. We pointed out that ours is a very poor country and that the average earning of the country does not go beyond Rs. 60 a year and that the rate of 2.75 per mile is too

high for third class passengers. The speech is quite silent on that point also. It is a painful thing that we, in this House, try to co-operate with Government and the Railway Department and we suggest various ways and means but they brush them all aside probably thinking that all our discussions are worthless. I do not see much utility in our discussing these things here if they are considered by the authorities here as howlings.

Sir, I will say a word about the Railway Board. I believe this Board was formed in 1918; it is, therefore, 25 or 26 years that this Board has been managing the Railway Department.

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has got two minutes more to conclude his speech.

Maulvi Abdur Rasheed Chaudhury: Very well, Sir. What have the Railway Board done? I have shown that they have shown no interest in the manufacture of locomotives in this country, they have taken no interest in the minimising of overcrowding in third class carriages and they have practically done nothing in the matter of Indianisation of services. This reminds me of the saying of Disraeli that if you want to rule a country you must either be superior or you must despise them. So far as superiority goes we have proved beyond doubt that foreigners are in no way superior to us. So the only method they are following is that of despising us. That is the way they are managing the Railway Department and ruling this country, and I ask the House to form its own conclusion.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I am not using the language of convention when I congratulate the Honourable Sir Thomas Stewart on his very able administration which has resulted in a surplus Budget and the optimistic forecast which he has made for the future financial position, in spite of the uncertainty in trade conditions and the international situation as he himself stated in his speech. I do so more because some part of the money will be available to my province, Bihar, which will again be under the same able and efficient administrator, Sir Thomas Stewart, whom I again congratulate as the Governor designate of my province. I will try to make a brief comment on the other aspects of the railway administration . . .

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has agreed to speak only for ten minutes. Therefore, he will kindly keep to the time limit.

Mr. Muhammad Nauman: All right, Sir. I will try to make a brief comment on the other aspects of the railway administration, as in the general discussion we are expected to take a critical view of the situation. In spite of the best intentions and efforts of the Railway Board, we have not been able to convince ourselves that the administration has done all that is expected of them. Referring to the increase on the expense side, the Honourable Member stated that it is due to freight charges on coal and expenditure on repairs, etc. I am prepared to accept that argument; but the Honourable Member has made no mention of any particular economies which he has done in any other direction. In this connection, our previous experience has been rather unsatisfactory. By economy, sometimes, th-

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railway heads mean reductions only of the lower grades of the staff and dismissal of gangmen and coolies getting about 20 or 30 rupees a month, while the number of officers is increased. The East Indian Railway, under company-management, used to work probably with one-fourth of the number of officers who are now employed under state-management: the same top-heavy administration prevails there as in the rest of the Government of India. The sense of responsibility to the public has practically been absent from the officers. They know they can flout public opinion as a few questions or speeches in the Assembly can hardly do them any harm. That has been the attitude of the officers including the General Managers. I may be excused if I inform the House that pamphlets after pamphlets, comments after comments and statements after statements have been made on certain methods of working in the Railway divisions and yet, no cognisance has been taken either by the Railway Board or by the General Managers. I, myself, placed certain facts before the General Managers but the situation remains as it was. I do not have the time now to read out these pamphlets—I have a few with me here—but I shall do so on a future occasion.

Pandemonium has been existing in some of the divisions, but no heed was paid and even in reply to letters they do not try to satisfy the public. Recently in Howrah about 90 employees, Hindus and Muslims, have been dismissed; but when I wrote to the General Manager the reply I got was that the appointments were irregular. There is a rumour that some railway officers of the division were receiving bribes and issuing letters of appointment and a timid sort of inquiry was made. As Sir Henry Gidney very rightly said, those who are the accused are sitting as judges and deciding on their own crimes. I remember to have sent a letter to the Honourable Sir Thomas Stewart about this matter also and a copy to the General Manager of the East Indian Railway. The General Managers consider themselves above public opinion and never care to satisfy even a public demand for inquiry. However important an organisation of a labour union may be, however important its office bearers may be in the public eye, they have no status or position in the eye of the General Managers; and on one plea or another they refuse to consider any demand. They have not yet probably understood the value of labour unions or the value of co-operative working. They do not realise that their small workers—gang coolies, drivers, guards and others are really the steel frame of the structure; and that their trains cannot run unless their employees are satisfied and happy and feel that they are receiving a square deal at the hands of their officers. Sometimes the poor employees do not even receive appreciation of their work. I know of a case where the reward given was discharge. On the Eastern Bengal Railway, a crew inspector detected over a thousand cases of ticketless passengers and successfully prosecuted them and brought money to the Eastern Bengal Railway. But after a thousand such cases he made one mistake, an honest mistake certainly, probably he was not justified in prosecuting a passenger and he had to undergo litigation resulting in a loss of about four rupees to him. The railway administration did not come to his rescue, did not support him financially or otherwise; and on the top of it, when he was in debt, the railway dispensed with his services on the plea that he was in debt and was not a desirable member of staff hence. That is the attitude which officers

sometimes adopt towards their employees. Is this giving a square deal? I am reminded of the lines of a Urdu Poet who says:

*"Vay kismet aj voh bhi mujhko kahtay hain bura,
Ham hoi sub sey buray jinkay lai."*

This means: "I rather pity fate, even those for whom I worked are now trying to blame me." That man, unfortunately, made an honest mistake and prosecuted a particular passenger by mistake and got all the blame and yet he was discharged on the plea that he had contracted debts. But no one realised that what he did was in the interests of the railway administration and in due discharge of his duties.

I come now to the question of rates. The Honourable Member stated that it is the least in India, but I do not know if he has any comparative statement of other countries with regard to the average economic life of this country. I am not in a position to offer any concrete challenge, but I know this much, that sometimes African and Madagascar cow hides and skins sell cheaper in European markets in spite of the fact that they are more expensive on spot in Africa and Madagascar: one can only suppose that railway freight and shipping give them the opportunity to sell cheaper in Europe. Otherwise, why should our goods, which are cheaper in India and have no additional duty, not be in a position to compete with them, except that our freight rate between shipping ports and the port of destination is probably much higher than those in Africa? I have been repeatedly placing this fact before the Honourable Member for reduction of freight rates on hides. In my capacity as President of the Hides and Skins Merchants Association of Calcutta, I made repeated demands that some reduction should be made but nothing has been done till now. I quite realise the difficulty of the railway administration, but when the theory of "what the traffic can bear" is enunciated by the Honourable Member I think the question of valuation is a big factor and should have been fully inquired into. I may inform the House that in 1919-20 the price rate was Rs. 5 per piece per cow hide and now it is about Rs. 1-8-0 per piece.

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member will kindly conclude his speech now.

Mr. Muhammad Nauman: Just a few minutes, Sir. The freight continues to be the same. Is it equitable to cripple this particular trade of hides and skins in this way? The Honourable Member says that he recognises the need of personal touch but does he know that the General Managers of Railways in Calcutta are normally not available even to big merchants there? In my capacity as Vice-President of the Muslim Chamber of Commerce and also as President of several other commercial organizations, I can assert that fact, and that complaint has been brought to my notice by several members of the various commercial organizations. I would advise the Railway Administrations to take into confidence responsible members of the Commercial Circles and try to give effect to such suggestions as they may make from time to time.

Now, Sir, I come to the question of frequent accident which have resulted in great disasters. The Honourable Member said the other day that the accidents have not been such as would tend the public mind to lose confidence. Sir, the comparison that is sought to be made with

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other modes of transport is rather fallacious in my opinion, because they do not carry even one-twentieth of the traffic which the Indian Railways carry

Mr. Chairman (Mr. S. Satyamurti): Will the Honourable Member kindly stop now?

Mr. Muhammad Nauman: Yes, I shall take only one minute.

Mr. Chairman (Mr. S. Satyamurti): Only one minute more?

Mr. Muhammad Nauman: Yes, Sir, only one minute. The Railway Administration very conveniently put forward the theory of sabotage as the cause of these accidents, but have the Railway Administrations been able to establish that theory? I say, no, and emphatically say, no. Who are the people who are interested in committing sabotage and derailment of the trains? The terrorist movement is practically dead. Now, from my own experience on the 1 Up, the engine which was derailed on the 29th near Ahsarai, at a distance of 554 miles from Calcutta, we fortunately escaped, but as the engine dragged itself out of the track for about a mile, I myself picked up a few bolts of fish plates which were broken or cut in by the four wheels of the engine. I do not claim to possess any technical knowledge, but the driver and others who were there told me that they thought that the engine was a very old and defective one and wheel axle became loose.

Mr. Chairman (Mr. S. Satyamurti): Will the Honourable Member please resume his seat?

Mr. Muhammad Nauman: With these few words, I resume my seat, Sir.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadian): Sir, the Railway Budget has been discussed from many points of view, but I frankly confess that I cannot deal with the technical side of the Budget, nor can I venture to scrutinise the figures given therein. I am not even in a position to say anything about the correctness or otherwise of the figures given therein, and, therefore, I shall merely touch on some of the burning problems connected with the Railway Administration.

One of the most outstanding problems that is now engaging the attention of the public today is the recent accidents in Railways, but I will not take it up first. I propose to begin with the internal purity of the Administration of the Railways, and the point that I want to urge is that the Railway Administrations care little or nothing for the kind of administration that is carried on by their own men, and the higher authorities do not even care to look at the work from the point of view of the outside public. I do not suggest for a moment that those who criticise the administration are always in the right, but, at the same time, I would point out that the Railway Administrations should not consider that they are always right. When I touch upon this subject, I should like to say that I have had experience of such kind of things. It will perhaps be within the memory of Honourable Members of this House that I always used to dwell upon the case of one

Karugope. His case was a simple one; he was punished with dismissal for the fault of some other man who bore the same name. When that question was raised in the House, the then Member in charge of the Railways promised to look into the matter, and he actually did look into it, and came to the conclusion that the Administration had done the right thing. Of course, I confronted him with even the finding of the Law Court, because the court had decided otherwise, but even then there were arguments to support the view of the Administration, and I was silenced for the time being. However, I was not convinced, and there was such apparent injustice that nobody could be convinced

An Honourable Member: Did they refuse to accept the Court's finding even?

Babu Kailash Behari Lal: Yes. I hammered on the subject so much that in the end the then Member in charge of the Railways agreed to pass on the case to his successor and assured me that his successor would look into it from his own point of view. The result was that the poor Karugope was not only reinstated, but he was paid back all his arrears, and all this was done by this very Railway Administration. Even the questions tabled by me were disallowed, and some of those questions relating to this matter can still be found in the proceedings of the Assembly. In citing this instance, I do not propose to find fault with the Administration, but I am pointing out this instance so that they may reform themselves in the future. It is not in any spirit of antagonism or animosity that I have referred to this.

If I may be permitted to do so, I shall refer to another correspondence now going on between me and the Honourable Member in charge of Railways. I may say that I have always received the most courteous treatment at the hands of the Honourable Member, and I am very thankful to him,—I personally have no quarrel with him at all. My complaint is against the system which is adopted by the administrations. There is too much reliance placed on the subordinate railway administrations. After all, when a responsible person approaches the highest authority that authority is supposed to look into the complaint himself and look into the matter dispassionately, and he should not say that his subordinate authority has done the right thing. It is from that point of view that I refer to a certain case, although, as I have said, I have nothing to complain against the Honourable Member in charge personally. I, however, take exception to one thing when he says this either he should have a clear idea about the connection of Members with the Administration or we should be told right off that we cannot deal with such things,—he says—

"As you will no doubt appreciate, it cannot make for discipline if employees feel that redress of their individual grievances, whether justified or otherwise, can only be obtained by their having recourse to channels other than those provided for under the prescribed rules. It is because of this that I feel somewhat reluctant to communicate to you, as I should otherwise have done, sufficient of the details connected with the case to enable you to appreciate the other side of the story."

From this, I gather, that generally nobody should have recourse to the method of approaching a Member of this House for the redress of his grievances, and it is not proper to embarrass the Government through a Member of the House, but in cases where, in reality, justice has not been done and where a man does approach a Member of this House, such things should not be taken in the light in which the Honourable Member seems

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to have taken in the present instance. That is my only request to him, because, Sir, had I not a glaring example within living memory of us all,—I have already quoted that case just before,—I would not have taken the trouble to forward the present case to the Honourable Member in charge. The only thing I wrote in my letter was,—I do not want to speak anything about the merits of the case,—it may be that the person aggrieved may not be right. But that procedure according to rules should be gone through in order to convince him that justice has been done to him. I have got a copy of the rules, and the rules say that the appellate authority shall look into the case and when it rejects the appeal, reasons must be given therefor. He had appealed to the Agent and his appeal ought to have been forwarded to the Agent or, in case of the appeal being withheld, reasons for withholding the appeal ought to have been given. My point is that the rules of procedure must be observed, not that I wanted to plead the case of the man; he may have been right, he may have been wrong; justice may have been done to him, or it may not have been done to him. But what I want is that the proper procedure should be gone through and complied with. My point was that the administration must see that purity is maintained and that justice is done to the subordinates. If this is done, it will produce peace among the employees and also safety to the public, because, as has been stated by some other Honourable Members about accidents, there must be some cause for them, and what are the causes? After all, what is sabotage? You say that some disgruntled employees might have done that. But why do you keep such disgruntled and dissatisfied people under you? There must be reasons for that. One of the reasons is that it is quite possible that you have begun retrenchment from the bottom instead of from the top. I do not believe that it is within the nature of man that he would take such a drastic step as to bring about the destruction of the lives of so many of his fellow beings.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): What is the Bihar Government doing?

Babu Kailash Behari Lal: The Bihar Government might also have dealt with it. It is kept a secret book to us whenever we ask questions about it, it is not disclosed to us. Just as the Honourable the Railway Member said the other day that it is scandalous to believe that the railway administration or the railway official would set fire to save their own skins, it is equally scandalous to imagine that some people, on account of their dissatisfaction or discontentment, may take to a course which would have the effect of destroying the lives of their own countrymen, because they do not gain anything by that. But admitting for argument's sake that this may be a case of sabotage and might have been committed by dissatisfied and discontented people, if you say that human nature can stoop so low, still it is up to you to see how it can be remedied and one suggestion that I want to make is

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has got only two minutes more to finish his speech.

Babu Kailash Behari Lal: Another thing that I want to touch is about Indianisation of services in the Railway Department. I would have said many things about Indianisation, but would not say much about it now,

and I will at once come to the point as to how people of Bihar are being treated in the railway administration. I put a question about that in Simla and the Honourable the Railway Member said that the railway does not recognise the principle of provincial representation in the matter of appointments to railway service. The other day, when a question was put about the report of the Unemployment Committee and I asked a supplementary question, namely, what has the Bihar Government written, the Government refused to disclose what is contained in their communication. But for the information of the Government I may quote here the report of the Bihar Unemployment Committee itself which will throw a light as to what is the state of affairs and what is wanted in the matter. The report says:

"According to our calculation about 7,000 educated men are employed by the railways in Bihar and Orissa. With the exception of the Bengal and North Western Railway, in which, according to the statement furnished by this railway, about 70 per cent. of the posts are held by Biharis, the representation of local men is very poor. In the Eastern Bengal Railway they form only about 14 per cent. of the employees in the province, and in the East Indian Railway and the Bengal Nagpur Railway, although statistics are not available, it may safely be assumed that they are not doing any better."

Then they said:

"The railways owe a duty to the province through which they run and we consider that they should not ignore the legitimate claims of the people of the soil for the posts falling within the province. Recently the East Indian Railway have started recruiting some of their subordinate services at the divisional headquarters at Dinapore instead of at the head office in Calcutta. It is also stated that preference is given to local candidates, other things being equal. In practice, very few Biharis have been successful in securing appointments even under this new arrangement. We recommend that a representation should be made by the local Government to the Railway Board that vacancies in all the subordinate services of the railways arising within the province should be filled up exclusively by the local men, as is . . ."

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member's time is up. He will kindly resume his seat.

Babu Kailash Behari Lal: I have got only two lines more to read.

Mr. Chairman (Mr. S. Satyamurti): No. The Honourable Member will kindly resume his seat.

Sardar Sant Singh (West Punjab: Sikh): Sir, I am glad that I have caught your eye at the same time as the thunder clouds are loudly speaking outside this House.

An Honourable Member: You can drown it.

Sardar Sant Singh: I will try if I get your co-operation and help.

I desire to bring to the notice of the Honourable the Communications Member a fact which has been agitating the minds of the Punjabis particularly in my part of the country for a long time, and that is the question of freights for the Lyallpur cereals from Lyallpur to Calcutta and other ports of India. Only the other day, the Government agreed to pass a Bill

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to levy a duty on Australian wheat so that Indian wheat may not have to compete with foreign cereals.

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

We find that the freights that are charged for Australian wheat from the ports of Australia to the port of Calcutta are about six annas per maund, while the freight charged for wheat from Lyallpur to Calcutta is something like Rs. 1-4-0 per maund. This prevents the distribution of wheat in other parts of India from the main markets where the wheat is grown. The other day, the same question as regards cotton was brought to the notice of the Communications Member, and the Railway Board was pleased to change their rates under certain conditions which are given at page 53 of the report of 1937-38, Volume I. Certain conditions are laid down for the grant of rebate in cases where the material is taken from the place of the market to the place where it is to be transported. I think it was mainly due to the efforts of my Honourable friend, Mr. Ramsay Scott, that we obtained this concession. May I appeal to the Communications Member that at present when the prices of wheat have gone down considerably to the prejudice of wheat growers in my part of the country, he will kindly consider the advisability of reducing the freight to the extent to which this particular commodity can bear?—I may in this connection invite his attention to the rebate of 25 per cent. of the freight rate that is granted by the North Western Railway for wheat exported to countries west of Aden and east of Singapore via Karachi. Will the Honourable Member tell us whether the grant of this rebate has improved the traffic in wheat or not. I think if the freights are reduced, it will not only benefit the agriculturist of the Punjab, but will benefit the railways also considerably.

The next point I want to take up in this connection is the need for the manufacture of locomotives in India. This has been already commented upon by my friend, Mr. Chaudhury. I want to supplement it by saying that the locomotives for the narrow gauge are now being built in the Ajmer factory. There is no reason why India which has the largest mileage under one single administration should not be able to manufacture locomotives to meet her requirements. I have not been able to appreciate the argument advanced occasionally that Germany and England are better fitted for the manufacture of locomotives than Indian workshops are. Their system of railways is neither so expensive nor under one administration as in India. I would appeal to the Railway Board to look into this question once more because of the fact that the international situation is so bad, and the time may come when we will require to be self-sufficient in the matter of the supply of locomotives in the near future.

The next point which strikes me as showing a lacuna in the speech of the Honourable the Railway Member is his silence as regards the cut in salaries. Only the other day, this House practically unanimously passed a Resolution recommending to the Governor General in Council to take steps to reduce the salaries of officials drawing over Rs. 200 in all departments of the State. I think the time has come when relief should be afforded to the general revenues for the purpose of extending the beneficent activities of the Government. In this connection, I should like the Communications Member to tell us if the rumour that is abroad that Sir Henry Gidney's proposal to increase the pay of the Anglo-Indians has been accepted or not

by the Railway Department. I am told that the Government has accepted this proposal, which will mean an additional burden and also a discrimination in favour of a particular section in the railways. The speech of Sir Henry Gidney on the point, in which he has threatened the Government that he will see that there is a strike on the railways if the cut in salaries is insisted on, gives some strength to the rumour that is abroad.

Lieut.-Colonel Sir Henry Gidney: I totally and entirely deny that statement. It is a misstatement of fact and a travesty of what is true. What I said was that statements have been made about further cuts in salaries above Rs. 200 per mensem. I said "don't start any more cut in salaries, or there will be one of the biggest strikes ever witnessed on Indian Railways." I made no threat based on any communal basis, and I am sorry my friend should have misunderstood and misquoted me.

Sardar Sant Singh: I never said that my friend said that there was going to be an increase in the pay of the Anglo-Indians.

The Honourable Sir Thomas Stewart (Member for Railways and Communications): In order to prevent further misunderstanding, I should like to say that this query should be addressed to the Home Member and not to me. It is the Home Member who is in charge of service conditions and regulations.

Mr. M. S. Aney (Berar: Non-Muhammadan): Anyhow, I hope the Honourable Member does not object to the matter being discussed during the Railway Budget discussion.

The Honourable Sir Thomas Stewart: I have no objection to its being discussed as long as I am not made responsible for the answer.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): On a point of order. I submit that the Railway Budget contains *inter alia* provision for demands for grants for the salaries of railway officials. Whatever the Department may be which decides this question, my friend will have to stand and deliver when we attack him on the question of the conditions of service of all those railway servants whose pay is included in the Budget that he has presented.

Mr. President (The Honourable Sir Abdur Rahim): He has replied that he is not responsible.

Mr. S. Satyamurti: He may get an answer from the Department concerned, but he is the man whom we shall hang, if there is anything wrong with the Department, in this matter.

Sardar Sant Singh: Sir, at the short time at my disposal, I do not want to continue on this subject, except to draw the attention of Honourable Members to things which are contemplated behind our back.

I shall now refer to rail-road competition. An experiment was started on the Lyallpur-Jhang Road in which the road has been controlled and reserved for the N. W. Railway and a few others. From personal knowledge of the locality, what I find is that the competition has not been fair to the bus driver. Persons have been allowed on the road who have

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nothing to do with the driving of buses. but are, as a matter of fact, practising other professions, including law. I trust that the Communications Member will kindly note this and see that the controlling of road does not mean favouritism in granting licences to those persons who do not generally or ordinarily carry on this business of driving buses on the road.

The last point to which I want to draw the attention of the Honourable Member is the inadequacy of the representation of Sikhs in the railway service. Referring to Appendix F and Appendix G, I find that there is actually a decrease in the number of Sikhs employed on salaries of Rs. 250 or above. On page 162, we find that while there were 67 Sikhs employed in the mechanical engineering branch in 1937, the number has gone down to 63 now. We find that it was about 179 in 1933, and it has gone down to about 153 in 1938. Sir, in the gazetted and superior posts, our number is almost nil. May I draw his attention to the fact that on the North Western Railway, which is the principal railway running through the Punjab where the main Sikh population resides, the percentage of our population is over fourteen, while the percentage of employment given to us on the North Western Railway even in subordinate posts is less than eleven per cent., which is much lower than our population ratio. In the superior posts, the proportion is still less. I hope the Honourable Member will kindly look into this inadequate proportion of the Sikhs in the services. In the end, I would ask one question as a matter of information from him. Sir, two years back, a new design of third-class carriage was shown to the members of the Railway Standing Finance Committee, and the promise was given that this new design would be introduced on all railways. I would like to know whether these new design third-class bogey carriages have been introduced, and, if so, what is their number, and on what railways they are working. I have done, Sir.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to offer a few observations on the general aspects of railway administration as disclosed in the Budget speeches that

4 P. M. have been made in the two respective Houses and in the report that has been supplied to us on the working of the Railways. We have heard in the course of the day several aspects of the administration being criticised, beginning with Indianization and ending with the inadequacy of arrangement of latrines in third class carriages, but I want to review the whole thing from quite a different point of view. I formulate a proposition for my own consideration and that is that the Railways must be made self-sufficient from every point of view. They must be self-sufficient from the point of view of the men who run the railway administration, and they must be self-sufficient from the point of view of the manufacture of articles that are required for running the Railways. That being the proposition which, ultimately, will govern me in the course of my discussion, I want to see how far this has been carried out in the course of the year that is ending, or, even taking a longer period into consideration say in the course of the last few years.

As regards the question of Indianization I am not looking at it purely from the point of view of the Hindu or the Sikh community or the Christian community but I want that the necessary and requisite Indian talent to run such a big concern must be encouraged and must be, ultimately, put in charge of the whole railway system at the earliest possible opportunity.

Sir, on this occasion I do not want to go into detailed figures about Indianization but the information that has been supplied in the recent report goes to show that during the period of thirteen years, that is from the year 1925 to the year 1938 the rate of progress that has been made towards Indianization is not, in my opinion, adequate. In 1925, the percentage of Indians in the superior services was 24.31; in 1938, it has grown to 48.17. *Prima facie* it may look as an advance, but if we take into consideration the entire situation and the absolute necessity of having our own affairs under our own control, then, if this is the rate of progress, then any mathematician would put down that complete Indianization will require nearly forty years more. Now, we are not prepared for such a long period. Then, take the other aspect, namely, the necessity of being self-sufficient in the matter of manufacturing every requisite required not only for industrial expansion but principally for running the Railways. I think there has been a great lack of appreciation of the situation. Last year my esteemed friend, Mr. Santhanam, moved a cut to draw pointed attention to the Government failure to make provision for a workshop to manufacture locomotives. He gave various statistics and I do not detail them now and here so as to take the time of the House but he drew certain conclusions from the quotations and statistics which he gave in that connection and the conclusions were that the normal requirements for the Indian Railways, so far as locomotives and boilers were concerned, were 250 and 200 respectively and that it was commercially possible to have one or two such workshops in India which would manufacture these two articles in India in a cheaper manner; and even if we cannot manufacture them in a cheaper way, still, even if it costs us more, we will pay for the cost of what will be an Indian concern and an Indian workshop managed and controlled by Indians. Now I will only give an idea as to how things are, I do not say mismanaged, but managed in a spirit of drift. There is no planned thought behind this administration. When I say this I mean pointedly the workshop at Ajmer, owned by the Bombay, Baroda and Central India Railway, having to meet the contingency of having to close down and the contingency being avoided by the Assam Bengal Railway coming to help and placing an order for nine locomotives! Sir, if it were a national railway administration which showed foresight and which gave forethought and which did something of planning, such a contingency would never arise. They could have had a precise idea of the requirements in locomotives and boilers, as to the capacity of a workshop to turn out boilers and locomotives and so formulate their programme of manufacture and repair as to evolve a very fine and efficient system in the best sense of the word. Now I will only point out what has been stated by the Honourable Sir Guthrie Russell in the course of his speech in the other House:

"This obstacle has, however, now been removed by an amendment of the Act, and the Bombay, Baroda and Central India Railway have obtained an order for the construction at Ajmer during 1939-40 of nine Y B type locomotives for the Assam Bengal Railway, and it is hoped that, in future, it will be possible to keep these shops working to or near their full capacity."

Sir, that is the limited outlook of the Railway Board—as if one workshop is enough. Sir, it is not enough merely to formulate a theory for national progress for which we are all pledged, even this Government including the Honourable Member for Railways. Such a limited outlook is not the policy which should dictate the action and the thought of a country the budget of which, so far as Railways are concerned, goes into crores of rupees. I, therefore, submit that before the next Railway Budget is presented, we must have the plant for the manufacture of all the requisites necessary for

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running the railways—rolling-stock, locomotives and everything from a bolt to a boiler here and in India. That will give you an idea about my proposition, *viz.*, that there should be self-sufficiency in the matter of the manufacture of all the requisites necessary so far as the railways are concerned.

Sir, at this stage, it would not be irrelevant if I were to refer to the international situation because it has been referred to in the course of the discussion that there may be a war and the heavy industries in England may be expected to manufacture things for the destruction of human life and that; then, in that case, we may have to meet a shortage of locomotives. If such a contingency comes, well, we will stand on our own legs, but if we visualize such a contingency as the Government of India did when it presented the Bill to prevent anti-recruiting speeches, then I fail to see why that very fear should not operate in the economic and industrial fields, or there are other reasons which may not be stated on the floor of this House which impel the Government of India not to follow such a policy? Therefore, I think that before the next railway budget is presented we must have such a scheme presented and, I am sure, that even if the cost of manufacturing such locomotives is higher, no section of this House will refuse to pass that grant. Speaking for my Party, I think it has been our considered policy. Only yesterday, the Leader of our Party very picturesquely put that if an article costs 18 annas and it is manufactured in India and if a similar article, which is a foreign article, costs 15 annas, he will go in for the Swadeshi article even though it costs 18 annas. That being our attitude, I submit that we will wholeheartedly support any proposition by which we may be able to manufacture our locomotives and, in fact, all the requisites that are necessary for the railway administration in India. Then, Sir, the same criticism, namely, that there is not enough vision on the part of the railway administration, applies to other matters also. We have been told that in the first few months of the ending year, there had been a deficit in traffic returns but towards the close there was a rapid recovery and, in the end, somehow or other things became very optimistic and they are looking optimistic. You are depending upon chances believing that everything will be the best in the best of world. It may happen once, twice or thrice but never happens as a matter of system. If you want to get out of this, the best way is to see how the trends of markets have changed and how the tendencies have changed. It may be that you have got a little more in the traffic this year than you did last year, but if you compare the figures of the bulk of traffic, which was carried by the railways five years ago and which is carried today, you will find that the bulk has decreased to a very enormous extent and that is accounted for by the fact that there is in existence the competitive transport system of motor buses and motor lorries. You should not meet that competition in a cut-throat manner but it should be done in such a manner that instead of being exclusive of each other, they should be complementary to each other and should subserve to the needs of the country as a whole.

Talking about the rates and other inconveniences of the merchants, I think that enough attention is not being paid to the needs of the commercial community. Only the other day, I had the opportunity to forward a grievance of Jalgaon merchants which was to the effect that the Jalgaon railway authorities would not allow more than 200 bullock carts every day. This being the cotton season, the normal figure is nearly 500 to 600 bullock carts coming to the railway yard every day. If only 200 bullock carts are

allowed, it is a situation in which favouritism is bound to play a great part, if not nepotism, positively. But what has been the result so far as the railways are concerned? These 200 or 300 bullock carts made their trips for a day or two, but now the merchants have engaged lorries for carrying their pressed cotton from Jalgaon to Bombay. The loss will be the loss to the railway and also incidentally to us, the taxpayers. This is precisely because there had been no plan behind it and the railway authorities had not studied recent trade conditions and recent trade tendencies. Sir, I do not want to offer my criticism on small details here and there, such as third class passengers or latrines, which are also matters of equal importance but not today. But what I want to urge is that there must be some planned action. There must be some vision in the railway administration and, given that, I am sure, future years will be better. So, I do not want to say any bitter thing towards the close of the day nor do I want to let go such things which I wanted to say. With these remarks, I resume my seat.

Mr. H. M. Abdullah (West Central Punjab: Muhammadan): Sir, I congratulate the Honourable Member for Railways for presenting a surplus budget for the next year. It is also a matter of great satisfaction that the current financial year is expected to close with a surplus though not as big as it was anticipated at the time of the presentation of the budget. This succession of surplus budgets is to a great extent due to the fact that the railways are gradually becoming alive to their defects and are trying to remove them. On going through the budget speech of the Honourable Member, one finds a great change for the better. The railways have realised that they no longer enjoy the monopoly of transportation of goods and passengers in the country and that unless they radically modify their policy, there can be no hope of their becoming remunerative. If railways do not relax their efforts in this direction and act fully on the recommendations of the Wedgwood Committee and on the suggestions made by Honourable Members in this House, the railways will not prove a profitable concern and a national asset of the greatest value. If this policy of studying the needs of the travelling public and of meeting them is followed, it would result in increased earnings for railways which, in turn, will be in a position to make a greater contribution to the general revenues, thus affording financial relief to the provinces as envisaged in the Niemeyer award.

As regards the incivility and dishonesty alluded to by the Honourable the Railway Member in his speech, it is true that the problem is bilateral and not unilateral. But I would like to emphasise that the dishonesty of the staff is practised at the expense of the railway earnings. The goods clerk on getting a little gratification from a customer underweighs his luggage and charges him less. In this way lakhs of rupees are lost to the railways. This is a matter which should not be brushed aside lightly but should be looked into very seriously. I am, however, glad to note, in this connection that the railways have introduced the system of complaint books which, if properly worked, can prove useful in the eradication of this evil. Every complaint and grievance recorded in the book must be examined by a responsible officer and the member of the railway staff, if found guilty, should be dealt with accordingly. I, however, apprehend lest the complaints and suggestions entered in the book should be treated as trivial and taken no notice of. To avoid this, I would suggest that a statement of all such complaints should be compiled and printed. This

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statement should be supplied to members of the Local Advisory Committees of the Railways. It will thus be possible for the public to know what action has been taken on the various complaints and suggestions made.

Sir, another matter to which I would like to draw the attention of the House is the system of giving contracts on the railways, particularly on the North Western Railway. In this matter the North Western Railway has no definite policy. The North Western Railway administration has certain pampered darlings on whom all its favours are bestowed. One contractor who is a friend of the officers gets all the contracts and even if complaints are made against him, no notice is taken of them. Besides one man has the monopoly of many contracts year after year. One contractor who enjoys the contract for the sale of aerated waters on a certain section of the railways has also been given many other contracts, like the contract for the sale of sweetmeats and supply of labour. As a general rule no contractor should be given more than one contract as it is not possible for one man to devote individual attention to so many matters at one time. The one defect of giving a number of contracts to one person is that he keeps one contract to himself and sub-lets others to other people in violation of the rules of the contract. If any report is made against him regarding this breach no action is taken against him as he is hand in glove with railway administration. Sir, having regard to the great unemployment prevailing among the middle classes, the policy of the railway should be to distribute its favours amongst as many persons as possible and not to confine its attention to a few selected favourites. After a certain number of years, each contractor must be changed. The change will prove beneficial both to the public and the railways. The system of inviting tenders for contract is a good one provided it is worked properly. On the North Western Railway tenders, however, are invited simply to bluff the public. The railway authorities select the contractor even before inviting tenders. If the contractor is their favourite no notice is taken even of his past record and bad working. The whole system, in short, is corrupt and requires to be radically changed. I am sure that the Railway Board would look into this matter and try to remove the evil.

The Honourable Sir Thomas Stewart: Sir, in the first place, though it is not entirely relevant to the subject we have been discussing, I should like to take the opportunity of thanking those Honourable Members who have offered me congratulations today. So far as the subject of this debate is concerned, it appears to me that if an earnest student of the debates of this House,—if any such person exists,—were to study the records of this particular debate on the general consideration of the Railway Budget, he would find very great similarity from year to year.

Mr. S. Satyamurti: Because you never change or improve.

The Honourable Sir Thomas Stewart: The same type of criticisms are offered and very much the same type of replies are given. But I am not complaining about that. It is rather a comfort to me to know that the number of matters on which serious criticisms can be offered is strictly limited, and I do not complain of the monotony because I do admit it is good for us to have a yearly stimulus. For no matter how well we are

doing, I feel that we can do better and it is I think, of real value that these criticisms should come up to us again and again. Not until perfection is reached—will I be prepared to claim that they are unnecessary. Now, Sir, again I must plead my inability to deal with every particular matter that has come to notice today. But I will repeat what has been said before on the floor of the House, namely, that no suggestion is ever made in the course of the debate of which note is not made. The debates are scrutinised and note is made of everything that is said. That note is examined and analysed as to whether the criticism or the suggestion is really a good one. Consideration is given as to whether action can be taken and the result of this analysis is put up to me personally. The volume of the work which is done on this particular process is very considerable. I merely hold up this bundle to show you what the literature on the subject is like.

Mr. S. Satyamurti: All waste paper.

The Honourable Sir Thomas Stewart: No, not all. Perhaps some of it demonstrates that nothing possibly can be done.

I now turn to the budget itself. The general impression seems to be that it is a very unexciting budget, that it is colourless. Well, perhaps that is a good thing. It is the country which has no history that is the happiest one. But one or two points have been raised. My Honourable friend, Mr. Basu, whom I would like to congratulate on a very competent maiden speech, warned me that I must not take too much credit for myself, that successful budgets are as dependent on extraneous circumstances as on the cleverness and ability of those who are running the administration. That I fully admit as I have admitted it in the past. But all I would say to him is that when the evil days come, I trust that he will be equally reasonable. Mr. Gadgil accused us of rather haphazard budgeting. I think he had an idea that we shut our eyes and made a guess. But I can assure him that we do employ the processes which he suggested we did not. We do consider what has happened in the past. We do consider what are the present trade tendencies and though, in the present circumstances, it must be somewhat more of a guess than it is in normal years, we do, as far as possible, employ the processes he recommends.

My Honourable friend, Sir Muhammad Yamin Khan, asked a specific question. He asked me whether the 70 lakhs increase in working expenses was over the original budget or the revised estimate of the present year. It is over the revised estimate. I may also point out for the same Honourable Member's benefit that we are, I assure the House also, keeping very firmly in our minds the need for economy in our working expenses. But there is one economy which he recommended that I am afraid is not possible. He referred to the power at present vested in the Agents to spend up to a lakh of rupees; but that power is in regard to capital expenditure not in regard to working expenses to which the Honourable Member was referring.

My Honourable friend, Dr. Sir Ziauddin Ahmad, returned to the charge that he made last year. He could not understand why for the purpose of the depreciation fund, we chose a curious number like 1-60th and he implied there was no reason at all for that figure and that it was merely a guess. I say it is not a guess. It is an arbitrary, or rather a conventional figure. He accused us of requiring three Accountants to do our work. If

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he applied his own process of calculating depreciation—bearing in mind the extremely varying character of the assets that are owned by the railways,—if he applied the appropriate rate of depreciation to each of those assets, and then tried to get the total together, he would need not three Accountants but 300 Accountants. And if he really wants information about depreciation and about allocation I would refer him to a most admirable treatise on it, 'A Review of the Appropriation Accounts for 1934-35' written by Sir P. R. Rau. On pages 42 and 50 he will get some very illuminating information.

I was rather surprised when my Honourable friend, Pandit Nilakantha Das, started his speech by what was practically an accusation of moral delinquency. He said that my budget speech did not reveal but concealed; and he went on to illustrate his thesis by quoting my defence, because he turned at once to a volume of statistics in which we had set out every possible figure we had for the information of Honourable Members of the House as well as for members of the public.

Pandit Nilakantha Das: I referred to the conclusion specifically.

The Honourable Sir Thomas Stewart: I can assure the Honourable Member that the Railway Board and the Railway Administrations adhere strictly and honestly to the stores purchase policy laid down by the Government of India. That is a purchase policy which, in the view of the Government of India, is best designed to promote Indian industry so far as that can be done through the purchase of stores for Government and Government Departments. There is absolutely no deception.

Pandit Nilakantha Das: It does not promote Indian industry: I shall show it.

The Honourable Sir Thomas Stewart: The figures quoted against me are my best justification. In the course of the debate the question of the strategic lines was raised by Dr. Sir Ziauddin and by my Honourable friend, Sir Henry Gidney, whom I am glad to see back here. I may assure them that we do not like the strategic lines any better than they do; but we are loyally abiding by a convention which was entered into some many years ago, and we are prepared to accept the responsibility for them. But I would have the House believe that they are not an entire loss and that on the credit side we must reckon the amount of traffic that we carry on our ordinary lines which emanates from the territory served by the strategic lines.

Mr. F. E. James (Madras: European): Sir, may I ask the Honourable Member whether before the Railway Department is reconstituted that position will be reviewed?

The Honourable Sir Thomas Stewart: That is a hypothetical question to which I cannot now give any answer.

Sir Henry Gidney made an inquiry as to whether it was possible to give separate figures as to the earnings of these strategic lines. Those will be found on page 14 of the Explanatory Memorandum which was supplied to Honourable Members.

Certain questions have been raised regarding the treatment of the staff on the railways. Sir Henry Gidney, Mr. Lalchand Navalrai and Dr. Sir Ziauddin, have raised various issues. In the first place, as regards appeals I believe a considerable amount of misunderstanding has arisen. The ordinary rule is that an appeal lies to the officer next in rank above the officer against whose order appeal is made. In the Division, the Divisional Superintendent is the officer to whom most appeals lie. When the Divisional Superintendent has adjudicated on an appeal the order very often issues in a form signed not by the Divisional Superintendent himself but by one of his officers who signs "for the Superintendent". That does not mean that that is the order of the officer who signs but that it is, in effect, the order of the Divisional Superintendent. I believe there is a good deal of misunderstanding through subordinate officers who have been punished believing that they have been punished by an officer who was not competent to do so, or rather that their appeals have been adjudicated upon by an officer who was not competent to do so. Then reference has also been made to the question of passes, and this I think has been a somewhat stormy subject. I think there is no doubt that some time ago, and on some railway at any rate, a much too liberal system of passes existed and this was brought under objection. The question of passes and of their proper reduction was referred to the various railways and was considered by us ourselves. Varying opinions were put forward and the pass rules which are now in existence are what we, after a great deal of thought and a great deal of argument, consider to be a reasonable compromise as between the various views which we had before us. They are not merely a compromise in the sense of being an arithmetical mean, the general principle that has been employed was to endeavour to give passes on a reasonable scale and of the class that would be occupied in travelling by Government servant drawing the same, or about the same, pay. Sir Henry Gidney protested against the indignities of third class travel. I ask him, is it altogether disreputable to travel third class these days? Another question raised was that of the adequacy of the leave reserve of the various categories of railway servants on railways. Now, Sir, in spite of Sir Henry Gidney's castigations the Railway Department have not been unmindful of the necessity of maintaining adequate leave reserves so that the grant of holiday leave to railway servants should not become an empty farce. For some considerable time this has had their very serious consideration and they have made representations that were very liberal in their character. Sir Henry Gidney raised this question last year. Almost at the same time it was raised by the All-India Railwaymen's Federation. The Chief Commissioner of Railways undertook,—and he fulfilled the undertaking,—to approach all railways and ask them to examine the circumstances of their own railways, so that they might be sure that adequate leave reserve did exist. The examination has proved a long one and I do not accept Sir Henry Gidney's conclusion that this is an empty excuse and that it is being put off. That is not the case. There are many railway administrations and conditions vary from one railway to another. Within each railway there are many categories of workmen the nature of whose duties varies from one category to another. It is, I insist, a very complicated problem which has been set the railway administrations and it will be a complicated problem that will face the Railway Board when full replies have come back.

Complaint was made again that transfer of subordinate establishments from one railway to another was not permissible. If it was permissible

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I can well imagine the most absolute chaos arising in the separate administrations in view of the number of subordinates who would be eligible for transfer and in view of the very frequent demands that would be made. Discontent would arise if one man's request was granted and another man's refused and it would make for indiscipline and, as I said for, chaos. But to this complaint, the general proposition, a rider was attached. This was to the effect that an advertisement had appeared, out of India, for certain mechanical subordinates. Sir Henry complained very bitterly that no attempt had been to find those men in India. As a matter of fact two years ago an advertisement did issue from the North Western Railway and there was no response from any applicant who possessed the requisite ability. Now, Sir Henry asks, "Is there no man qualified in India to take up these posts"? He claims that there is. I am not a specialist mechanic and I cannot say authoritatively whether there is or not. I only know that the Wedgwood Committee gave the opinion that there were none. But I am perfectly willing to make another test and for that reason I caused to be issued a further advertisement in order that we might ascertain whether there were men of the ability that we require.

Mr. S. Satyamurti: Who will judge that ability?

The Honourable Sir Thomas Stewart: I cannot.

Mr. S. Satyamurti: Who will? Some European?

The Honourable Sir Thomas Stewart: I could not tell you that.

Lieut.-Colonel Sir Henry Gidney: Can men from all railways, State and Company-managed, apply?

The Honourable Sir Thomas Stewart: I am unable to give the Honourable Member information as to what replies have been received; but the advertisement was open to all qualified men in India. What I mean is that if a man from the South Indian Railway applied, he would be regarded not as an South Indian Railway man on transfer but as a separate applicant.

Lieut.-Colonel Sir Henry Gidney: That is most kind of you, Sir, and that is exactly my point. Allow people from any other railway to apply without restriction or fear.

The Honourable Sir Thomas Stewart: There have been a few references to road-rail competition—not very many. But one struck me,—just having finished the Motor Vehicles Bill,—as being on the verge of the comical. When I heard a plea on behalf of the poor motor lorry I wondered why we had taken all the trouble to get the Motor Vehicles Bill passed.

Mr. F. E. James: And now that you have got the Petrol Sales Act, you ought to be happy!

The Honourable Sir Thomas Stewart: A more serious matter that has relation to road-rail co-ordination is that mentioned by my Honourable friend, Mr. Gadgil. He referred to the state of confusion that had arisen in the goods yard at Jalgaon station. I have taken some trouble to investigate the matter and what has happened is this. The Central Provinces Government have put into effect a strict regulation of traffic on their roads. The Bombay Government have not put into effect such a strict regulation. The result is that between Jalgaon and Bombay there is very heavy traffic in cotton by road. From Berar—I do not know the particular places—it comes not by road but by train into Jalgaon. The shippers of cotton insist on transshipment at Jalgaon and the confusion arises in that way and not from any breakdown of the railway organisation.

In spite of what I conceived to be a convincing exposition of our rating policy in my budget speech, there have been today certain animadversions on it. Perhaps the most succinct criticism was that of Dr. Ziauddin Ahmad. His criticism was roughly this: the theory of "what the traffic can bear" can be used to suit one's own convenience: that is, one can put one's own meaning on it. I agree that that is perfectly true. Dr. Ziauddin can put his meaning on it and my Honourable colleague, Mr. DeSouza, can put his meaning on it—but if I have to take my choice as to which is the correct one, I am going to back the professional against the amateur. Certain examples have been quoted which really illustrate the point I made in my budget speech, namely, that a particularly valuable commodity is liable to be treated as an exception. Raw cotton has been mentioned. I was perfectly well aware before Mr. Lalchand Navalrai mentioned it that there had been a very insistent demand that the freight rates on cotton consigned to Bombay should be very drastically reduced. That is a proposition which I have had to consider on more than one occasion and I am perfectly certain that any such relaxation in our rates would involve us in losses which we cannot contemplate and that the person who would benefit most would be the Bombay cotton dealer. It would mean more grist to his mill, and I am also certain that it means the whole of any rebate that might be given would go to the cultivator; and even if it did, even if my hypothesis is entirely wrong, I claim that it is a proposition which in principle is also entirely wrong. What it would mean is; that we, the railways,—a department which this House insists must be a commercial department—should be asked to subsidise a particular section of the community. That I hold is, in principle, entirely wrong.

Mr. M. S. Aney: It is a national industry after all: what is wrong with it?

The Honourable Sir Thomas Stewart: Sardar Sant Singh put in a plea for wheat from the Punjab. I think he suggested that it was somewhat of a Cinderella. Well, it is a Cinderella who has not had too bad treatment in the past. We have given rebates which have enabled considerable amounts of wheat to leave Karachi—and to leave Karachi at times when it could not have done so had there been no rebate. I may also remind him that a few years ago we made a substantial reduction in our wheat rates to Calcutta for the benefit of Lyallpur.

Mr. M. S. Aney: Have the same policy for cotton.

The Honourable Sir Thomas Stewart: Dr. DeSouza complained bitterly of the treatment he had received from the Railway Manager who had refused to give concessional rates for the transport of coffee. That Manager may have been right or he may have been wrong, but, at the same time, in my opinion, Dr. DeSouza was wrong too. He based his claim on the ground that the Railways are public utility bodies and are not commercial companies. If we were public utility companies, then any profits that we make would, of course, go back into the business to be used for reduction of fares, rates and so on. But that cannot be. We have our obligations under the Convention, and we cannot afford to be, as the General Manager said, philanthropists. It would be in defiance of the views of this House were we to do as Dr. DeSouza wishes. In connection with rate policy, my friend, Sir Muhammad Yamin Khan, adopted my own figure of speech and told us about swings and roundabouts. I am not quite sure that he had got my metaphor correctly, and I would ask him to think over what he said before we discuss it further.

Mr. M. S. Aney: We also did not understand him; he was swinging round about.

The Honourable Sir Thomas Stewart: Then, Sir, in the course of discussion the question of economy has been raised, and it was Mr. Buss, who inquired what was being done by way of securing economies by reduction in the volume of the audit which was carried out in the Railways. The Wedgwood Committee held the view that the amount of audit was out of proportion. The matter is under review by the Auditor General who does not hold out any great hope that anything very substantial can be achieved; but by certain processes now being carried out, he estimates that in the next year we may have a saving of about Rs. 34,000. . . .

Mr. S. Satyamurti: But don't save on audit; it is a bad thing.

The Honourable Sir Thomas Stewart: Mr. Nauman also asked what steps were being taken to pursue this problem of economy. I would refer him to the second statement that has been issued giving details as to the action taken on the Report of the Wedgwood Committee. He will also find on pages 8 to 10 of the latest Railway Board's Report quite an elaborate statement showing what economies have been effected, and how they have been effected, and in at least one case a real estimate of what their amount has been.

Now, Sir, I have been reluctant, even if I had the time to do so, to touch on any matter that may become the subject of a cut motion. Such matters can be more adequately discussed on a cut motion. But I have been challenged in regard to the amenities for third class passengers, and, in particular, I was asked to say what action had been taken to carry on the building programme in accordance with the model carriage that was exhibited to Honourable Members. I quote now from Sir Guthrie Russell's budget speech:

"Our carriage renewal programme for 1939-40 provides for 110 broad gauge and 137 metre gauge coaches having full, or composite third class accommodation, which will be built to improved designs."

These are being built to, approximately, the specification of the model. Well, Sir, "amenities" is a relative term. I remember nearly 25 years ago I was in charge of a large bathing fair. I was waiting at the station for a pilgrim train to come in. . . .

Mr. F. E. James: Baby fair?

The Honourable Sir Thomas Stewart: No, I said bathing fair. I was waiting at the railway station for a pilgrim train to come in, and I got into conversation with an old Sadhu who told me of the days when people came on pilgrimages on foot; then there were no trains. He told me that they left home, perhaps, three months before the fair. There might be cholera on the way or they might be killed by dacoits on the road but that if they got back home safely they had acquired merit. People, he said, now came in absolute luxury. In this case they came in a pilgrim rake. That was 25 years ago and you can imagine what it was like. If that was luxury then, compare it with what we have now. . . .

Mr. S. Satyamurti: Travel third class to Bihar and see!

The Honourable Sir Thomas Stewart: In conclusion, I would point out to Honourable Members that great administrations like the Railways are very easy targets to hit. They are very easy to criticise. I don't object at all to criticism, but do it rightly, for, after all, the Railways are your own property, and it is very bad policy to cry down your own wares.

Mr. President (The Honourable Sir Abdur Rahim): Before the House adjourns, I think I ought to announce what the arrangement is that has been arrived at with reference to the second stage of this discussion, that is to say, with reference to the motions for demands for grants. The Parties have arrived at this arrangement,—the Congress Party will move their motions on Monday, the 20th February, and also on Tuesday, the 21st February, until the luncheon interval. The Congress Nationalist Party will move their motions on Tuesday, the 21st February, after the luncheon interval, till the House rises for the day; the Muslim League Party will take up Wednesday, the 22nd February, for their cut motions; the European Group will take up their cut motions on Thursday, the 23rd February, till 3 P.M., and the unattached Members from 3 P.M. on the 23rd February till the House rises. It has also been agreed, as before, that those who move the cut motions will have the maximum time-limit of 20 minutes and the other speakers will have 15 minutes. I suppose this arrangement will suit the convenience of the House.

Several Honourable Members: Yes.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 18th February, 1939.

LEGISLATIVE ASSEMBLY.

Saturday, 18th February, 1939.

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.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

BRITISH AND INDIAN OFFICERS IN THE INDIAN ARMY VETERINARY CORPS.

483. *Mr. Abdul Qaiyum: Will the Defence Secretary please state:

- the number of officers, Indians and non-Indians, in the Indian Army Veterinary Corps (R. A. V. C.) in early 1935;
- their numbers on the 1st January, 1939;
- the scheme of Indianisation laid down on the 28th June, 1935;
- whether the same was altered on the 9th December, 1936; if so, in what material particulars; and
- whether the 1936 scheme reduced the number of posts for Indian officers, and, if so, the reasons therefor?

Mr. C. M. G. Ogilvie: (a) 64 British officers only.

(b) British	Establishment	61
	Strength	58
Indians	Establishment	16
	Strength	15

(c) I lay on the table a copy of the late Army Department letter No. 31799/1/Q-11, dated the 28th June, 1935, on the subject.

(d) Yes, on 9th December, 1936, a revised establishment was fixed as follows:

British—Royal Army Veterinary Corps—62.

Indians—Indian Army Veterinary Corps—

1936-37	15
1937-38	16
1938-39	16
1939-40	17
1940-41	19

The revised scheme also restored the old rates of pay and Viceroy's Commissioned rank to Veterinary Assistant Surgeons of the Indian Army Veterinary Corps.

(e) Yes. The 1935 scheme envisaged an establishment of 26 Indian Commissioned Officers at the end of 1940-41. From an analysis made in 1936 of the number of Indian students studying for the diploma of membership of the Royal College of Veterinary Surgeons which is the minimum

qualification for a commission in the Indian Army Veterinary Corps, it became apparent that this total would not be available. The establishment of India Commissioned Officers was, therefore, revised on the basis of the number of Indian students who were likely to be qualified during the periods I mentioned in reply to part (d) of the question.

Army Department letter No. 31899/1/Q-11, dated the 28th June, 1935, to the Quartermaster General in India.

INDIANISATION IN THE ARMY VETERINARY SERVICE IN INDIA.

The Secretary of State has sanctioned, with effect from the 15th January, 1935, the following changes in the organization of the Indian Army Veterinary Corps:

- The progressive reduction of the British cadre of Royal Army Veterinary Corps officers from 42 to 37.
- The progressive increase of the Indian Cadre up to a total of 60 Indian Commissioned officers.
- The reduction in the number of Veterinary Assistant Surgeons from 126 to 94.

2. The method of effecting gradual replacement of personnel to readjust the existing cadre is shewn in the enclosure to this letter. This is based on normal wastage.

3. The terms and conditions of service of Indian Commissioned Officers, are as follows:

- The rates of pay for the officers up to the rank of Captain are given in Army Department letter No. B-29060 (A.G.-10), dated the 22nd February, 1935, and Army Instruction (India) No. 42 of 1935.

The rates of pay for Majors and senior ranks of the Indian Army Veterinary Corps are still under consideration.

- Conditions of service in regard to

- Qualifications.
- Entrance examination
- Promotion.
- Retirement.
- Leave

are laid down in Army Department letter No. 21505-3/Q. 11, dated the 23rd October 1934, on the subject of employment of Indians as commissioned officers in the Indian Army Veterinary Corps.

4. *Veterinary Assistant Surgeons.*—From the 15th January, 1935, all Veterinary Assistant Surgeons will be enrolled and serve as warrant officers. No promotions will be made to Risaldar Major, when vacancies occur and the appointments thus lapsing will be replaced by appointments to be filled by Indian Commissioned Officers.

Jemadars will continue to receive promotion to Risaldar up to a proportion of 18 per cent. of the total establishment of Viceroy's Commissioned Officers serving.

Warrant officers serving before the 15th January, 1935, will be promoted to Jemadar after five years' service in accordance with their agreements, and will draw the new incremental pay [see sub-paragraph (c) below].

Conditions of service for Warrant Officers, Indian Army Veterinary Corps.

- Qualifications* will remain as at present laid down in Veterinary Regulations, India.

(b) *Enrolment.*—Warrant officers, Indian Army Veterinary Corps, will be enrolled for 21 years which may be extended in special cases. They will be given the option of leaving the service after 10 years' service [see sub-paragraph (d) below].

- Pay.*—The rates of pay will be:

Initial	Rs. 80—3—90
After 10 years	Rs. 90—5—115
After 15 years	Rs. 115—10—165

(d) *Gratuity.*—A gratuity of one month's emolument for each completed year of service will be payable to Warrant Officers retiring after ten years' and with less than 15 years' service.

(e) *Pension.*—The rates of pension will be published later.

(f) *Invalid pensions and gratuity.*—Invalid pensions and gratuity will be payable as laid down in paragraph 209, Pension Regulations for the Army in India.

(g) *Honorary Rank.*—The honorary rank of Risaldar will be granted to Warrant Officers retiring after 21 years' service and the honorary rank of Jemadar to those retiring after 15 years' and with less than 21 years' service.

Gradual replacement of personnel to readjust existing cadre establishments.

British Cadre.				Indian Cadre.									
British Officers.				British Officers.			Indian Commissioned Officers.			Veterinary Assistant Surgeons.			
Years.	Remaining Est- abishment.	Decrease.	Total Establish- ment.	Remaining Est- abishment.	Decrease.	Total establish- ment.	Remaining esta- bishment.	Increase.	Total establish- ment.	Remaining esta- bishment.	Increase (W. Os.)	Decrease (V. C. Os.)	Total establish- ment.
1935-36	42	..	42	22	3	19	..	10	10	126	..	3	123
1936-37	42	..	42	19	..	19	10	4	14	123	..	5	118
1937-38	42	1	41	19	..	19	14	3	17	118	..	4	114
1938-39	41	1	40	19	..	19	17	3	20	114	3	5	112
1939-40	40	..	40	19	..	19	20	3	23	112	5	8	109
1940-41	40	..	40	19	..	19	23	3	26	109	6	9	106
1941-42	40	1	39	19	..	19	26	3	29	106	2	4	104
1942-43	39	..	39	19	2	17	29	4	33	104	6	8	102
1943-44	39	..	39	17	1	16	33	4	37	102	8	11	99
1944-45	39	1	38	16	..	16	37	4	41	99	3	6	96
1945-46	38	1	37	16	..	16	41	3	44	96	4	6	94
1946-47	37	..	37	16	5	11*	44	5	49	94	9	9	94
Total increase or decrease.	..	5	..	..	11	..	..	49	..	..	46	78	..

*The remaining 11 British Officers will waste out by about 1956, being replaced by I. C. Os.

Mr. Abdul Qayyum: May I know whether the scheme of Indianisation was revised and the number of Indians whittled down as a result of the mechanisation in England when more British Officers became available for service abroad?

Mr. C. M. G. Ogilvie: No. I have given, I think, at considerable length, the reason.

Mr. Abdul Qayyum: May I know if it is not a fact that there are 24 students at present studying in the college mentioned by the Honourable Member?

Mr. C. M. G. Ogilvie: I understand that that is the case.

Mr. Abdul Qaiyum: May I know if the pay of the Indian commissioned officers is almost half the pay of the British officers with the same qualifications?

Mr. C. M. G. Ogilvie: No, certainly not.

Mr. Abdul Qaiyum: May I know if there is discrimination against Indians in the matter of mess allowance and additional and charge pay?

Mr. C. M. G. Ogilvie: There is no discrimination of any sort, but as regards allowances and so forth I shall have to require notice.

Mr. Abdul Qaiyum: What is the difference in the matter of allowances between Indians and British officers of this service?

Mr. C. M. G. Ogilvie: I should require notice of detailed questions of that sort.

Mr. Abdul Qaiyum: May I know if, as a result of mechanisation, a lesser number of officers will be required in this service?

Mr. C. M. G. Ogilvie: Naturally, as mechanisation progresses a smaller number of officers will be required.

Mr. Abdul Qaiyum: May I ask, in view of the mechanisation in India, why it is considered desirable to import officers from England?

Mr. C. M. G. Ogilvie: Because the necessary Indian officers cannot be obtained in sufficient numbers.

Mr. S. Satyamurti: Are there any measures taken by Government or in their contemplation to increase the number of qualified Indian officers?

Mr. C. M. G. Ogilvie: Certainly. The scheme which I have just described only carries us down to 1941. If then more qualified Indians become available, the numbers will undoubtedly be altered accordingly.

Mr. Abdul Qaiyum: May I know if the Honourable Member has read the speech of the Director General of the Veterinary Service in the War Office in England, the relevant portion being:

"Action has been taken in India to defer for the present any reduction of British Officers and give back to Veterinary Assistants their old conditions of rank and service and I understand the Indianisation scheme will be reconsidered."

This was made on the 12th June, 1936.

Mr. C. M. G. Ogilvie: This was again in the question which I explained in considerable detail to the Honourable Member in answer to parts (d) and (e) of his question.

Mr. Abdul Qaiyum: What is the policy of the Government in the matter of Indianisation of the service?

Mr. C. M. G. Ogilvie: The policy is to Indianise it as quickly as we can.

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

BRITISH AND INDIAN OFFICERS IN THE INDIAN ARMY VETERINARY CORPS.

484. *Mr. Abdul Qaiyum: Will the Defence Secretary please state:

- (a) whether the new R. A. V. C. officers sent out to India for the permanent Indian cadre are placed above Indians as regards seniority;
- (b) what is the difference in pay between British officers and Indian Commissioned officers in the Indian Army Veterinary Corps;
- (c) whether any reduction in the number of British veterinary officers has taken place in view of the rapid reduction of the animal strength of the Army due to mechanisation; and
- (d) whether in view of the fact that there will no longer be any British cavalry in India, the recruitment of the British element in the Veterinary Corps will cease?

Mr. C. M. G. Ogilvie: (a) No.

(b) I refer the Honourable Member to rules 7 and 187 of Pay and Allowance Regulations for the Army in India, Volume I, a copy of which is in the Library of the House.

(c) Yes.

(d) No, because:

- (i) The duties of the Army Veterinary Service in India are arranged not on a unit but a station basis.
- (ii) The duties of British officers are not confined to British cavalry, but include all horsed artillery units, all units with animals on charge, veterinary hospitals, the Army Remount Department and the Military Farms Department.
- (iii) Indian Commissioned Officers are neither sufficient in numbers nor senior enough to displace all British officers.

Mr. Abdul Qaiyum: May I know the reason why the number of Indians was whittled down?

Mr. C. M. G. Ogilvie: I have explained that very clearly in my reply to the last question asked by the Honourable Member. It is not a question of whittling down; we should have liked, if we could, to whittle up, but there were no enough Indians available.

Mr. Abdul Qaiyum: With reference to the answer to part (d) of the question, will the Honourable Member tell us whether there is any difference in the pay of Indian Commissioned Officers and British officers in this service?

Mr. C. M. G. Ogilvie: Yes, there is.

Mr. Abdul Qaiyum: What is the difference? Can he tell us the pay?

Mr. C. M. G. Ogilvie: I have referred the Honourable Member to a book which he can at any time readily procure.

Mr. Abdul Qaiyum: What is the justification for this discrimination in the matter of pay between Indians and Britishers?

Mr. C. M. G. Ogilvie: The same justification as invariably applies in the case of officers who serve in their own country and those who contract to spend their working lives or part of it outside.

Mr. Abdul Qaiyum: May I know if it is a fact that there is absolutely no British cavalry in India, and, if so, what is the justification for retaining British officers in this country?

Mr. C. M. G. Ogilvie: I have answered that question fully in reply to part (ii) of clause (d) of the question.

Mr. Abdul Qaiyum: What is the answer of the Honourable Member to my question whether there is no British cavalry in India?

Mr. C. M. G. Ogilvie: The British cavalry regiments are now in the process of being converted.

RECONSTITUTION OF THE DEPARTMENTS IN THE GOVERNMENT OF INDIA.

†485. ***Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Home Member state:

- whether the matter of the reconstitution of the departments in the Government of India is under consideration;
- how long this has been under consideration; and
- whether Government have arrived at a conclusion in this matter?

The Honourable Mr. R. M. Maxwell: (a) No general reconstitution of Departments is under active consideration at present.

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

INDIANS IN THE RESERVE OF MILITARY OFFICERS.

†486. ***Mr. T. S. Avinashilingam Chettiar:** Will the Defence Secretary state:

- the total number of reserve of military officers to meet cases of emergency;
- how many of them are Indians; and
- whether any attempt has been made to increase the number of Indians; if so, what are the attempts?

Mr. C. M. G. Ogilvie: (a) 2,160.

(b) 623.

(c) No.

†Answer to this question laid on the table, the questioner being absent.

INVESTMENTS IN THE RUPEE DEBT IN THE FORM OF STOCK, ETC.

487. ***Mr. S. Satyamurti** (on behalf of Mr. Manu Subedar): (a) Will the Honourable the Finance Member be pleased to state if it is a fact that advantage is not taken in large measure by the public in the matter of Rupee Debt of the first two out of the following three forms of holdings:

- Stock,
- Bearer Bonds, and
- Promissory Notes?

(b) What steps do Government propose to take in order to popularise and to get better known the two first forms?

(c) Are Government aware that many frauds have occurred in connection with the collection of interest on Promissory Notes when the documents have to be sent down to a middleman or agent for collection of interest?

(d) Are Government prepared to issue a press note or in some other manner to get the public duly informed as to the advantages of holding investments in Rupee Debt in the form of stock?

(e) Have Government any figures readily available in each of the three forms mentioned in part (a), giving the total volume and also the number of holders?

The Honourable Sir James Grigg: (a), (b) and (d). Efforts have been made by Government, from time to time, to popularise stock certificates in place of promissory notes, for example, by attaching slips calling attention to the advantages of the alternative form of security when issuing new and renewed promissory notes. From the poor response which followed from this publicity it is evident that the ordinary investor prefers to retain his security in the form of a document easily transferable without resort to the Public Debt Office but on which his own name appears. The Reserve Bank is considering whether it would be possible to give some further inducement in this direction by lowering its charges.

(c) Government have no evidence that the collection of interest on promissory notes, through agents, gives rise to frauds on the holders of such notes.

(e) No.

Mr. S. Satyamurti: When was the last attempt made by Government, to which my Honourable friend referred, to popularise stocks? My Honourable friend said, I think, two attempts.

The Honourable Sir James Grigg: I must apologise to the Honourable Member. I have got here the last attempt, but unfortunately, there is no date on it.

Mr. S. Satyamurti: Do Government keep copies of official documents without dates on them?

The Honourable Sir James Grigg: This is a Reserve Bank document.

Mr. S. Satyamurti: Do the Reserve Bank issue these documents without dates?

The Honourable Sir James Grigg: I should imagine that the reason for the absence of date in this particular case is that it was a slip attached to the promissory notes.

Mr. S. Satyamurti: May I know what are the steps which Government contemplate taking with a view to popularise this stock?

The Honourable Sir James Grigg: The Reserve Bank is considering whether it would be possible to give some further inducements in this connection by lowering its charges.

Mr. Brojendra Narayan Chaudhury: May I know what steps Government propose to take to allay the apprehensions of the public arising from the Privy Council judgment?

The Honourable Sir James Grigg: There is a question later down on the list which relates to the judgment of the Privy Council.

Mr. S. Satyamurti: With reference to clause (c) of the question, may I know whether it is a fact that many frauds have occurred?

The Honourable Sir James Grigg: Government have no evidence of any.

Mr. S. Satyamurti: Have Government received any complaints from any quarter?

The Honourable Sir James Grigg: If there were complaints, we should have some evidence.

GOVERNMENT SECURITIES MANUAL.

488. *Mr. S. Satyamurti (on behalf of Mr. Manu Subedar): (a) Will the Honourable the Finance Member please state whether the "Government Securities Manual" published in 1921 has been out of stock for many years now? If so, from which date has it been out of stock?

(b) When do Government propose to get it reprinted and made available to the public in order that correct ideas with regard to the procedure involved in investment in Government Securities may be known to the public?

(c) Who is responsible for the omission to publish and to make this book available to the public?

(d) Is it a priced publication?

(e) Have Government changed their policy with regard to giving the fullest information to the public as to the relative advantages of the different forms of holdings of Government Paper and the procedure involved in the investments in public debt?

The Honourable Sir James Grigg: (a) to (d). The Government Securities Manual has been out of stock for some years now. Changes due to the creation of the Reserve Bank, the passing of the Government of India Act and the abolition of the Controller of the Currency's office have delayed its revision; but a revised edition is now in the press and will be available for sale in the near future.

(e) No.

Mr. S. Satyamurti: May I know how long this Manual has been out of stock?

The Honourable Sir James Grigg: Since 1930.

Mr. S. Satyamurti: May I know whether, apart from publishing this Manual, Government propose to give the fullest information to the public relating to the matters mentioned in this question?

The Honourable Sir James Grigg: The Manual does contain full information and that seems to be the best way of disseminating full information.

Mr. S. Satyamurti: When will the Manual be actually published?

The Honourable Sir James Grigg: It will be available for sale in the near future.

CONFERENCE OF INSPECTORS-GENERAL OF PRISONS OF THE PROVINCES.

489. *Mr. S. Satyamurti: Will the Honourable the Home Member be pleased to state:

(a) whether it is a fact that a conference of Inspectors-General of Prisons of all Provinces has been held, or will be held, in New Delhi;

(b) what are the details of the agenda of the conference;

(c) whether this conference has been convened, or was convened, at the request of the Provincial Governments;

(d) whether any question of policy was taken up, or will be taken up, at the conference; and

(e) what part the Government of India propose to play, or have played in the conference?

The Honourable Mr. R. M. Maxwell: (a) A Conference of Inspectors-General of Prisons was held from the 23rd to the 26th January, 1939.

(b) I place on the table of the House a copy of the agenda of the Conference.

(c) A biennial Conference of Inspectors-General of Prisons is not a new thing. Such Conferences have been held in 1923, at Delhi, in 1925, at Ootacamund, in 1927, at Calcutta, in 1929, at Lucknow and in 1934, at Delhi. It was suggested to Provincial Governments that there were advantages in continuing to give Inspectors-General of Prisons a periodical opportunity of exchanging views on matters of jail administration and the suggestion was approved by all Governments except those of Bombay, Bihar, and the Central Provinces and Berar. These three Governments doubted either the propriety or the usefulness of a conference of Inspectors-General at which the Ministers in charge of the portfolio of jails were not present. All other Provincial Governments sent their Inspectors-General to this Conference, though at the last moment the Inspector-General of Prisons in Sind was prevented from attending.

(d) I would refer the Honourable Member to the agenda. The Conference merely makes recommendations. It is for Provincial Governments to decide what policy they will adopt in pursuance of these recommendations.

(e) The Government of India was not represented at the Conference but merely acted as the co-ordinating medium for bringing together the Heads of Provincial Jail Departments. I lay on the table a copy of the remarks with which I opened the proceedings, as they may serve to explain the attitude of the Government of India towards this Conference.

Agenda for the Sixth Conference of Inspectors-General of Prisons to be held at New Delhi.

1. Classification of prisoners with special reference to treatment of "Political prisoners".
2. The treatment of prisoners in the following matters—
 - (1) Diet.
 - (2) Labour.
 - (3) Punishments.
 - (4) Privileges such as interviews, letters, supply of newspapers and books, libraries, supply of tobacco, gramophones, radio sets, outdoor games, and expenditure from private funds.
3. (a) Introduction of a parole or "ticket of leave" system to enable prisoners to visit their families.
(b) Release before completion of sentence; provisional or absolute. Method in present use and recommendations.
4. (a) Remissions.
(b) Payment to prisoners for good or extra work done. Consideration of the new system in English prisons.
5. Treatment of hunger-strikers.
6. Education of prisoners; with special reference to paid teachers and magic lantern lectures.
7. (a) Progress made in different provinces regarding treatment of young offenders.
(b) Progress made in different provinces in provision of Probation for First Offenders.
8. Necessity for concentrating released habitual criminals in special industrial institutions.
9. Establishment of more Discharged Prisoners' Aid Societies.
10. Disposal of prisoners sentenced by Court-martial and discharged from Army.
11. Discussion on jail reforms introduced in provinces including study of new Acts.
12. The relationship between Advisory Boards and the Police and Magistracy.
13. Jail industries with special reference to—
 - (a) price of jail products;
 - (b) sale of jail-made articles;
 - (c) demonstration farms and cottage industries.
14. Jail staff—
 - (a) Recruitment (including Superintendents).
 - (b) Establishment of an All-India Training College.
 - (c) Necessity for a leave reserve for all sections of the Jail staff.
15. Recognition of gallantry and meritorious service by the staffs of jails.
16. Method of calculating the maintenance charges of prisoners from other provinces.

GENTLEMEN,

This, the sixth Conference of Inspectors-General of Prisons, takes place under somewhat different auspices from its predecessors. Since the last such conference took place in 1934 the position which the Government of India occupy with regard to the administration of jails in the provinces has undergone a profound change with the inauguration of Provincial Autonomy. Under the Government of India Act, 1919, the administration of prisons was a provincial subject, subject to legislation by the Central Legislature, but the Government of India retained the power of superin-

tendence, direction and control. It was, therefore, possible to give directions to the Provincial Governments so as to unify practices in important matters of general policy and administration. This power was exercised by the Government of India frequently in connection with the important recommendations made by the Conference of Inspectors-General of Prisons in different years. Under the new constitution, the Government of India have no power in respect of jails in the provinces, except the concurrent power of legislation for the transfer of prisoners from one unit to another. The Central Government have, therefore, no functions now with regard to this conference except that of a central co-ordinating authority which has brought together the heads of Provincial Prison Departments for an exchange of ideas and experience and it is in this capacity only that I am present to open this Conference today and to welcome you on behalf of the Government of India. The Central Government have, however,* a few jails under their control in the centrally administered areas and the recommendations of this Conference will, I need scarcely say, receive careful attention from the Central Government in so far as they may be applicable to these jails.

While, however, the new Government of India Act has thus placed the provinces in a position of formal isolation from one another and from the Centre so far as the local administration of jails is concerned, it is clear that nothing in the Act was intended to prevent the interchange of information or the discussion of subjects of common interest with a view to the maintenance of such uniformity of standards and practice as local conditions and policy may permit. Indeed the fact that the Government of India no longer has power to impose uniformity even in regard to important matters makes it all the more desirable that other machinery for this purpose should be brought into existence, and from this point of view these conferences may become more rather than less important than before as a means of supplementing the formal scheme of the Act. Provincial Autonomy must naturally bring to the fore new and possibly divergent policies, new ideas of penology and new points of practical interest on which the responsible Ministers will need the best possible advice, and it will be of great advantage to them to be able to draw upon the fund of expert knowledge which a conference such as this provides. At the same time, those who, like yourselves, are individually responsible for advising Ministers on the technical and administrative sides of their proposals will no doubt feel it an advantage to be able to compare notes and to discuss perhaps novel ideal with those holding similar responsibility in other provinces. I should thus be inclined to regard the present Conference not as the sixth of the old series but as the first of a new series which I hope will continue to play an important part in the future in keeping the jail administration of India as a whole abreast of modern requirements.

I will not detain you longer now, for to judge from the length and variety of your agenda you have plenty to occupy you during the time available to you here. Your first concern will, no doubt, be to elect your own President for this Conference. The Punjab Government have been good enough to lend the services of an officer of their Jail Department to act as Secretary and we are most grateful for this assistance. Gentlemen, I wish all success to your discussions.

- *1. Ajmer-Merwara Central Jail.
2. Delhi District Jail.
3. Cellular and Associated Jails, Andamans.
4. One Jail in Coorg.

Mr. S. Satyamurti: May I know whether the Conference was presided over by my Honourable friend the Home Member and, in doing so, was he presiding over it in the capacity of the Home Member to the Government of India?

The Honourable Mr. E. M. Maxwell: I did not preside over it. One of the Inspectors-General of Prisons was chosen by the members attending the conference.

Mr. S. Satyamurti: In view of the fact that the previous conferences had been held before the 1st of April, 1937, and in view of the advent of Provincial Autonomy since that date, may I know whether Government will consider the desirability of leaving the initiative in the running of these conferences to the Provincial Governments concerned themselves taking part as merely representing the centrally administered areas?

The Honourable Mr. R. M. Maxwell: All the Provincial Governments whom we consulted agreed to send their Inspectors-General of Prisons to the Conference, except those which I have mentioned.

Mr. S. Satyamurti: In view of the fact that three Provincial Governments stood out on this very ground which I am putting to my Honourable friend, will the Government of India reconsider the position and see that either all the Provincial Governments accept this procedure or some other procedure is evolved by which all the Provincial Governments may co-operate?

The Honourable Mr. R. M. Maxwell: It depends upon what is the view of the majority of the provinces. In this case the minority of provinces took the view I have mentioned. Of course if there are a majority of provinces or any considerable number of them who are unwilling to support the conference, then naturally we should not attempt to hold it.

Mr. Badri Dutt Pande: Who represented the centrally administered areas?

The Honourable Mr. R. M. Maxwell: No one.

Mr. Lalchand Navarai: May I know, since the Conference met in Delhi, whether it was for the purpose of consultation with the Central Government and getting their views?

The Honourable Mr. R. M. Maxwell: No, Sir. As I have said, the Central Government took no part in the actual discussions, although of course the Central Government are responsible for a certain number of jails in the Chief Commissioners' Provinces and would benefit by the results of the Conference like any other province.

Mr. Abdul Qaiyum: Why did not the three provinces mentioned by the Honourable Member participate in the Conference?

The Honourable Mr. R. M. Maxwell: I have given the reasons in my reply.

Mr. S. Satyamurti: Did the Inspectors-General bring with them any instructions from their respective Governments?

The Honourable Mr. R. M. Maxwell: I do not know what is the precise nature of the instructions they had but the agenda was shown to the provinces beforehand.

CONFERENCE OF FINANCE MINISTERS.

490. *Mr. S. Satyamurti: Will the Honourable the Finance Member be pleased to state:

- (a) the reasons why an All-India conference of Finance Ministers is not being held this year;
- (b) whether Government are aware that in most Provinces there is grave anxiety for the financial future of those Provinces; and

- (c) whether the Government of India propose to examine the subject from an All-India point of view in consultation with the Finance Ministers of the Provinces, if so, when, and if not, why not?

The Honourable Sir James Grigg: (a) I would refer the Honourable Member to my reply to parts (a) to (c) of Mr. Manu Subedar's question No. 134 on the 6th February, 1939.

(b) and (c). This is a matter for Provincial Governments in the first instance.

Mr. S. Satyamurti: So far as my recollection of that answer goes, did my Honourable friend say that he felt there was no need for it?

The Honourable Sir James Grigg: I said:

"The reason for not having so far held one this year is simply that with the extra work thrown upon me personally in connection with the Income-tax Bill and the Chatfield Committee it has been physically impossible for me to find the time."

Mr. S. Satyamurti: May I know whether my Honourable friend's attention has been drawn to the various Provincial budgets and the financial problems which arise therefrom, impinging also directly and certainly indirectly on the sources of the Central revenues? In view of that, may I know whether my Honourable friend has any idea of convening or asking his successor to convene a very early conference with a view to evolving, as much as one can, a co-ordinated financial policy for the whole of India?

The Honourable Sir James Grigg: I shall certainly pass on the suggestion to my successor but I think the Honourable Member is a little too optimistic in thinking that as a result of such a conference there will be a co-ordinated policy for the whole of India.

Mr. S. Satyamurti: Have Government examined the Provincial budgets published so far? And are they or are they not convinced that there is a great need for co-ordination, by consultation—whether it is achieved or not—in regard to the difficult financial problems *inter se* between the provinces and between the provinces and the Centre? Does not my Honourable friend think that an honest attempt should be made to co-ordinate thought and action in this matter?

The Honourable Sir James Grigg: The Honourable Member is in a better position than I am to co-ordinate the financial policy of Provincial Governments.

Mr. S. Satyamurti: I recognise that; but, at the same time, will the Government of India help by taking the initiative in this matter and bringing together the Financial Ministers for consultation and co-ordination?

The Honourable Sir James Grigg: That was the sole object of the conference held last year. It is a matter of regret to me that the conference this year has had to be postponed. At any rate this is my feeling, as far as I am concerned, but I cannot go further than that.

Mr. S. Satyamurti: As regards the point raised in clause (b) of my question, may I know whether Government have considered this matter as regards the grave anxiety felt in the Provinces about their financial

future, and do the Government of India propose to take any steps in this direction with a view to allaying that anxiety?

The Honourable Sir James Grigg: I gather that there are anxieties of various kinds and I do not want to particularise them.

EXCHANGE RATIO.

491. *Mr. S. Satyamurti: Will the Honourable the Finance Member be pleased to state:

- (a) the reasons why the Government of India issued a *communiqué* declining even to examine the question of the rupee exchange ratio immediately after the Congress Working Committee passed a resolution asking for a reduction in the ratio;
- (b) when Government examined this subject last from all relevant points of view; and
- (c) what were the considerations which led them to take the view expressed in the *communiqué*?

The Honourable Sir James Grigg: (a) The immediate purpose of the *communiqué* was to prevent any possible misapprehensions as to the intentions of Government and so to forestall undesirable speculation.

(b) It is the duty of Government to watch constantly and continuously all economic factors affecting India.

(c) What they conceive to be the real interests of India, particularly those of the cultivator.

Mr. S. Satyamurti: Sir, may I know, with reference to the answers to these questions, whether Government propose to continue the present policy of treating themselves—I do not use that word in an offensive sense—as quite omniscient and not allow the relevant interests concerned at least to discuss the matter with the Government by means of a committee or a meeting and come to some decision in the best interests of India?

The Honourable Sir James Grigg: I have answered that question by implication or explicitly a dozen times in this House and all I can say is that we have no intention of changing our policy.

Mr. S. Satyamurti: May I know if Government have no intention even of examining the policy?

The Honourable Sir James Grigg: The Honourable Member is making an assertion that we have not examined the policy.

Mr. S. Satyamurti: When was the policy last examined?

The Honourable Sir James Grigg: All factors affecting economic conditions are constantly watched.

Mr. S. Satyamurti: “Constantly” is a very vague word—may I know when a formal and regular and full examination of the whole question of the rupee exchange ratio was undertaken, and with whose help he has arrived at this conclusion?

The Honourable Sir James Grigg: He may not.

Mr. S. Satyamurti: Then may I take it that Government have not examined the question but merely want to proceed with a policy of their own.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can draw his own inference. Next question.

PURCHASES MADE BY THE GOVERNMENT MEDICAL STORES DEPARTMENT.

492. *Mr. S. Satyamurti (on behalf of Mr. Manu Subedar): (a) Will the Defence Secretary please state the personnel and the expenditure of the Government Medical Stores Department?

(b) What is the value of the drugs held by this Department on any particular date during the last twelve months, for which the total is available?

(c) Is it a fact that the Army and Civil Hospitals are compelled to purchase their requirements from this Medical Stores Department and are precluded from purchasing full strength and proper material produced by the Indian spirit and pharmaceutical industry?

(d) What steps have been taken by Government to see that the requirements of the Government Medical Stores Department are purchased from indigenous sources, wherever material is produced in India?

(e) When was an inquiry made as to whether materials required are being produced in India, or not, and will Government place on the table of the House the final letter on the subject?

(f) Do Government propose to continue the maintenance of this Department, or, are they prepared to enquire whether it could not be abolished?

Mr. C. M. G. Ogilvie: (a) and (b). I place on the table a statement giving the required information.

(c) Military hospitals obtain their requirements from the Medical Stores Department if they are stocked at the Medical Store Depots. If not, they purchase their requirements direct from firms in India. As regards civil hospitals, the answer is in the negative.

(d) I refer the Honourable Member to rule 16 of Financial Regulations for the Army in India, Part I, which determines the policy of the Medical Stores Department. A copy of this publication is in the Library of the House.

(e) In 1930-31, by the Drugs Enquiry Committee. I refer the Honourable Member to its report, a copy of which is in the Library of the House.

(f) The Government of India propose to continue the maintenance of the Department.

(a) I. *Personnel of the Medical Stores Department.*

I. *M. S. Officers.*

One in charge of each Medical Store Depot 4

I. *M. D. Officers.*

(i) *Military Assistant Surgeons.*

One Depot Manager at each Depot and an Assistant Factory.

Manager at each of the Madras and Bombay Depots 6

(ii) *Military Sub-Assistant Surgeons* 5

Advisory Chemist, Madras 1

Chemist, Bombay 1

Assistant Chemists, Madras and Bombay 3

Clerical Staff 144

Other Personnel e.g., Packers, Factory hands, Compounders, Cutlers, Carpenters, Chowkidars, etc. 498

Total 662

II. The cash expenditure of the Government Medical Stores Department for 1936-37 for which figures are at present available, amounted to Rs. 33,69,286.

(b) The value of the drugs held by the Medical Stores Department on the 1st April 1938 was Rs. 5,50,704.

Mr. S. Satyamurti: With reference to the answer to clause (c) of the question, may I know if the army hospitals are precluded from purchasing full strength and proper material produced by the Indian spirit and pharmaceutical industry?

Mr. C. M. G. Ogilvie: They are not precluded, unless the articles are contained in the medical stores depots; if the articles are there, they have to take them, otherwise they buy direct from an Indian firm.

Mr. S. Satyamurti: Is quality taken into consideration?

Mr. C. M. G. Ogilvie: Most certainly.

Mr. S. Satyamurti: With reference to part (b) of the question, may I know whether Government are satisfied that the maintenance of this Department is required in the interests of the Defence Department as also in the interests of economy?

Mr. C. M. G. Ogilvie: Yes.

REPORT OF THE CHATFIELD COMMITTEE.

† 493. ***Mr. T. S. Avinashilingam Chettiar:** Will the Defence Secretary state:

- whether the Chatfield Committee have submitted their report;
- if so, what their recommendations are; and
- whether the report will be published, and whether an opportunity will be given to the Assembly to discuss the report before final orders are passed on it?

Mr. C. M. G. Ogilvie: (a) Yes.

(b) and (c). I refer the Honourable Member to the replies I gave on the 6th, 9th and 14th February, 1939, to questions on the same subject.

† Answer to this question laid on the table, the questioner being absent.

CONSTRUCTION OF THE KRA CANAL AND THE ROAD FROM YUNNAN TO ASSAM ETC.

494. ***Mr. M. Asaf Ali:** (a) Is the Defence Secretary aware that:

(i) in collaboration with the Siam Government, the Japanese Government have undertaken the construction of the Kra canal to obviate the strategic difficulties offered by the Singapore Naval Base;

(ii) the road from Yunnan to Assam is expected to be reconstructed for strategic purposes; and

(iii) the effective striking distance between the Japanese arial base in China and the North East Frontier of India has undergone alarming reduction?

(b) If the answer to any of the foregoing parts be in the affirmative, will the Defence Secretary please state what steps Government have taken to counteract this menace, and whether the Chatfield Committee went into these details?

Mr. C. M. G. Ogilvie: (a) (i) and (ii). No.

(iii) The presence of Japanese forces in China has obviously reduced the distance, but no alarm is felt on that score.

(b) The first part of the question does not arise. The reply to the second part is that the proceedings of the Chatfield Committee are confidential.

Mr. M. Asaf Ali: I did not ask the Honourable Member to disclose the proceedings of the Chatfield Committee. I simply wanted him to tell us whether the Chatfield Committee went into this question at all.

Mr. C. M. G. Ogilvie: I cannot even gratify my Honourable friend to that extent—whether they did or did not.

Mr. M. Asaf Ali: Did the Government of India take steps to present these facts before the Chatfield Committee?

Mr. C. M. G. Ogilvie: I can only repeat that the proceedings are confidential.

Mr. M. Asaf Ali: I do not want the Honourable Member to disclose anything which may be secret: all I want to be assured of is that Government have taken steps to safeguard India's interests as far as that part of the country is concerned?

Mr. C. M. G. Ogilvie: Government take steps to safeguard India's interests in all parts of the country.

Mr. S. Satyamurti: May I know whether Japan's effective striking distance from her arial base in Hainan and the North-East Frontier of India has been much reduced?

Mr. G. M. G. Ogilvie: Yes, the distance has been reduced.

Mr. S. Satyamurti: By how much?

Mr. G. M. G. Ogilvie: I suppose the actual distance must now be reduced by about five hundred miles.

Mr. S. Satyamurti: What are the steps Government propose to take to meet this new menace of Japan's effective striking distance from her new aerial base near China being so much reduced?

Mr. G. M. G. Ogilvie: I have informed the Honourable Member that no alarm is felt on that score.

Mr. Abdul Qayum: In view of the fact that the striking distance has been reduced, will Government consider or have they considered the desirability of moving the air force squadron from the North-West to the North-East Frontier?

Mr. G. M. G. Ogilvie: No.

Mr. M. Asaf Ali: With regard to the reduction of the striking distance between India and Japan, may I know if Government have stationed any air force squadrons in the North-East Frontier?

Mr. G. M. G. Ogilvie: No, they have not felt any necessity for doing so. +495*.

PRICE OF SALT IN THE BENGAL MARKET.

496. ***Mr. S. Satyamurti** (on behalf of Mr. Manu Subedar): (a) Will the Honourable the Finance Member please state the prevailing prices of salt in the Bengal market twelve months before the Salt Protective Duty was imposed, during the period that the Salt Protective Duty was in operation, and since that period?

(b) Have Government considered whether the removal of the Salt Protective Duty is in any way responsible for the very low prices now quoted in the Bengal market?

(c) Up to what limits in the interior could salt from Sambhar and Khewra, respectively, reach by rail when prices in Bengal are Rs. 50, Rs. 45, Rs. 40, Rs. 35 and Rs. 30?

(d) Is it a fact that imported salt is now coming up much further in the interior than it used to and that the off-take from Sambhar has been affected in recent months?

The Honourable Sir James Grigg: (a) A statement showing the information available is laid on the table.

(b) Yes.

(c) Khewra salt and ordinary Sambhar salt are not in competition with the imported article in the eastern part of India. But Reshta and Pan salts of Sambhar can, owing to the low issue price and concession railway freights, compete with imported salt in Muzaffarpur and Champaran when the price in Bengal per 100 mds. is Rs. 30; they can advance to Saran, Bhagalpur, Darbhanga and Monghyr when the price is between Rs. 35 and

Rs. 40 and to Purnea, Hazaribagh, Palamau, Santhal Parganas, Burdwan, Manbhum, Singhbhum, Patna, Shahabad and Gaya when the price is between Rs. 45 and 50.

(d) So far as Government are aware the only increase is due to smaller issues of Sambhar Reshta and Pan salts owing to a change in the system of issue.

Statement showing minimum and maximum quotations of salt in rupees per 100 maunds at Calcutta. (Figures enclosed in brackets represent ex golah prices and those not enclosed ex-ship prices.)

Description of salt.	March 1930.	1934.	1935.	1936.	1937.	1938.
<i>(Indian).</i>						
Bompay Kurkutch	N.Q. (60)	42-52(45-57)	40-43(40-46)	38(40-42)	48-50(40-60)	45-52(47-54)
Karachi Fine	52(N.Q.)	40-54(42-50)	44-56(44-62)	30-49(32-53)	43-53(44-68)	39-50(32-45)
Karach Kurkutch	N.Q.	40-54(41-47)	42-56(41-52)	34-47(35-52)	44-53(44-56)	35-44(34-48)
Nadir Fine	N.Q.	41-43(42-44)	44-50(44-60)	33-43(33-45)	46-55(46-57)	29-30(23-46)
Navalakhli Kurkutch	N.Q.	38-49(40-52)	46-56(46-62)	31-43(43-49)	42-55(44-53)	47(38-42)
Okha crushed	50(N.Q.)	43-49(44)	48-50(46-49)	44(44)	N.Q.	N.Q.
Okha Fine	N.Q.	40-50(43-53)	47-49(46-62)	30-49(34-53)	44-55(43-60)	30-43(32-56)
Okha Kurkutch	N.Q.	N.Q. (44)	N.Q.	N.Q.	48(N.Q.)	N.Q. (38-46)
Tuticorin Kurkutch	N.Q.	37-46(40-49)	40-43(40-47)	33(30-45)	53(53-54)	N.Q. (50-52)
<i>(Aden).</i>						
Aden Fine	52(60)	42-50(44-52)	50-58(50-57)	33-54(36-57)	46-65(50-63)	31-50(32-47)
Aden Kutkutch	56-58(62)	44-50(47)	48-56(55)	35-54(44-48)	48-60(48-56)	35-52(41-44)
<i>(Foreign).</i>						
Cheshire Fine White	...	N.Q. (53-60)	N.Q. (51-55)	56(55-56)	N.Q.	59-60(65)
Hamburg Fine	59-73(68)	43-50(43-55)	43-52(45-60)	47-52(51-55)	50-61(52-70)	45-61(48-66)
Hamburg Vaca	59-73(75)	50-51(51)	50-55(53-60)	52-55(53-55)	54-64(53-73)	56-64(50-70)
Port Said Crushed	53-56(61)	N.Q.	N.Q.	N.Q.	N.Q.	32-46(33-31)
Ras Hafun Fine	N.Q.	33-39(35-42)	45(N.Q.)	N.Q.	N.Q.	N.Q.
Ras Hafun Kurkutch	N.Q.	38(40-46)	N.Q.	N.Q.	N.Q.	N.Q.
Djibouti Crushed	N.Q.	N.Q.	N.Q.	N.Q.	N.Q.	31-39(N.Q.)
Djibouti Kutkutch	N.Q.	N.Q.	N.Q.	N.Q.	N.Q.	39-40(45)

NOTE 1.—"N.Q." denotes no quotation.

NOTE 2.—Quotations for April, 1931 to January, 1932 and January to December, 1933, will be found in Appendices to the Reports of the Central Board of Revenue on the working of the Salt additional Import Duty Act which are available in the Library of the Indian Legislature.

Mr. S. Satyamurti: May I know whether Government propose to continue their present policy of removing this salt import duty on foreign salt, and also whether they have heard from the Government of Bengal in respect of this matter recently?

The Honourable Sir James Grigg: As regards the first point, the protection on salt has been removed and, so far as I am concerned, that is the policy. As regards the second question, I have said on many occasions that communications between Provincial Governments and the Government of India are normally regarded as confidential.

Mr. S. Satyamurti: Have the Bengal Government now made any representations to the Government of India to the effect that, if this protective duty be re-imposed, they will be able to stimulate the manufacture of salt in Bengal, because, as far as I can recollect, one of the reasons advanced by my Honourable friend was that Bengal had not made any progress in the manufacture of salt? Have the Government of India been told now on behalf of the Government of Bengal that they can manufacture salt if they are given some protection?

The Honourable Sir James Grigg: The Honourable Member had better give me notice of that question, but I do not think—speaking off-hand—that he will get a very illuminating answer.

Mr. Lalchand Navalrai: With regard to the answer to clause (d) of the question, is it not a fact that the sale of the Sambhar salt last year was seven lakhs of tons and this year it is only 8½ lakhs of tons? If so, what is the reason?

The Honourable Sir James Grigg: I think the Honourable Member is giving me information in the first part of his question and I have already given him the answer to the second part.

OFFICERS IN THE FINANCE DEPARTMENT.

497. *Mr. C. N. Muthuranga Mudaliar: Will the Honourable the Finance Member please state:

- (a) the total number of officers of and above the rank of Assistant Secretary in the Finance Department on the 1st January, 1936 and the 1st January, 1939;
- (b) the percentage of increase in number and expenditure;
- (c) the reasons for the increase;
- (d) whether the work of the Department has increased since the introduction of Provincial Autonomy, and if so, in what respects; and
- (e) if not, how the increase in the number of officers is justified?

The Honourable Sir James Grigg: (a) The total number was 15 on the 1st January, 1936, and 21 on the 1st January, 1939. These include officers holding temporary appointments.

(b) The increase in number is 40 per cent., and the increase in expenditure about 34 per cent.

(c), (d) and (e). The Honourable Member's attention is invited to the replies I gave in this House to the supplementaries to his starred question No. 107 on the 25th August, 1937, and Mr. T. S. Avinashilingam Chettiar's starred question No. 456 on the 10th September, 1937, and the reply to the latter's question No. 462 on the same date. The position remains the same.

Mr. S. Satyamurti: What is the permanent increase? My Honourable friend referred to two categories of figures, one permanent and the other temporary. May I know what is the permanent increase in the strength of his Department?

The Honourable Sir James Grigg: Three.

Mr. S. Satyamurti: May I know the reasons for this permanent increase?

The Honourable Sir James Grigg: One of them is the Income-tax Adviser and another is due to an increase of work in the office of the Financial Adviser to the Communications Department and the third is the addition of staff as a result of the general organisation of the Secretariat work due to Maxwell Committee.

Mr. S. Satyamurti: With reference to the last appointment, has it been justified by a specific increase of duties and, if so, will my Honourable friend give the House some indication of the increase of his duties in his Department?

The Honourable Sir James Grigg: I cannot give the Honourable Member any specific measure of the increase of work. But I can assure the House from my personal experience that the work has increased enormously.

Mr. Muhammad Azhar Ali: Do Government take care of the communal representation in filling these posts?

The Honourable Sir James Grigg: I do not think the communal rules apply to higher appointments. In fact, the only consideration in filling these posts is efficiency.

SUBSTITUTION OF THE SYSTEM OF PROVIDENT FUND FOR PENSIONS.

498. *Mr. C. N. Muthuranga Mudaliar: Will the Honourable the Finance Member please state whether Government ever considered the question of substituting the system of provident fund for pensions in the case of their servants, and if so, when, with what result and for what reasons?

The Honourable Sir James Grigg: The information is contained in the Summary which was placed on the table on the 25th February, 1933, and to which I have already drawn the attention of the Honourable Member.

INCREASE IN EXPENDITURE CAUSED BY THE CREATION OF NEW POSTS.

499. *Mr. C. N. Muthuranga Mudaliar: Will the Honourable the Finance Member please state:

- (a) the increase in expenditure chargeable to central finances since the beginning of the current financial year caused by the creation of new posts;
- (b) whether the expenditure involved is over Rs. 2 lakhs;
- (c) how much of this or the actual increase is on account of Indian Civil Service officers; and
- (d) how this increase is reconciled with the intention of Government to retrench expenditure?

The Honourable Sir James Grigg: The information asked for is not readily available and cannot be collected without expense and labour which would not be commensurate with the results obtained. I may, however, add that only absolutely inescapable new expenditure has been incurred. Moreover, there has been on balance a very large reduction of expenditure.

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LEGISLATIVE ASSEMBLY.

[18TH FEB. 1939]

Mr. S. Satyamurti: With reference to answer to clause (a) of the question, in view of the retrenchment circular issued by the Honourable the Finance Member that new posts will be sanctioned only for very special reasons and the question refers only to the period from the beginning of the current financial year, may I know what are the reasons for saying that the Honourable Member cannot give the information without disproportionate expenditure of time and money which would not be commensurate with the results obtained?

The Honourable Sir James Grigg: "New posts" is a very large order. It covers the whole of the Customs Department, the Audit and Accounts Services and everything else and it goes right down to new posts in the subordinate services.

Mr. S. Satyamurti: Is it not a matter of some importance to this House to know how many new posts have been created, since the beginning of this financial year in spite of the retrenchment and economy campaign?

The Honourable Sir James Grigg: I think the House ought to be satisfied, first, that it has the scrutiny of the estimates of the demands for grants when they are presented in detail in a fortnight's time from now and, secondly, from the assurance which I give them that there has been on balance a very large reduction of expenditure.

Mr. S. Satyamurti: May I ask whether all these posts that have been created are those which were provided for in the last year's budget, or have any new posts been created not provided for in the last year's budget? I have often noticed that entirely new posts not provided in the Budget have been created.

The Honourable Sir James Grigg: The Honourable Member has again brought forward his King Charles' head. I have reasoned with him, I have argued with him, and I have quarrelled with him on a great many occasions, and I do not propose to start again.

Mr. Muhammad Azhar Ali: Will any foreigners be taken on these new posts?

(No reply.)

REVISION OF THE NEW PENSION RULES.

500. *Mr. C. N. Muthuranga Mudaliar: Will the Honourable the Finance Member please state whether the new pension rules have been revised, and if so, lay a copy on the table of the House?

The Honourable Sir James Grigg: I would invite the Honourable Member's attention to the reply given by me on the 6th of December, 1938, to Mr. Badri Dutt Pande's starred question No. 1832.

DISCRIMINATION IN LEAVE AND PENSION RULES OF THE SUPERIOR SERVICES UNDER THE GOVERNMENT OF INDIA.

501. *Mr. C. N. Muthuranga Mudaliar: Will the Honourable the Finance Member please state:

- (a) to what extent and why there is discrimination in the leave and pension rules relating to the Indian and European officers of the superior services under the control of the Government of India; and

- (b) whether Government propose to consider the desirability of abolishing it at an early date?

The Honourable Sir James Grigg: (a) *Leave.* I would draw the Honourable Member's attention to the reply given by me to his starred question No. 772 on the 17th of March, 1938.

Pensions. The relevant rules are:

- (i) Rule 2(1) of the Premature Retirement Rules;
- (ii) Rule 7 of the Civil Pensions (Commutation) Rules; and
- (iii) Articles 938A and 938 of the Civil Service Regulations.

Copies of these publications are in the Library of the House.

- (b) No.

SMUGGLING ON THE SIND BORDER.

***502. *Sardar Mangal Singh:** Will the Honourable the Finance Member please state:

- (a) whether any smuggling has recently been detected on the Sindh border;
- (b) whether any loss has, thus, been caused to the Customs Department;
- (c) what steps Government have taken to prevent its recurrence in future; and
- (d) in which parts of the Indian border the Land Customs Act is in force?

The Honourable Sir James Grigg: (a) and (b). Yes.

(c) Steps are being taken to establish a Preventive Line on the Upper Sind Frontier, to strengthen the preventive and intelligence staff in the Customs House at Karachi and to introduce a system for the better patroling of the sea coasts.

- (d) The Land Customs Act extends to all the land frontiers of India.

CLEARING UP OF THE APPREHENSIONS OF HOLDERS OF GOVERNMENT SECURITIES.

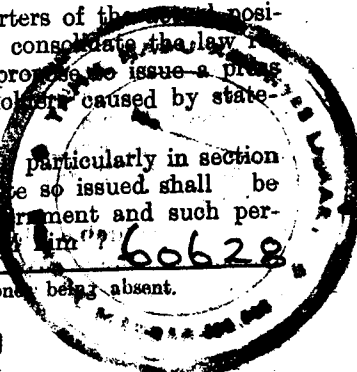
503. *Mr. S. Satyamurti (on behalf of Mr. Manu Subedar): (a) Will the Honourable the Finance Member please state whether the attention of Government has been drawn to the judgment of the Privy Council in the suit "Secretary of State *versus* The Bank of India, Limited" and the comments thereon by correspondents in newspapers?

(b) In view of the interpretation in certain quarters of the position as provided in Act No. X of 1920—An Act to consolidate the law relating to Government Securities—do Government propose to issue a press note clearing up the apprehension to bona fide holders caused by statements in newspapers and elsewhere?

(c) Has there been any change of law since 1920 particularly in section 16 of the Act, which provide clearly that "the Note so issued shall be deemed to constitute a new contract between Government and such person and all persons deriving title thereafter through him?"

*Answer to this question laid on the table, the question being absent.

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(d) What other steps do Government propose to take in order to clear any misapprehensions, which have arisen in the minds of the public through the newspaper comments on the Privy Council judgment?

The Honourable Sir James Grigg: In view of the importance of the matter, I shall make a full statement on it. The Government of India consider that the present position as elucidated by the recent Privy Council decision affords all reasonable protection to dealers in Government securities. The position as they see it is that prior to the passing of the Indian Securities Act of 1920, and in particular section 16, a holder of a Government security was liable for any defect in the title, even though such defect was embodied in a previous promissory note which had been renewed. As such a holder was obviously unable to scrutinise such endorsements, Government considered the position inequitable and the Act was amended so as to provide that the holder of the renewed note would not be under any liability in respect of such renewed note. This was effected by breaking the nexus between the old and the new note, and constituting the latter a separate contract, in exactly the same way as when a loan of one issue is converted into a new loan. This, however, does not mean that the party who has endorsed the old note on to Government will not continue to be subject to the ordinary liability of a party who has passed on a negotiable instrument with a defective title or no title at all, and Government naturally retain the ordinary right to claim against such a party. It is quite obvious that Government could not accept a position where they would assume full liability in respect of such notes as this would open the way to extensive malpractice and collusion. If such was the law it is clear that in order to protect themselves Government would have to be indemnified in every case of renewal, and this would seriously impede business in Government promissory notes. Government consider that they have gone as far as can be expected when they are prepared to renew notes after reasonable scrutiny and investigation without insisting on indemnity, except where there is some special reason for doubt, and to take their chance that the last endorsee will be able to meet the claim of a previous holder should such claim be subsequently established.

The remedy in the hands of banks and other dealers also seems plain. They should, as in the case of other negotiable instruments, take reasonable precautions that the previous endorsee is a party of standing or one known to them, and insist in other cases, if there is any element of doubt, that the scrip should be renewed before they take it, in which case they will be fully protected so long as they take the simple precaution of satisfying themselves that the party selling them the note is the actual party in favour of whom the note was renewed.

Mr. Brojendra Narayan Chaudhury: Have Government considered the difficulty of insurance companies and others who are compelled by law to purchase Government securities that there is not in the market sufficient amount of Government securities in forms other than promissory notes which are worthless?

The Honourable Sir James Grigg: The Government have considered the position and I have just read out an answer giving the result of their consideration.

Mr. Brojendra Narayan Chaudhury: Is the Honourable Member aware that in the open market there is very little of securities in the form of stocks, most of the securities are promissory notes which are useless.

The Honourable Sir James Grigg: It is not Government's fault if the public prefer to use promissory notes rather than stock certificates.

Mr. Brojendra Narayan Chaudhury: May I ask whether Government will consider the difficulty of these investors because in the market there are not sufficient stocks to be bought.

The Honourable Sir James Grigg: I can only repeat the result of the consideration which I have just read out.

OFFICERS SELECTED TO FORM A POOL OF OFFICERS.

†504. ***Mr. K. Santhanam:** (a) Will the Honourable the Finance Member please state whether officers in the various Departments have been selected to form the pool of officers created by the recent resolution of the Government of India?

(b) How many of them are Indians and how many non-Indians?

(c) Has any proportion been fixed for the purpose?

The Honourable Sir James Grigg: (a) to (c). The attention of the Honourable Member is invited to the reply I gave to part (c) of starred question No. 236 asked by Mr. T. S. Avinashilingam Chettiar in this House on the 9th February, 1939.

ENLISTMENT OF RECRUITS FROM THE TRIBAL AREA IN THE REGULAR INDIAN ARMY.

505. ***Maulvi Abdur Rasheed Chaudhury:** (a) Will the Defence Secretary please state whether Government are considering the question of enlistment of recruits from the Tribal Area in the North-West Frontier Province in the regular Indian Army?

(b) Have Government decided the tribe or tribes from which they will have recruits?

(c) Have they already taken any recruits from any tribes, and if so, from which tribes and how many?

(d) What is the reason for selecting the particular tribe or tribes?

(e) Do Government propose to take any recruits from the Wazirs? If not, why not?

(f) What is the strength of the Tochi Scouts and what is its composition?

(g) Was there any addition in the Tochi Scouts in recent years and if so, how much?

Mr. C. M. G. Ogilvie: (a) and (b). No change in the present scheme of recruitment from the tribal area is contemplated.

(c) Yes, Afridis, Orakzais and Mahsuds whose numbers on the 1st January, 1938, were 161, 222 and 234, respectively.

†Answer to this question laid on the table, the questioner being absent.

(d) Because these tribes have been found by experience to be the most suitable for military service.

(e) No. They are not among those considered suitable.

(f) and (g). These questions should be addressed to the Foreign Secretary.

Mr. Abdul Qaiyum: In view of the fact that it is the declared policy of the Government to improve the economic condition of the tribes and in view of the fact that they are not fit for any other service, will Government consider the desirability of enlisting a large number of these tribes-men in the regular forces because according to the Honourable Member, Sir Aubrey Metcalfe, they are all British subjects?

Mr. C. M. G. Ogilvie: Government do not intend at present to extend the recruitment in the tribal areas. As to the facts which the Honourable Member stated just now in the course of his question, the first is undoubtedly correct. As regards the second I hope that in some future time civilising influences may begin to prevail among the tribes.

Mr. Abdul Qaiyum: May I know that in view of the fact that certain tribes are considered suitable for enlistment in the army, why is it that their number is so very poor—the Honourable Member said they are 161, 222 and 234. Surely they can provide thousands of soldiers to the Indian army?

Mr. C. M. G. Ogilvie: Only those are taken who are considered suitable individually as well as generally.

Mr. Abdul Qaiyum: Is the Honourable Member aware that a larger recruitment of these people will result in minimising their discontent and they will make fine soldiers in the Indian Army?

Mr. C. M. G. Ogilvie: I do not know.

Maulvi Abdur Rasheed Chaudhury: What does the Honourable Member mean by "civilising influence"?

(No answer.)

Mr. Abdul Qaiyum: Bombing them?

VACANCIES FILLED IN THE CLERICAL ESTABLISHMENT OF THE MEDICAL STORES DEPARTMENT, LAHORE CANTONMENT.

†506. ***Sardar Sant Singh:** Will the Defence Secretary be pleased to state:

- (a) the number of clerical vacancies, (i) permanent, (ii) temporary for a period above three months that were filled by direct recruitment in the clerical establishment of the Medical Stores Department, Lahore Cantonment, since January, 1934;
- (b) the number of Sikhs, Hindus, Muslims and others recruited; and

†Answer to this question laid on the table, the questioner being absent.

(c) whether it is a fact that there is no Sikh in that department; if so, why?

Mr. C. M. G. Ogilvie: (a) Two and 28 respectively.
(b) 1, 21, 8 and nil, respectively.
(c) Yes; owing to the dearth of Sikh applicants.

LEASING OUT OF THE CALCUTTA MAIDAN.

507. ***Maulvi Abdur Rasheed Chaudhury:** Will the Defence Secretary please state:

- (a) the total income derived from the leasing out of the Calcutta Maidan;
- (b) the name of Clubs to which the different portions of the Maidan has been leased out;
- (c) under what arrangements the Muhammadan Sporting, Mohan Bagan, Calcutta, and other lessees play football on the Maidan.
- (d) under what arrangement the Calcutta Turf Club utilises a portion of the Maidan; and
- (e) the total income derived by Government from the Calcutta Maidan and the total expenses of management and upkeep in the years 1933, 1934, 1935, 1936, 1937 and 1938?

The Honourable Mr. R. M. Maxwell: (a), (b), (c) and (e). The necessary information is being collected and will be laid on the table, when ready.

(d) A part of the Calcutta Maidan has been leased to the Royal Calcutta Turf Club for a period of 30 years with effect from the 1st January, 1932, on payment of an annual rent of Rs. 20,000. The detailed terms are stated in the lease, a copy of which is in the Library of the House.

Mr. S. Satyamurti: Is this lease amount fixed as a matter of concession, or is it at the market rate?

The Honourable Mr. R. M. Maxwell: I believe the rate is considered adequate in view of the conditions prevailing.

Mr. S. Satyamurti: I want to know whether this lease is at a price which Government would get if they auctioned the lease rights among various claimants for the same, or is it fixed at a concessional rate, in view of the fact that the lessee happens to be the Calcutta Turf Club?

The Honourable Mr. R. M. Maxwell: The land is to be kept as an open space, it is not to be disposed of, no buildings or permanent structures ought to be put thereon; considering these the lease amount is reasonable.

Mr. S. Satyamurti: Are Government satisfied that this is the maximum price which they can get, on the condition that the land should be kept without any buildings being allowed to spring up thereon, and if the land is given to the Calcutta University or some colleges, are Government sure that they will not get more price?

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LEGISLATIVE ASSEMBLY.

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The Honourable Mr. R. M. Maxwell: The matter was discussed when the lease was entered into in 1932 and I presume that at that time the Government were satisfied that it was an adequate rent considering the use that was to be put of the land.

PROFESSION TAX LEVIED BY THE MADRAS GOVERNMENT.

† 508. ***Dr. Sir Ziauddin Ahmad:** Will the Honourable the Finance Member please state whether the profession tax levied by the Madras Government is levied on persons serving in Centrally administered services?

The Honourable Sir James Grigg: The Madras Government do not levy a profession tax.

MOTION FOR ADJOURNMENT.

RESTRICTIONS ON INDIANS BY THE GOVERNMENT OF THE UNION OF SOUTH AFRICA.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has received notice of a motion for adjournment of the House for discussing the following subject:

"The proposal before the Government of the Union of South Africa to introduce legislation for the purpose of further restricting the right of Indians to acquire or occupy immovable property."

The Honourable Member does not say what the Government of India have got to do with it. Have the Government of India taken any action or not taken any action with respect to this matter which the Honourable Member wants to discuss?

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): The Government of India are the primary party concerned. They look after the interests of Indians in South Africa.

Mr. President (The Honourable Sir Abdur Rahim): Perfectly true. Is the Honourable Member holding the Government of India responsible for the proposed legislation in South Africa? Have the Government of India failed to take any steps?

Sir Syed Raza Ali: It is the primary duty of the Government of India at the present juncture to make representations either direct or through their Agent General to dissuade the Union Government from introducing legislation of this character.

Mr. President (The Honourable Sir Abdur Rahim): Have they failed to take such steps?

Sir Syed Raza Ali: That is so; it would amount to that.

Mr. President (The Honourable Sir Abdur Rahim): It ought to have been mentioned in the notice.

†Answer to this question laid on the table, the questioner being absent.

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): I object to this motion also on the ground that what my Honourable friend has referred to is not a specific matter of recent occurrence. A newspaper report of this appeared in the *Statesman* of the 17th February—through the courtesy of my Honourable friend I was shown that this morning and I imagine the adjournment motion is based upon that report. You will find, Sir, that the bulk of the report relates to a Resolution which was placed before the Minister of the Interior in Pretoria in December, 1938. Not only that. If my Honourable friend were to contend that he himself was not aware of it or that we did not have earlier publicity with regard to the receiving of this deputation in December, I would draw your attention to two facts. On the 4th February I was answering a question with regard to events in South Africa and my Honourable friend, Sir Syed Raza Ali, asked the following question:

"With reference to the reply recently given by the Honourable Mr. Stuttford, the Minister of the Interior in South Africa to the deputation of European rate payers that waited on him giving a sort of assurance about the addition to Indian disabilities in the matter of acquisition of land in the Transvaal, will Government be pleased to say if they have taken any action in the matter, and if so, what?"

Mr. President (The Honourable Sir Abdur Rahim): Does that refer to this proposal?

Sir Girja Shankar Bajpai: That is the thing. There is nothing else. There is only the Resolution which was placed before the Minister in December. And the next part of the proceedings, if I may read it out to the House, is the interview given by the Minister for the Interior, Mr. Stuttford to a Press Correspondent. This is what the Minister says:

"A Cape Town message states that interviewed regarding the proposed legislation Mr. Stuttford stated that hitherto nothing had been decided and the whole question was still in the air."

Mr. President (The Honourable Sir Abdur Rahim): The case is that there is a proposal to introduce legislation.

Sir Girja Shankar Bajpai: The Government of India have no intimation official or otherwise of any proposal to legislate beyond this Resolution which was placed before the Minister for the Interior in December, 1938. There is no other intimation or knowledge before the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member mean that there is no proposal now for legislation?

Sir Girja Shankar Bajpai: There is none. Because, as I said, the press report, to which my Honourable friend has referred, relates to this Resolution which was placed by the Ratepayers' Association before the Minister in December, 1938.

Sir Syed Raza Ali: Sir, I submit that there is a very definite proposal before the Union Government to introduce anti-Indian legislation.

Mr. President (The Honourable Sir Abdur Rahim): Proposal by whom?

Sir Syed Raza Ali: Proposal by Government. In fact I will read to you what Mr. Stuttaford has said. He is the Minister of the Interior in South Africa and any matter relating to Indians is within his cognisance. It is he to whom representations can be made either by the people of South Africa or by us on any question relating to the position of Indians in South Africa. What took place was this. It seems a deputation waited on him some time ago and made certain proposals with regard to the terms of a certain Commission known as the Land Laws Commission being so extended that the Commission would be competent to make proposals against the acquisition of property by Indians. That was the deputation to which a reference was made by my Honourable friend. It seems that a fresh proposal has been made now which I will read out. This is a fresh proposal independently of the proposal to which the Education Secretary referred. It runs thus.

Mr. President (The Honourable Sir Abdur Rahim): What is the date of that?

Sir Syed Raza Ali: Yesterday, Sir:

"The Minister for the Interior, Mr. Stuttaford, has undertaken to introduce in Parliament in the 1940 session legislation granting authority to the Registrar of Servitude for prohibiting lease of property, sale to and occupation by Asiatics free of charge if 60 per cent. of property owners agreed to it."

Mr. President (The Honourable Sir Abdur Rahim): But the Government Member says that he has no knowledge except what has appeared in the papers.

Sir Syed Raza Ali: That betrays an amount of want of knowledge on the part of the Government of India which really is very profound, to say the least of it. If Reuter knows it and the Government of India do not, I am afraid I cannot congratulate the Government of India on their alertness.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must make out that the Government of India have not taken the necessary steps that they could take in the matter. They cannot be charged with negligence of their duties unless they had knowledge of the matter.

Sir Syed Raza Ali: As I have pointed out, there were two definite proposals. One was with regard to the terms of the Land Laws Commission being so extended as to empower the Union Government to bring forward anti-Indian legislation. To that my Honourable friend has replied. But now there is a fresh proposal.

Mr. President (The Honourable Sir Abdur Rahim): But they say they have no intimation.

Sir Syed Raza Ali: That is what I want to discuss. If they have no information they ought to be censured. It is the duty of the Government of India to know it. Otherwise, what is the use of spending such large sums of money in keeping an office there and keeping their representative there? In any case there can be no objection to this important question being discussed on the floor of the House. We came to know of it only yesterday.

Mr. President (The Honourable Sir Abdur Rahim): Having regard to the distance of South Africa from India, it is only fair that the Government of India should have information as to what is going on before they can be censured.

Sir Syed Raza Ali: Sir, I can assure you that a telegram sent from Delhi does not take more than four hours to reach Cape Town.

Mr. President (The Honourable Sir Abdur Rahim): The Government of India may want time to do that and get the information.

Sir Syed Raza Ali: If the Government of India so suggested, I would probably have no objection to the discussion taking place on Monday. Sir, this is a very important question. Events march in South Africa with very great rapidity. The Parliament is in session in Cape Town and my fear is that something may be done by Parliament this very session.

Mr. President (The Honourable Sir Abdur Rahim): At any rate the Chair cannot accept this motion today, because the Government of India have no intimation.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Sir, may I make a submission? The very fact that the Government of India have no information is, I submit, a matter for censure, because they have an Agent there at our expense, watching over our interests. This is a matter of some importance to the Indians there, and the Government of India ought to be in touch with the affairs there. If the representative of the *Statesman* can get this information, I do not see why the Government of India cannot get it. I submit that that shows culpable negligence on the part of Government.

Mr. President (The Honourable Sir Abdur Rahim): But the notice is not worded like that.

Mr. S. Satyamurti: But it means that.

Mr. President (The Honourable Sir Abdur Rahim): No; the Chair thinks it must disallow the motion as being out of order.

Mr. S. Satyamurti: Sir, may I suggest that you may postpone this till Monday?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows the procedure and he can put down a short notice question if he likes.

It appears so far that some statement has appeared in the papers that there is a proposal to promote certain anti-Indian legislation, and that is what is mentioned in the notice, but it is stated by the Member of Government that they have no information yet. The Chair, therefore, holds that the present motion is not in order. The Honourable Member may put down a short notice question.

Mr. S. Satyamurti: They may refuse to answer that.

Mr. President (The Honourable Sir Abdur Rahim): That is assuming all sorts of things. The Honourable Member himself has put down many short notice questions which have been answered by Government.

THE COAL MINES (STOWING) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Labour): Sir, I beg to present the report of the Select Committee on the Bill to make further provision for safety in coal mines.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 205.)

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, the Honourable the Home Member raised an objection to the proposal for Select Committee on the ground that in the case of a distinction now prevailing regarding cases where, in the first instance, the magistrate makes up his mind to issue a warrant instead of issuing a summons, it would not be prudent or desirable that he should dispense with the appearance of the accused. That is his contention. To a large extent, I agree with him. I agree with the Honourable the Home Member that at the outset it is open to the magistrate to issue a summons or to issue a warrant. And, if, in the first instance, he makes up his mind to issue a warrant and not a summons, he ought not to dispense with the appearance of the accused. That is true. Otherwise, if he intends to dispense with the appearance of the accused, that means that he does not think that the offence is serious, and that it is not a case where, in the first instance, a warrant ought to be issued. Therefore, at that stage to dispense with the appearance of the accused may not be proper. But, later on, it is open to the same magistrate on the complaint petition, that is, on the materials available to him and presented to him or laid before him by the complainant, that he finds the offence is serious and requires the issue of a warrant instead of a summons in the first instance, he may later on, after the appearance of the accused, find from further materials that it is not a fit case where the accused ought to be dragged to him from time to time, however respectable he might be or however inconvenient it might be to him to be forced to appear in Court, he may come to the conclusion that though initially, on the materials before him, he issued a warrant, there is no longer a justification for forcing the accused to come before the Court every day. In that case, the law, as it stands at present, i.e., section 205, does not empower him to allow him to appear by a Vakil. To that extent the law, as it stands, requires further modification. In cases where the magistrate comes to the conclusion on the materials available later on that the man ought to be allowed the indulgence or privilege of presenting himself or appearing by a Vakil, let it not be said that the magistrate has no power. But my Honourable friend, Sardar Sant Singh, and the Honourable the Home Member are both under the impression that it is open to the magistrate to circumvent the provision

or the absence of the provision by cancelling the warrant and issuing a summons. I do not find any authority for this procedure even though the procedure might have been adopted all along, and for what I see it is illegal. Therefore, to remedy a defect, let us not force a magistrate who wants to do some justice to resort to illegal methods by circumventing the law. Hence it is necessary that the law should be amended so as to empower magistrates to allow the accused to appear by pleaders or vakils at a later stage, even though, in the first instance, the magistrate might have issued warrant for the appearance of the accused, if he should come to the conclusion that the presence of the accused directly is no longer necessary, let him have that power. I, therefore, support the motion for reference to Select Committee.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, before I speak on this motion, I must inform the House that Sardar Sant Singh, who has moved this motion, is not present today owing to unavoidable reasons, and has asked me to apologise to the House on his behalf.

I support the motion to refer this Bill to Select Committee. Section 205 of the Criminal Procedure Code gives power to the magistrate in summons cases only, in his discretion, to give exemption to an accused person from attending Court in person and appearing by some agent: that discretion is very necessary in criminal cases. In cases where the magistrate issues a warrant in the first instance, he has got no power to issue an exemption order under section 205. Therefore, the attempt of the Honourable the Mover of this Bill is to ask the House to send it to the Select Committee for consideration. It is a very modest request. He does not want the law to be changed forthwith, but that this Bill should not be thrown away and shelved at this very early stage. It cannot be denied that there are several offences in the Indian Penal Code where, according to the Schedule, the magistrate has to issue a warrant in the first instance, e.g., I might call attention to a simple offence under section 504 which relates to insult and abuse. If a complaint is filed under section 504, the law requires that a warrant should issue in the first instance. I submit that this a lacuna in the Criminal Procedure Code that in cases of small offences, where the law requires that there should be a warrant in the first instance, why should not the discretion be given to the magistrate in suitable warrant cases also to allow the accused to appear by pleader or agent and the accused to be exempted from personal appearance?

Let us now consider both sides of the question. The first and foremost reason given by the Honourable the Home Member is that this is the third time that a similar Bill has been brought before the Assembly, and, therefore, it should be nipped in the bud as on the two previous occasions. But I submit that the very fact that after two abortive attempts the Honourable Member has again come with a motion for reference to Select Committee, where cool and calm consideration can be given to the points raised, is itself evidence of the difficulties felt by the people and one of the reasons which has compelled the Honourable Member to bring up the Bill again. We may not agree with all that is suggested in the Bill now, but the motion is only for referring the Bill to

[Mr. Lalchand Navalrai.]

The second reason given by the Honourable the Home Member is the reliance on section 204 of the Criminal Procedure Code. He says, the magistrate already has the discretion, and why should you ask for any further discretion? When a complaint is made under section 204, the magistrate has power to issue a summons or a warrant. There is no doubt of that, but it should be realised at what stage? The complaint is made at the start: the magistrate does not know that the circumstances under which exemption may be given: at that stage, a complaint is made and preliminary enquiries are conducted sometimes—mostly not and process is issued. In many cases, even a novel procedure is adopted, of which complaints have been brought before the bar associations and they have passed resolutions condemning the practice, *viz.*, that when a complaint comes before the magistrate, his *munshi* takes down the deposition required under section 200—sometimes in his own office and sometimes before the magistrate; and thus a case is made out for issue of process. A warrant is forthwith issued. At that time the magistrate does not know the circumstances of the accused—they are not before him. He, therefore, says “I have got power to issue a warrant and the law also requires it, and, therefore, I have to issue a warrant: I shall not consider anything else.” At that stage the accused person is not before him and he may not even know that a complaint has been filed against him. I, therefore, submit that the provisions of section 204 give no help in what this Bill asks for. This Bill refers to a further stage, after the process has issued. The question arises whether the person against whom a warrant has been issued should be given an opportunity not to appear in Court and wait until the time when he can be called under the latter part of section 205. It cannot, therefore, be urged as a reason that section 204 allows discretion to the magistrate.

Coming to the next point that the magistrate can change the warrant into a summons. My learned friend, Mr. Ayyangar, has rightly said that there is no legal procedure for that. I would call it a contrivance, and though it is in favour of the public, still it is merely a contrivance, a stratagem for the purpose of helping a particular man by a magistrate who has got no powers in that direction. There are many kinds of magistrates, and some, I know, are very liberal, and they cancel the warrants. But the anomaly some times is,—though, of course, that practice should be continued, after a warrant has actually been served, a man sends up his representation that he should be exempted. In such cases, some liberal minded magistrates go to that length and cancel the warrant. Whether this is right or wrong or it is according to law, one can't say, but this is what they do, but there is no provision for it at all. Why should the magistrates twist and turn the law? Why should they adopt wrong methods? Why should not such a law be amended by this Legislature? Therefore, Sir, I submit that this Bill should be committed to a Select Committee.

Another reason advanced by the Honourable the Home Member is that this is an attempt in favour of rich people, and not for the benefit of the poor. Sir, my point is this, that this amendment will help the whole public, whether rich or poor. In the first place, it will help *purdanashin* ladies, and *purdanashin* ladies you will find both among the rich as well

as the middle classes and also the poor people, and so it cannot be contended that this is an attempt to help only the rich people. Then, it is no doubt true, that it is also meant for rich people, some of whom, even according to the Civil Procedure Code, do not appear in Court, and who are given exemptions. Why should not discretion be given to the magistrates in that case also? Then, the argument about the poor men, that they are not intended by the Bill, is a fallacious one. There are several cases in which the poor people, especially, are needlessly harassed in practice. If there is any enmity or some disagreement between two parties, what do they do? They run to long distances for filing complaints. A man from Bombay goes to the Punjab and puts in a complaint, it may be a false complaint,—and a warrant is issued against the man in Bombay. Why should that man come all the way from Bombay to the Punjab? Why should not exemption be given to such a man until at least a *prima facie* case is made out. Sir, I think this is a clear case for referring the matter to a Select Committee for being considered from both points of view.

Mr. Abdul Qaiyum (North-West Frontier Province: General): Sir, I rise to support the motion moved by my Honourable friend, Sardar Sant Singh. I am rather surprised at the attitude taken up by the Honourable the Home Member in opposing this motion for reference to a Select Committee. I wish my friend, Sardar Sant Singh, instead of moving for reference of this very useful Bill to a Select Committee had insisted on having it considered by this House and passed as soon as possible. . .

Mr. Lalchand Navalrai: He did not do it because he lost heart after meeting with disappointment on two previous occasions.

Mr. Abdul Qaiyum: I though he had very good nerves.

Now, Sir, the present section 205 of the Criminal Procedure Code, if I may say so with all respect, sets a premium on legal hypocrisy. What happens is this. A man brings a complaint. If the complaint is referred for inquiry to another subordinate magistrate, the complainant does not hesitate to produce *ex parte* evidence which appears very strong, with the result that he can, in 95 cases out of 100, secure a warrant, because the case is made to appear so formidable that the magistrate has no option but to issue a warrant. The result is that when the other party turns up in Court, and some cross examination takes place, even the magistrate realises that he made a great mistake in issuing a warrant where a summons would have sufficed.

Now, what is the effect of the present section 205 of the Criminal Procedure Code? There is not the slightest doubt that in practice it works great hardship. In my part of India, what happens is this. People are very sensitive and people do not like that women should be hauled up in court as accused persons. Now, some unscrupulous persons who are actuated by malice and spite, at once bring complaints involving innocent women. Supposing a case of abduction takes place, what happens is this. One man is guilty of abduction, and in order to wreak vengeance, the other party impleads the sisters and other female relatives of the man as parties to the complaint with the result that warrants are issued against them and they are all hauled up. I will give another instance of a case in which

[Mr. Abdul Qaiyum.]

I myself appeared, in the third year of my practice. We have a lawyer there who is an expert in bringing complaints and he has developed this the bringing of complaints to almost a scientific art. What happened in one case was this. In a simple case of trespass, he cited about 200 or 300 persons belonging to a particular part of the village as accused persons. I was briefed for the accused, and on every date of hearing when we appeared, we found that at least one or two were sick or unavoidably detained with the result that the hearing had to be put off. This was a simple case in which 200 or 300 people had to come from a long distance, waste a whole day in Court and, just because the magistrate had issued warrants in the first instance, he could not exempt them from appearing in Court. After a number of hearings, the Magistrate got disgusted with the whole thing, and he resorted to the device, which is very often resorted to under this section, namely, he cancelled the warrants and issued summons instead and exempted all the persons from appearing in court. Then, on the very first hearing, to my great surprise, there were no witnesses in the court for the prosecution. Now, this was a case in which a large number of people had to come and appear in court from a far off village on numerous occasions and all of them had to be sent back simply because one or two among them could not be present. Surely, cases like these cause grave hardship as a result of the existence of section 205 of the Criminal Procedure Code.

Then, Sir, another very interesting device which is resorted to by complainants is this. They have a knack of bringing complaints against persons who may be residing in different parts of the country and who may have absolutely nothing to do with the offence. Supposing a man in Peshawar brings a complaint against a man who is in Calcutta, and in his absence he manages to lead evidence of a very satisfactory nature and secures a warrant for the arrest of the man in Calcutta. The result is, that the poor man has to come to Peshawar all the distance, not once, but perhaps on two or three occasions at least, and he is put to a lot of expense. He can satisfy the court that there was absolutely no necessity for issuing a warrant in the first instance. This is not all, Sir. Sometimes respectable persons, who are absolutely innocent, are hard put to it under the provisions of this very obnoxious section as it exists, with the result that they are put to the experience of being parties to a criminal case, of being made to appear in court, and of wasting very useful time by putting in their appearance in court. I think the Honourable the Home Member will realise that in practice this particular section causes untold hardship on women, on innocent and respectable persons, of all classes. Therefore, what this Bill aims at is, that instead of forcing the magistrate to resort to this legal fiction or what I would call legal hypocrisy, of cancelling a warrant and converting it into a summons and then exempting a person from appearing, why should we not vest powers in magistrates, in every case, to exercise their discretion whether it is a fit case for summoning an accused person in court. Surely, we can place so much trust in our magistrates. There are many other laws, which are at present current in this country, which give considerable discretion to magistrates and judges who have to administer them. Why should we not place trust in that particular discretion which is always extended to the magistracy and to the subordinate judges? There is absolutely no reason why we should not. After all, why not leave it to the magistrate himself? If he finds that

person need not appear in court, he can dispense with his presence, and, surely, there is nothing to prevent him from insisting that the person exempted from appearance should appear in court when sufficient evidence has been laid before the court in support of the complaint. That can always be done. So that there is absolutely no risk of the party escaping or taking undue advantage of this provision. I really think that my Honourable friend, Sardar Sant Singh, need not have moved a motion for reference to Select Committee. He should have straightaway moved for the consideration of the Bill and getting it passed into law, and thus bringing about an useful amendment of section 205 of the Criminal Procedure Code. I hope the Honourable the Home Member who is now very busy talking to his assistant, will take good care to accept this harmless proposal, namely, of reference to Select Committee of this Bill. I have great pleasure in supporting the motion for reference of the Bill to a Select Committee.

Some Honourable Members: 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.

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 205*), be referred to a Select Committee consisting of the Honourable Sir Nripendra Sircar, the Honourable Mr. R. M. Maxwell, Mr. C. J. W. Lillie, Dr. F. X. DeSouza, Mr. P. J. Griffiths, Mr. Muhammad Azhar Ali, Syed Ghulam Bhik Nairang, Mr. M. Ananthasayanam Ayyangar, Mr. Sham Lal, Mr. Govind V. Desmukh, Mr. K. S. Gupta, Mr. Lalchand Navalrai 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—49.

Abdul Ghani, Maulvi Muhammad.
Abdul Qaiyum, Mr.
Abdur Rasheed Chandhury, Maulvi.
Ahsan, Maulvi Muhammad.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Basu, Mr. R. N.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Chaliha, Mr. Kuladhar.
Chaudhury, Mr. Brojendra Narayan.
Chetty, Mr. Sami Vencatachalam.
Das, Mr. B.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Deshmukh, Dr. G. V.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Gadgil, Mr. N. V.
Ghiasuddin, Mr. M.
Ghuznavi, Sir Abdul Halim.
Gupta, Mr. K. S.

Hans Raj, Raizada.
Hegde, Sri K. B. Jinaraaja.
Hosmani, Mr. S. K.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Kailash Behari Lal, Babu.
Lahiri Chaudhury, Mr. D. K.
Lachand, Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Malaviya, Pandit Krishna Kant.
Misra, Pandit Shambhu Dayal.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.
Pande, Mr. Badri Dutt.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Rao, Mr. M. Thirumala.
Saksena, Mr. Mohan Lal.
Satyamurti, Mr. S.
Sinha, Mr. Satya Narayan.
Som, Mr. Suryya Kumar.
Subbarayan, Shrimati K. Radha Bai.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.

NOES—42.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aikman, Mr. A.
 Ayyar, Mr. N. M.
 Bajpai, Sir Girja Shankar.
 Bewoor, Mr. G. V.
 Bhagchand Soni, Raj Bahadur Seth.
 Boyle, Mr. J. D.
 Buss, Mr. L. C.
 Chanda, Mr. A. K.
 Dalal, Dr. R. D.
 D'Souza, Mr. Frank.
 Gorwala, Mr. A. D.
 Greer, Mr. B. R. T.
 Griffiths, Mr. P. J.
 Hardman, Mr. J. S.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Kanalluddin Ahmed, Shams-ul-Ulema.
 Kushalpal Singh, Raja Bahadur.
 Lillie, Mr. C. J. W.
 Mackeown, Mr. J. A.
 Maxwell, the Honourable Mr. R. M.

Menon, Mr. P. A.
 Menon, Mr. P. M.
 Metcalfe, Sir Aubrey.
 Miller, Mr. C. C.
 Mukerji, Mr. Basanta Kumar.
 Nur Muhammad, Khan Bahadur Shaikh.
 Ogilvie, Mr. C. M. G.
 Rahman, Lieut.-Col. M. A.
 Row, Mr. K. Sanjiva.
 Scott, Mr. J. Ramsay.
 Sher Muhammad Khan, Captain Sardar Sir.
 Sircar, the Honourable Sir Nripendra.
 Sivaraj, Rao Sahib N.
 Spence, Mr. G. H.
 Staig, Mr. B. M.
 Stewart, The Honourable Sir Thomas
 Sukthankar, Mr. Y. N.
 Sundaram, Mr. V. S.
 Thomas, Mr. J. H.
 Zafrullah Khan, the Honourable Sir Muhammad.

The motion was adopted.

THE HINDU WOMEN'S RIGHT TO DIVORCE BILL.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, before you take up the next motion which stands in the name of Dr. Deshmukh, I would draw your attention to the fact that this Bill was circulated for opinion and the Members of the House have not received those opinions at all, except one small paper containing the views of Piploda and Coorg Governments. It will be very unfair to ask Members of this House to discuss the motion without receiving those opinions. It is only after a perusal of those opinions that we will be able to judge this question better and so, I would like this motion to be postponed till the next non-official Bill day. I do not want to put any obstruction but I think it is only fair to the House that my friend should agree to this postponement.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move:

"That the Bill to give a right to divorce to Hindu women under certain circumstances be referred to a Select Committee consisting of the Honourable Mr. R. M. Maxwell, the Honourable Sir Muhammad Zafrullah Khan, Mr. C. J. W. Lillie, Mr. A. K. Chanda, Mr. Ghulam Bhik Nairang, Maulvi Syed Murtuza Sahib Bahadur, Mr. F. E. James, Mr. Surya Kumar Som, Mr. Bhulabhai J. Desai, Mrs. K. R. Subbarayan, Sardar Jogendra Singh and the Mover, and that the number of persons whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to give a right to divorce to Hindu women under certain circumstances be referred to a Select Committee consisting of the Honourable Mr. R. M. Maxwell, the Honourable Sir Muhammad Zafrullah Khan, Mr. C. J. W. Lillie, Mr. A. K. Chanda, Mr. Ghulam Bhik Nairang, Maulvi Syed Murtuza Sahib Bahadur, Mr. F. E. James, Mr. Surya Kumar Som, Mr. Bhulabhai J. Desai, Mrs. K. R. Subbarayan, Sardar Jogendra Singh and the Mover, and that the number of persons whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Babu Baijnath Bajoria: For the reasons I have already explained, I move that this motion to refer the Bill to a Select Committee be postponed till the next non-official day for Bills.

Mr. President (The Honourable Sir Abdur Rahim): What is the Honourable Member's ground?

Babu Baijnath Bajoria: The grounds are that we have not received the opinions on the Bill. We have received only one sheet, showing the opinions of Panth Piploda and Coorg.

Dr. G. V. Deshmukh: That shows that all the others are in favour.

Mr. President (The Honourable Sir Abdur Rahim): When was the Bill circulated for opinions?

Babu Baijnath Bajoria: The Bill was circulated for opinions which were to be received by the 15th February. I do not know whether the Government had time to circulate the opinions to the Members. I do not know whether they have received them at all. That the Honourable the Leader of the House will be able to say.

The Honourable Sir Nripendra Sircar (Law Member): Sir, may I explain the position of Government. I think my friend said that he was not sure whether Government had done this, that or something else. It was no business of Government. Circulation was the business of somebody else, but the position really is this. I support Mr. Bajoria. It is quite true that the opinions should have been sent by the 15th February, but the fact is that very few opinions have been received. They are coming in dribblets, and only the opinion from Coorg and one other small place has been received and circulated. The others have not been circulated. We have not got the opinions of the Provincial Governments. The opinions of two of the Provincial Governments have come in very recently. They are not before the Members of the House. They could not be printed or circulated, and they are not really in favour of Dr. Deshmukh's Bill. The other Governments have not replied yet. So, I do think that the House will not proceed with the discussion of this matter—a matter of great importance—without seeing those opinions and paying attention to them. I do not think it is reasonable to suggest that we shall go on talking the whole day and then see what can be done later on. I had a talk with Dr. Deshmukh. I quite understand his anxiety. While he is not very seriously objecting to the House being given a reasonable opportunity to consider all opinions, he is afraid that he may lose seisin of the Bill, that it may go into the general heap and what with balloting and other rules it may not come up the next day. On that, I can assure Dr. Deshmukh and the House that from the practical point of view this question of priority will not arise, because there are only three Bills which have been referred to the Select Committee and which can possibly get ahead of Dr. Deshmukh's Bill, but there is no chance of those reports being presented in time to get ahead of this Bill, so that the question is rather academic as to whether it should have priority or not. He will have that in any case. No doubt, if this matter is adjourned today, a large number of Bills will be introduced, but I may draw your attention to Standing Order 7A. Dr. Deshmukh's Bill, being a Bill which has been circulated for the purpose of eliciting opinions, will have precedence over all other Bills.

Mr. President (The Honourable Sir Abdur Rahim): The Chair is not expressing any opinion on that.

The Honourable Sir Nripendra Sircar: The opinion need not be expressed, but I am giving the facts to Dr. Deshmukh that he has no reason to lose his priority.

Dr. G. V. Deshmukh: In view of the assurance given by the Leader of the House and also the help I have received from the Government. . .

Babu Baijnath Bajoria: Undue help.

Dr. G. V. Deshmukh: They helped me in the righteous cause I lead, and I thank them for the help they gave.

Well, Sir, for these reasons, I have no objection to accepting the suggestion from my friend, Mr. Bajoria, who is at heart as good a social reformer as I am, but he wants to square up his position with the orthodox section. I have no objection to accepting the amendment of Mr. Bajoria, but I take it that I hope I will have an opportunity to put forward my views on the 11th.

Mr. President (The Honourable Sir Abdur Rahim): Very good, that is if the House accepts the motion.

The Chair will put the question under the circumstances which have been mentioned by Mr. Bajoria and the Leader of the House that the opinions have not been received, though the Bill had been circulated for that purpose. The question is:

"That the further discussion of the motion to refer the Bill to a Select Committee be postponed till the next non-official day for Bills."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The Chair would make it clear that as regards the position which the Bill occupies on the next non-official day the Chair expressed no opinion.

THE ABOLITION OF WHIPPING BILL.

Mr. M. Thirumala Rao (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill to abolish the punishment of whipping.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to abolish the punishment of whipping."

The motion was adopted.

Mr. M. Thirumala Rao: Sir, I introduce the Bill.

THE MUSLIM PERSONAL LAW (SHARIAT) APPLICATION (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill to amend the Muslim Personal Law (Shariat) Application Act, 1937.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to amend the Muslim Personal Law (Shariat) Application Act, 1937."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

THE FOREIGNERS (AMENDMENT) BILL.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Foreigners Act, 1864, for certain purposes (Insertion of new section 1-A).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Foreigners Act, 1864, for certain purposes (Insertion of new section 1-A)."

The motion was adopted.

Mr. N. V. Gadgil: Sir, I introduce the Bill.

THE CONTROL OF COASTAL TRAFFIC OF INDIA BILL.

Mr. Sami Vencatachelam Chetty (Madras: Indian Commerce): Sir, I beg to move for leave to introduce a Bill to control the Coastal Traffic of India.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to control the Coastal Traffic of India."

The motion was adopted.

Mr. Sami Vencatachelam Chetty: Sir, I introduce the Bill.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

Mr. Kuladhar Chaliha (Assam Valley: Non-Muhammadan): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code."

The motion was adopted.

Mr. Kuladhar Chaliha: Sir, I introduce the Bill.

THE RECIPROCITY BILL.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I beg to move for leave to introduce a Bill to make provision in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British Possessions on a basis of reciprocity.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to make provision in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British Possessions on a basis of reciprocity."

The motion was adopted.

Mr. Govind V. Deshmukh: Sir, I introduce the Bill.

THE INDIAN SALT (AMENDMENT) BILL.

Mr. Badri Dutt Pande (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Salt Act, 1882, for a certain purpose.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Salt Act, 1882, for a certain purpose."

The motion was adopted.

Mr. Badri Dutt Pande: Sir, I introduce the Bill.

THE CHILD MARRIAGE RESTRAINT (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I beg to move for leave to introduce a Bill further to amend the Child Marriage Restraint Act, 1929.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Child Marriage Restraint Act, 1929."

The motion was negatived.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908, for certain purposes.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908, for certain purposes."

The motion was adopted.

Babu Kailash Behari Lal: Sir, I introduce the Bill.

THE USURIOUS LOANS (AMENDMENT) BILL.

Mr. Kuladhar Chaliha: Sir, I move for leave to introduce a Bill to limit rates of interest and for that purpose further to amend the Usurious Loans Act, 1918.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to limit rates of interest and for that purpose further to amend the Usurious Loans Act, 1918."

The motion was adopted.

Mr. Kuladhar Chaliha: Sir, I introduce the Bill.

THE INDIAN STATES (PROTECTION AGAINST DISAFFECTION) AMENDMENT BILL.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I move for leave to introduce a Bill to amend the Indian States (Protection against Disaffection) Act, 1922, for a certain purpose.

In this connection, I would like to make only one observation. I wish I had introduced this Bill last week before the Ludhiana Conference took place. I am introducing this Bill only a week later.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to amend the Indian States (Protection against Disaffection) Act, 1922, for a certain purpose."

The motion was adopted.

Mr. B. Das: Sir, I introduce the Bill.

THE OVERSEAS INDIANS RECIPROCITY BILL.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Sir, I move for leave to introduce a Bill to safeguard the rights and interests of Indian Nationals abroad.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to safeguard the rights and interests of Indian Nationals abroad."

The motion was adopted.

Mr. Mohan Lal Saksena: Sir, I introduce the Bill.

THE INDIAN BAR COUNCILS (AMENDMENT) BILL.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Indian Bar Councils Act, 1926.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Bar Councils Act, 1926."

The motion was adopted.

Mr. Akhil Chandra Datta: Sir, I introduce the Bill.

THE HINDU WOMEN'S RIGHTS TO PROPERTY (AMENDMENT) BILL.

[AMENDMENT OF SUB-SECTIONS 3(1) AND 3(3).]

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Hindu Women's Rights to Property Act, 1937. [*Amendment of sub-sections 3(1) and 3(3).*]

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Hindu Women's Rights to Property Act, 1937. [*Amendment of sub-sections 3 (1) and 3 (3).*]"

The motion was adopted.

Mr. Akhil Chandra Datta: Sir, I introduce the Bill.

THE INDIAN MEDICAL COUNCIL (AMENDMENT) BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Indian Medical Council Act, 1933.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Medical Council Act, 1933."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

THE CONTEMPT OF COURTS (AMENDMENT) BILL.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Contempt of Courts Act, 1926, for certain purposes.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Contempt of Courts Act, 1926, for certain purposes."

The motion was adopted.

Mr. Akhil Chandra Datta: Sir, I introduce the Bill.

THE PROVINCIAL INSOLVENCY (AMENDMENT) BILL.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I move for leave to introduce a Bill further to amend the Provincial Insolvency Act, 1920.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Provincial Insolvency Act, 1920."

The motion was adopted.

Babu Kailash Behari Lal: Sir, I introduce the Bill.

THE PRESIDENCY-TOWNS INSOLVENCY (AMENDMENT) BILL.

Babu Kailash Behari Lal: Sir, I move for leave to introduce a Bill further to amend the Presidency-towns Insolvency Act, 1909.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Presidency-towns Insolvency Act, 1909."

The motion was adopted.

Babu Kailash Behari Lal: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Monday, the 20th February, 1939.

LEGISLATIVE ASSEMBLY.

Monday, 20th February, 1939.

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.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

OPENING OF THE BROADCASTING STATION AT TRICHINOPOLY.

509. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable Member for Communications state:

- (a) whether Government have come to a conclusion over the matter of proceeding with or stopping the erection of the radio station at Trichinopoly;
- (b) whether they have received any representations from the Madras Government in this matter; and
- (c) if so, what has been the result of these representations?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

(c) Government have decided to open the Trichinopoly Station and took the views of the Madras Government into consideration in reaching this decision.

Mr. T. S. Avinashilingam Chettiar: When is this station expected to be put into working order?

The Honourable Sir Thomas Stewart: That occurs in answer to a later question, and I shall give the information later in the morning.

NEWS REGARDING A TRAIN ROBBERY PUBLISHED IN THE TRIBUNE.

510. *Mr. Abdul Qaiyum: Will the Honourable Member for Railways please state:

- (a) if he has read the news "Daring train robbery" in the Tribune of Lahore, dated the 13th January, 1939;
- (b) whether Miss Andrey Saunders was thrown out of a moving train by dacoits;
- (c) whether the train did not stop after she had pulled the communication cord;
- (d) whether these cords are tested before the departure of the train, and whether this was done in this case; and
- (e) whether Government propose to take steps to secure regular and frequent examination of such communication cords?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

(c) It is understood that the lady did not pull the communication cord. The preliminary police report states that she was prevented from doing so by one of the dacoits.

(d) No.

(e) Regular and frequent examination of communication cords is made:

Mr. Abdul Qaiyum: May I know whether it is a fact that a policeman in the next carriage actually pulled the communication cord and yet the train did not stop for half a mile?

The Honourable Sir Thomas Stewart: I have no information as regards that.

Mr. Abdul Qaiyum: May I know if this attack took place at seven o'clock in the morning?

The Honourable Sir Thomas Stewart: That is the information contained in the newspaper report.

Mr. Abdul Qaiyum: May I know if Government have satisfied themselves that in this case the communication cord was in perfect working order?

The Honourable Sir Thomas Stewart: Yes, Sir.

Mr. K. Santhanam: May I know what was the statement made by Miss Andrey Saunders herself as to whether she pulled the communication cord?

The Honourable Sir Thomas Stewart: I have not been able to get a *verbatim* statement from the lady in question, but a preliminary police report states that she was prevented from doing so by one of the dacoits and presumably that report is based on what the lady herself has said.

Shrimati K. Radha Bai Subbarayan: May I ask whether Government will examine the whole question of the safety of women passengers and take into consideration whether it would be possible to have a corridor bogey with a special conductor in charge of that carriage?

The Honourable Sir Thomas Stewart: The Honourable Member's question raises a very wide issue and if she would put down a question on the notice paper, I shall be glad to answer it.

Mr. Lalchand Navalrai: May I know if there was a scheme for the provision of communication apertures in third class carriages to provide safety for these occasions? Are those now in use?

The Honourable Sir Thomas Stewart: I am not aware that this question refers to third class carriages and amenities thereto.

Mr. Abdul Qaiyum: May I know if this lady was actually thrown out of this compartment into the bed of a river?

The Honourable Sir Thomas Stewart: I am informed that she was thrown out of the compartment, but I do not know where she landed.

JIRGA SYSTEM AND SARDARI SYSTEM IN BRITISH BALUCHISTAN.

511. ***Mr. Abdul Qaiyum:** Will the Foreign Secretary please state:

(a) what the *Jirga* system and *Sardari* system in British Baluchistan are;

(b) whether he is aware that the people are dissatisfied with both, and have urged for their abolition; and

(c) the reasons why these systems are being retained?

Sir Aubrey Metcalfe: (a) The phrases are loosely used for the administration of customary law through the Frontier Crimes Regulation and the control of the tribes through their recognised leaders.

(b) and (c). It is believed that the great majority of the people are satisfied with these methods of administration. They have certainly not urged their abolition.

Mr. Abdul Qaiyum: May I know how Government have ascertained that a great majority of the people are satisfied with this system of administration?

Sir Aubrey Metcalfe: That is the report received from the local administration and I have no doubt that the local administration are in close touch with public opinion.

Mr. Abdul Qaiyum: This is merely the opinion of the local administration and the views of the people were not ascertained.

Sir Aubrey Metcalfe: I do not know what the Honourable Member wants an answer to. He has made a statement which I think is incorrect.

Prof. N. G. Ranga: Who established this system and when was it established?

Sir Aubrey Metcalfe: The system has been in force long before the British administration was established in Baluchistan.

Mr. Abdul Qaiyum: May I know if in case of complaints by ordinary people against their Sardars, the procedure adopted by Government is that these complaints are referred back to the same persons against whom the complaints are made.

Sir Aubrey Metcalfe: That is a question of detail on which I require notice.

Prof. N. G. Ranga: Are the people there obliged to make any payments to these Sardars either legally or illegally?

Sir Aubrey Metcalfe: That, again, is a question on which I require notice.