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LEGISLATIVE ASSEMBLY, 1921



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LEGISLATIVE ASSEMBLY.

Monday, 19th September, 1921.

The Assembly met in the Assembly Chamber at Half Past Ten of the Clock. The Honourable the President was in the Chair.

MEMBERS SWORN :

Mr. Muhammad Ahsan Khan, M.L.A. (in Urdu).

Mr. Crewe Armand Hamilton Townsend, M.L.A.

QUESTIONS AND ANSWERS.

PROCEEDINGS OF RAILWAY COMMITTEE.

220. **Sir P. S. Sivaswamy Aiyer :** (a) Has the attention of the Government been drawn to the letter of the Special Correspondent of the *Hindu* (Madras) in its issue of the 7th July 1921, containing a report of the proceedings of the Railway Committee?

(b) Is it a fact that the evidence of Sir William Meyer before the Railway Committee goes to show that stores were not being purchased for India in the cheapest market and that the British firms with whom contracts were placed were, to a certain extent, subsidised at India's expense?

(c) If the answer to (b) is in the affirmative, will the Government be pleased to state whether they propose to issue any instructions to the High Commissioner for India on the subject of 'Purchase of Stores'?

Mr. A. C. Chatterjee : The answer to (a) is in the affirmative.

(b) I lay on the table a copy of papers received from the High Commissioner, consisting of extracts from a Minute on the subject of the purchase of stores in England for Indian railways, extracts from Sir William Meyer's evidence before the Railway Committee, a note on the procedure of the Stores Department, and two statements showing (1) cases in which British tenders have been accepted although lower satisfactory tenders have been received from foreign firms; and (2) cases where foreign firms' tenders have been accepted for the whole of a contract, or the order divided between British and foreign firms, where British firms have been given an opportunity to reduce their prices. These statements are for the period commencing from the 1st October 1920 to the 8th August 1921. It will be seen from these papers that it is true that in a limited number of cases, such purchases have, for particular reasons, been made in England, where they could have been made at cheaper rates abroad. It does not, however, follow that purchases abroad would have been more economical in the long run.

With regard to (c) of the Question, the matter will be discussed in connection with the Resolution of Sir Vithaldas Thackersey.

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Extract from a Minute by Sir W. S. Meyer, dated 8th August 1921.

1. The printed note on the procedure of the Stores Department in respect of the purchase of stores for India annexed to this Minute gives a full statement of (a) the manner in which tenders are invited, and (b) the considerations which guide the acceptance of tenders. My evidence before the Railway Committee, which is attached, affords a commentary on certain features of the procedure and policy adopted, and it is only necessary for me to supplement it on points not already made clear or calling for revision.

2. I shall first deal with the question of calling for tenders. Tenders are usually invited by advertisement when large supplies are needed and the amount involved is considerable, e.g., demands for railway materials such as steel rails, etc. Advertisements are inserted in important newspapers and technical journals published in the United Kingdom. Most important foreign manufacturing firms have agents in this country who keep them in touch with business openings, and it has not in the past been found necessary to bring our requirements to the special notice of foreign firms, unless articles of a special nature obtainable only from such firms are required. In other cases recourse is had to "limited" tenders or to individual firms direct. Paragraphs 2—5 of the printed note explain the procedure in calling for tenders.

3. The next point is the policy which has been laid down to control the acceptance of tenders. I may summarise this briefly in a series of propositions explaining later the considerations which led to the adoption of principles which might be considered likely to give rise to criticism :

(i) As a general rule, the lowest satisfactory tender is accepted. The term "satisfactory" covers matters such as quality of article tendered, reliability of tendering firm, date of promised delivery, etc. This rule is, however, subject to the following qualifications :—

(a) In present abnormal circumstances and for the reasons explained in my evidence before the Railway Committee, I am willing to accept a satisfactory British tender in preference to a foreign tender when the gap between the two is not excessive. As a general starting point, I have laid down that this gap should not exceed 10%. But each case has to come before me personally on its merits, and while sometimes no preference at all may be found necessary, in others there may be valid reasons for going beyond 10%. In the case of the wheels and axles referred to in my evidence, a preference up to about 20% was allowed to a British firm for the special reasons there stated.

(b) Among British tenderers, preference is given to a firm on the King's roll, i.e., one which has on its staff at least 5 per cent. of disabled ex-service men, over a non-King's roll firm unless the latter tenders materially lower or undertakes to deliver more expeditiously where time is an essential factor.

(ii) When a British and a foreign tender are equally satisfactory, the preference is invariably given to the former.

(iii) When a foreign tender is much below a British tender, the terms of the former are confidentially communicated to the British firm to enable it, if possible, to come down to within a reasonable limit of preference. The use of this lever has often resulted in a material reduction of the original British prices.

4. I have explained in my evidence before the Railway Committee the reasons for the policy I have adopted which, I again reiterate, has been adopted by me as only a temporary measure in view of the present abnormal conditions in the industrial world. When the Stores Department came under me, I reviewed the position most carefully, and came to the conclusion that it would not at present be to the real ultimate advantage of the Indian Government to take into account nothing beyond the prices at the moment. Having regard to the Exchange and existing industrial conditions in Germany, for instance, British firms would in sundry cases not be able to compete on equal terms with German manufacturers, but the placing of all orders in the cheapest market might, by helping to destroy British industries, place us ultimately at the mercy of their foreign competitors. There are other considerations which sometimes militate against the acceptance of foreign tenders, e.g., the difficulty involved in the inspection of foreign materials before they can be passed for shipment, and in any case, inspection abroad is more expensive than it would be in England and occasionally the difficulty of obtaining delivery within the time specified in the indent. It must also be emphasised that, in the case of certain classes of material, e.g., Railway wheels, axles, etc.,

where reliability is a matter of public concern, it is inexpedient to attach too much importance to cheapness and to overlook the special reliability of a firm that has been in the past tried and found trustworthy, even at some extra cost to public revenues.

5. I enclose two statements, one showing the cases in which since 1st October 1920 a higher British tender has been accepted in preference to a lower foreign tender, and the other showing the foreign tenders accepted during this period.

The 8th August 1921.

W. S. MEYER.

Extracts from Minutes of Evidence given by Sir William Meyer, G.C.I.E., K.C.S.I., before the Railway Committee.

8190. May I first ask you about some matters that you know of in your present position? As I understand it, it is your business to be responsible for the purchase of stores, materials, and so forth, for Government departments generally?—Yes.

8191. And that includes the three State Railways?—Yes.

8192. I understand that the Government are setting up, if they have not already set up, a corresponding Purchase Department in India?—The question of the actual shape in which it is to be set up and its scope is still under consideration, but there was a Committee appointed on the subject on which your Secretary, Mr. Ryan, sat.

8193. But the policy of doing it is settled: is that right?—I think you may take it that that is so.

8194. At present, however, there is not a corresponding department in India with which you can dovetail?—No.

8195. The function of the High Commissioner will be to get things in England that could not be got in India; that will be the theory, I take it?—It is rather like this. The Indian Government and the departments determine what things they require in England. The present policy is that whenever possible they shall purchase things in India at, of course, a reasonable price compared with England. They make up their minds as to what they can purchase in India, and then they indent for the residue, which is either stuff which is not procurable in India, or could only be procured at prohibitive expense or entirely through the agency of private firms. They do not want to employ middlemen. In all those cases they send me instructions to buy.

8196. Who are they—separate departments or a stores organization?—No, there is as yet no collective stores organization in India. My orders may come from the Army Department of the Government of India as regards particular army stores, or possibly, for the sake of convenience, from the Director General of Ordnance. Similarly, they may come from the Post Office as regards Post Office and Telegraphs, and from the various Public Works Departments as regards ordinary public works matters, and from the Railway Board, usually, as regards railway purchases.

8197. I assume that an urgent order on a small scale might come to you directly by cable from the Agent of the North-Western Railway?—That is so. On many matters there is direct communication between my Director General of Stores and the local people.

8198. You have to buy engines, rolling-stock, and things of that kind?—Yes.

8199. You have a firm of consulting engineers?—Yes.

8200. Do you make much use of them?—Considerable.

8201. They do the inspection for you during construction, I suppose?—In certain highly technical matters the consulting engineers come in, but the Stores Department has also got its own people to refer to.

8202. The Stores Department has its own experts?—Its own inspecting experts, I should say, rather than consulting experts. For a large number of purchases of relatively small things and local stores those experts are quite sufficient. One of the matters in which the consulting engineers are useful is this. One of the questions we have to consider at present is the purchase of stores in Germany, say—if we can get the material at a considerably cheaper price there. Before we consider the *cons* and *pros* of that, we often refer to the consulting engineer as to the status of a particular German firm or company that has tendered, as to the character of the goods they turn out, and as to the likelihood, where time is of the essence, of their being turned out promptly.

8203. Would you trust to your own knowledge as to the status and capacity of a firm in England?—I certainly should not trust to my own individual knowledge, but the Director General of Stores and the Stores Department have, of course, got very large information. They have dealt with firms for many years, but if there was any difficulty we would certainly go to the consulting engineer.

8209. (*Chairman*).—I do not know whether you have any views on the question of the purchase of stores. One of the complaints that was made in India, in somewhat general terms as far as I can remember, was that the English companies gave a preference to England, although stuff might be bought cheaper and equally well in America or in Germany, and that thereby the Indian tax-payer has suffered. That is the case as stated. Have you any opinion on that, from your experience?—I cannot say what the companies do, but I can tell you as regards my own department, which includes the purchases of State Railways. One is rather between Scylla and Charybdis in these matters. You have got the Indian opinion demanding, from their point of view quite reasonably, that you should purchase absolutely in the cheapest market. I have a good deal of pressure put on me on various sides in England to deal with British firms and companies; they say it is very hard that they should be penalized by the abnormal advantage obtained by Germany through the rate of exchange and so on; that they have served India well in times past, and that if they have to shut up shop things will be worse for us in the future. I have always taken up the position that it is not the business of the Indian tax-payer to subsidise British industries or British labour, but that within certain limits one might give a bit of a preference especially to people who have formerly dealt with us. The Director General of Stores deals with the mass of contracts, but at present cases in which it is proposed to deal with a foreign firm come up to me. The general principle I have laid down (it is subject to specific and possibly different applications in particular cases) is that if the lowest British tender is within 10 per cent., say, of the German or Belgian tender, I give it to the British firm. Of course, time is sometimes of the essence of the contract. Sometimes the British firm can turn out the goods required within the time that the Government of India or the department that requires the goods, specifies, and the foreigner cannot. I also adopt the principle on occasion that if the lowest German tender, say, is considerably lower than the lowest British tender, I communicate confidentially the terms of the German tender to the Britisher, and ask him if he will come down. Sometimes he comes down to an extent that justifies me in giving the business to him; sometimes he does not. Of course, as you understand, the Secretary of State is subject to various questions in Parliament about these matters and, although I am subordinate to the Government of India and not to him, I have explained my policy to him, and he so much approved of it that he said he thought of asking the companies to follow it also.

8210. You have raised a point there that I think is worthy of notice. You are an officer of the Government of India?—That is so.

8211. You happen to be temporarily housed, I understand, at the India Office?—I was, but I have got an office of my own now. I am a neighbour of yours: I am at 42 and 44, Grosvenor Gardens.

8212. The only way in which the Secretary of State can deal with you, so to speak, is through the Government of India?—Yes. If I were doing things that he considered objectionable, he might instruct the Government of India to instruct me to abate my actions, but no such case has arisen hitherto.

8213. I think we fully understand your attitude. The giving of a certain preference to England as a country that has supplied material, and to individual firms that have served you well, you regard as a businesslike and proper thing to do?—Exactly.

8214. You do not think it is contrary to the interests of India in the long run if you sacrifice 500*l.* or 5,000*l.* on an individual contract?—I think it is entirely to the interests of India in the long run. Perhaps I might bring to your notice, if it has not been already brought to your notice, one question with reference to the loan of 7½ millions that was floated here a little time ago. There was a guarantee given by the India Office, on behalf of the Government of India, that all the proceeds of that loan would be applied to the purchase of railway material in this country. Of course, it is quite easy to carry out that policy without any infringement of the other line of policy to which I was referring just now, because we shall spend about 14,000,000*l.* this year for the purchase of railway material, and in any case at least 7½ millions—probably very much more—will come from British undertakings.

8215. Thank you very much. I do not think I appreciated before the point of purchase in Great Britain as distinct from purchase in Europe. That is, of course, a distinct difference.

8399. I do not propose to ask you any questions on the technical side at all. I will read out the question in order that the Committee may know what it was. Question No. 3 was: "Are tenders for supplies from foreign countries freely invited and received, and if so, will the Director-General kindly state the number of foreign tenders received during the periods 1912-13, 1913-14 and 1919-20?" The reply is: "The usual method of inviting tenders from foreign countries is by advertising the requirements. This is done whenever it is thought that the requirements are such as to attract foreign competition. Thirty-nine foreign tenders were received during 1919-20. The numbers for 1912-13 and 1913-14 are not available." Who exercises the discretion as to whether "the requirements are such as to attract foreign competition" or not?—The Director General of Stores.

8400. What guides him in his decision?—The past. He would look up to see what foreign companies in the past had offered for like requirements.

8401. Whether stores of that nature can be obtained in foreign countries or not—is that what would guide him?—Either that they cannot be obtained in foreign countries, or that for a series of years, let us say, Canada did not send in any tenders. Then he might reasonably conclude that it was not of any particular use advertising the requirements in Canada. Another point you have to bear in mind is that very often he is asked to get stores urgently, and to advertise in foreign papers necessarily means a little delay.

8402. In reply to No. 5 two examples are given. The answer says: 'In a few instances foreign tenders from 30 per cent to 50 per cent. lower than British tenders have been received, and have been dealt with in accordance with the policy indicated in the answer to Question 4. One or two recent examples are given below:

Rails.—Foreign price, 10*l.* 10*s.*

British price 17*l.*, subsequently reduced to £11 10*s.*

Wheels and Axles.—Foreign price, 45*l.*

British price, 83*l.* 15*s.*, subsequently reduced to 67*l.*

Is it possible that what happened in those two cases of rails and wheels and axles may have happened in the case of other materials in regard to which the Director General of Stores exercises his discretion? You see, the difference is enormous?—I explained at the outset to the Chairman the policy which I have laid down in respect to foreign tenders. This case of wheels and axles I know about personally. The 45*l.* was a German price. The original British tender was nearly 84*l.* In accordance with the policy I indicated to the Chairman, the German price was communicated to the company which offered it and they were asked whether they could reduce. They said they could reduce to 67*l.* I said that was not enough, but that I was willing, as a special case, to give them the tender at 55*l.*, having regard to the fact that they had done very good work for us in the past, and that they might be supplying us with wagons later on for debentures instead of for cash. They are still thinking over the offer; I gave them time to consider it. The foreign price for the rails was 10 guineas and, in the first instance, the British price was 17*l.* It was subsequently reduced to 11*l.* 10*s.* I imagine that the reduced British price was accepted.

8403. (*Mr. Purshotamdas.*) I should like to put this question arising out of the answer you have just given. If you call for tenders and if, instead of giving the order to the lowest tenderer, you send for the next lowest competitor and tell him you have got a lower tender, does it not discourage the lowest tenderer from tendering again? Will he not say: "Our tender is only called for in order to get the others to reduce their prices?" There is not what is called in ordinary business (I do not at all mean it is so in this case) fair tender facilities available to all. Does it strike you that, by the adoption of this method, the foreign tenderer may absolutely cease to tender at all?—Your criticism would be absolutely just in normal times. One would not think of adopting this system in normal times, but we have to face a very abnormal situation in which the Germans, thanks to the exchange position and to their necessity of having to pay a huge amount of reparations, are putting up what you may call an artificial price. We do not want to see the British firms ruined by German artificial prices; the result would probably be that you might get a German monopoly. On the other hand, as I said to the Chairman, it would not be legitimate to use the Indian tax-payer to any material extent to subsidise British firms, so I have adopted a medium position—a moderate amount of preference to British firms which will only last while the present abnormal economic situation continues.

8404. I take it that this policy did not prevail before the war, and that it will stop in the near future as soon as the other circumstances to which you have referred adjust themselves?—I was not responsible for the administration of the Stores Department before the war; I have become responsible only lately. I understand that before the war they went on the general principle of going to the cheapest market, and hereafter (in normal conditions) they will do the same. Of course, you must take it that in certain cases, as I explained to the Chairman, time is of the essence of the demand, and foreign people may not be able to supply within the requisite time.

Procedure of the Stores Department in the purchase of stores and engagement of freight to India.

1. Action in regard to purchase is only taken on receipt of indents of telegrams from India. Each indent must be accompanied by a certificate showing that funds have been provided to meet the proposed expenditure.

2. 'Draft Orders' are prepared in the precise terms of the indent, each order including such items as will have to be obtained from one class of manufacturer. The draft orders are then referred to the Superintendent of the Dept., the Consulting Engineers, or other officer appointed to undertake the inspection of the stores, and are completed by him, with the necessary specifications, departmental pattern numbers, if any, such other information as may be necessary to guide the supply. They then form the basis on which tenders are invited for supply.

3. There are three ways in which tenders are obtained :

- (1) By advertisement ('open tender').
- (2) By invitation to a limited number of firms ('limited tender').
- (3) By invitation to one firm only 'single tender' or ('private purchase').

It is left to the discretion of the Department to decide which of these three ways shall be adopted, as explained in the following extract from a Minute by the Under Secretary of State, dated the 9th December 1918 :

'In 1874, a Committee of the House of Commons (of which Mr. J. Holms was Chairman) sat and reported on the purchasing Departments, War Office, Admiralty, India Office, etc. They made no special recommendations, with respect to the India Office, but, on the general question, they were of opinion that it would be 'unwise to restrict the purchasing officer to any one of these modes of purchase' (*viz.*, open tender, limited tender, purchase by broker, or private purchase) 'to the exclusion of the others.' 'In all cases,' they say, 'where the circumstances will admit of it, public tender is the best and safest mode of buying, but the Committee are not prepared to recommend any restriction upon the discretion of the heads of the purchasing Departments. To enable them to buy to the fullest advantage, they must, within certain limits, be left untrammelled'.

'The practice of purchasing privately does not prevail to any great extent in any department. The purchasing officers appear to be aware of the danger of indulging in it when it is not necessary; but to prohibit it absolutely, under all circumstances, your Committee would deem to be unwise.' These remarks apply to the present system.'

4. When 'limited tender' is adopted the names of the firms to be invited are, as a rule, determined as follows :

A register is kept, under the various heads of supply, of firms known to be willing and able to execute contracts. Every effort is made to have full, and, at the same time, efficient lists, and every encouragement is given to firms desirous of being recorded; but, before noting new firms in the register, inquiry is made by reference to other Government Departments, or to large private firms, to ascertain the ability of the applicants to execute contracts satisfactorily. In many instances the firm is also asked to send samples of its work for examination and its works are visited. Firms are also required to give an undertaking that they

will comply with the terms of the Fair Wages Resolutions of the House of Commons, dated the 13th February 1891, and 10th March 1900. When thought necessary names are removed from the register.

From this register the names of firms to be invited are selected by the Director General of Stores or the Deputy Director General.

5. Competitive tenders are generally invited, except in the case of :

(a) Patents and specialities.

(b) Comparatively small supplies.

(c) Highly finished work such as surgical and scientific instruments. For these it is not unusual to invite single tenders from thoroughly reliable firms, as it has been found by experience that competition is liable to result in lower prices at a sacrifice of quality.

6. Single tenders are opened as received, and, if considered reasonable and satisfactory, are accepted, subject to the rules as to acceptance shown below.

7. Competitive tenders are appointed to be sent in by a fixed day and hour. They are opened under the supervision of the Director General of Stores, or the Deputy Director General, and of a junior clerk. Each tender received is initialled by both the officers, and a list enumerating the tenders received is kept for record.

8. The quotations having been checked, an abstract of each set of tenders is prepared, and, when necessary, is referred with the tenders to the Inspection Branch for report.

9. Tenders are accepted under the authority of the Director General of Stores, subject to the following limitations :

(a) The acceptance of any tender over 50,000*l.* requires the approval of the High Commissioner.

(b) If the tender proposed to be accepted is not lowest complying with the requirements of the Stores Department and of the indenting Department, the acceptance requires the approval of the High Commissioner, except that when the amount involved does not exceed 5,000*l.* and the acceptance of the tender is justified on such ground as superior quality, superior trustworthiness of the firm tendering greater facility of inspection, quicker delivery, etc., the Director General may authorise the acceptance, a weekly abstract of such cases being submitted to the High Commissioner.

10. The acceptance of foreign tenders is governed by Rule 9, subject to the conditions that :

(a) When a British and a foreign tender are equally favourable, the British tender is to be preferred.

(b) No German or Austrian tender is to be accepted without the special sanction of the High Commissioner, except that the Director General of Stores may accept a tender from a British firm which includes German goods of a value not exceeding 100*l.* provided that he is satisfied that suitable article cannot be obtained at a reasonable price of British manufacture.

11. The firms whose tenders are not accepted are informed to that effect.

12. Tenders for freight are generally invited by advertisement, and are dealt with in consultation with the Shipping Agents.

The acceptance of freight tenders is subject generally to the same rules as those governing the acceptance of tenders for stores.

13. A weekly list of the contracts entered into for stores and freight is submitted for the information of the High Commissioner.

December, 1920.

G. H. C.

Cases in which British tenders have been accepted although lower satisfactory tenders have been received from foreign firms (for period commencing 1st October 1920).

Name of firm receiving order.	Contract number.	Stores.	Price at which order was placed.	Lower tender from foreign firms.	Difference in price as percentage of lower tender.	REMARKS.
B1	734-6678, dated 16th February 1921.	Axles ...	£ 12,574	F1. (German) £11,666.	7.8%	The delivery offered by the British firm was quicker than that offered by the German firm, and the former firm was considered to be more reliable. The British firms reduced their price by £1,944 as a result of negotiations.
B2	484-6688, dated 2nd February 1921.	Tyres, steel.	6,000	F1. (German) £6,025. F2. (Swedish) £6,375.	9.5%	The delivery offered by the British firm was 4-7 weeks, that of the German firm 20 weeks. The cost of inspection abroad would be £250 more than in this country. As a result of negotiations the British firm reduced their price by £1,490.
B3	Z4971-5857, dated 16th November 1920.	Do. ...	14,862-15	F1. (German) £10,432-16.	36%	British firm accepted on ground of superior trustworthiness and in view of Consulting Engineers' report that the state of the German works was not known or whether they could obtain the high grade ores necessary (German phosphoric ores not being suitable). The British firm were asked to reduce their price but could not do so.
B3	1697-667, dated 21st April 1921.	Spikes, dog.	4,069	F3. (Belgium) £3,680.	11.1%	The extra cost of inspection in Belgium would be 3 per cent. of the cost of the stores. As the result of negotiations the British firm reduced their price by £1,075.
B4	3127-6766, dated 28th July 1921.	Wheels and axles.	44,000	F1. (German) £36,000.	22.3%	The British firm's price was reduced by negotiation from £83-15 per pair to £55 per pair.
B5	1705-265, dated 21st April 1921.	Keys, steel.	7,812-10	F4. (Belgium) £6,908-10-0.	13%	The British tender was accepted on the grounds of superior quality and superior reliability.

Cases where Foreign Firms have been accepted for whole contract or order divided between British and Foreign Firms where British Firms have been given an opportunity to reduce their prices (for period commencing 1st October 1920).

Name of firm receiving order and nationality.	Contract number.	Stores.	Rate per ton or total value of contract.	Reasons for giving the order to firm.
F-3 (Belgian)	Z.-46-41-4996 of 22nd October 1920.	1,250,000 Dog spikes.	At 1,820 francs per ton f.o.b. Antwerp (at 53 francs to £36-8-0 per ton).	Lowest quotation F-3 delivery six months. A British firm (on behalf of Belgian firm) next lowest but passed over in favour of firm B-3 for portion on score of urgency. B-3 delivery ten weeks. In view of coal strike not possible to place whole order with British firm though British makers promised greater output when strike settled.
B-3 (representing British firm.)	Z.-4642-4996 of 22nd October 1920.	1,400,950 Dog spikes.	At £41 per ton, Liverpool.	
F-5 (Belgian)	No. 176-5982 of 15th January 1921.	3,000 Axle boxes.	Total = 510,000 francs (at 56 to £9,107 approx.)	Firm F-5 lowest tender. Firm B-6 lowest British tender, price reduced by negotiation. Delivery of both firms long. Order divided in order to meet, as far as possible, India's requirements in respect of delivery.
B-6	No. 177-5982 of 15th January 1921.	1,200 Axle boxes.	Total £4,905	
B-7 (For German made cups).	No. 3065-1423 of 23rd July 1921.	255,000 Insulator cups.	Total £8,490	The lowest tenders for British made goods were received from Firms B-8 and B-9 who quoted equal prices. Both firms reduced price of item 1 from £95 per 1,000 to £94 per 1,000 against £33 per 1,000 for German made insulators. The total cost of British made goods would have been £24,237 or 187 per cent. above the cost of the German. The order was consequently given to the firm B-7 on account of their much lower prices.

PROVINCIAL SERVICE IN THE NORTH-WEST FRONTIER PROVINCE.

230. **Sir P. S. Sivaswamy Aiyer**: Will the Government be pleased to state :

- (a) Whether any appointments to the Provincial Service in the North-West Frontier Province are made by an open competitive examination?
- (b) Out of the total cadre of 50 in the Provincial Service of the North-West Frontier Province how many are graduates and how many have been recruited from the Bar and what was the length of standing of each at the time of his recruitment?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray) : (a) No appointments have been made by open competitive examination.

(b) (i). Out of the total cadre, 11 are graduates, 5 of whom are permanent, and 6 temporary additional Extra Assistant Commissioners.

(ii) Five in all have been recruited from the Bar, of whom 2 are permanent, and 3 are temporary additional Extra Assistant Commissioners.

(iii) The length of their standing at the Bar before recruitment was as follows :

- (1) Six years.
- (2) Four years.
- (3) }
- (4) } Approximately two years each.
- (5) }

JIRGA SYSTEM IN THE NORTH-WEST FRONTIER PROVINCE.

231. **Sir P. S. Sivaswamy Aiyer**: Is the *jirga* system in the North-West Frontier Province applicable to cases against non-Pathans also; and, if so, do the Government propose to arrange that the system should be restricted to cases against Pathans only leaving the non-Pathans to be tried by the ordinary Courts?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray) : The answer to the first part of the question is 'Yes.' Certain sections of the Frontier Crimes Regulation are of general application and under Section 1 (4) the Chief Commissioner has declared the following classes of persons to be subject to the remainder :

- (1) all persons born or ordinarily resident in the districts to which the Regulation applies, or in the foreign territory bordering on those districts to the west, or in any part of Afghanistan or Baluchistan ;
- (2) all persons dependent upon persons of the preceding classes whether as tenants, servants, clansmen, or retainers of any kind ;
- (3) all persons accused or being jointly concerned in the commission or abetment of an offence with persons of the preceding classes.

The answer to the second part is 'No.' To restrict the *jirga* system to cases against Pathans only would be a matter of great practical difficulty

as not all who have adopted Pathan customs and belong to the Pathan tribal system are Pathans by descent and would also inflict grave hardship upon the general community.

The Frontier Crimes Regulation is not a repressive measure as its implicit title might imply. It is in essence an instrument for giving legal sanction to the settlement and composition of blood-feuds, serious offences and civil offences, whether by adjustment, compromise or punishment, according to the ancient customs of the country.

In the selection of the *jirga*, the tribe and caste of the parties is always considered, and when Hindus are concerned, Hindu members are invariably appointed to the *jirga*.

LOCAL LAWS AND REGULATIONS FOR THE NORTH-WEST FRONTIER PROVINCE.

282. **Sir P. S. Sivaswamy Aiyer**: Will the Government be pleased to state whether any non-officials are consulted when making or altering the local laws and regulations applicable to the North-West Frontier Province and if not, whether the Government propose to consider the expediency of such consultation?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): Local laws and regulations applicable to the North-West Frontier Province can only be made or altered by the Governor General in Council. I understand that it is usual for the Local Administration to consult non-official opinion before making any such recommendations.

OFFENCES AND BORDER RAIDS IN THE NORTH-WEST FRONTIER PROVINCE.

233. **Sir P. S. Sivaswamy Aiyer**: (a) With reference to the answer* of the Government to Question No. 473 (b) of Mr. S. Sinha in March last, regarding the number of offences and border raids in the North-West Frontier Province, will the Government be pleased to state whether before the formation of the Province, no information was being supplied to the Punjab Government by the Commissioner and the Deputy Commissioners of the five Frontier districts regarding the number of raids and outrages by trans-frontier tribesmen and the number of serious crimes by others committed in the districts under their charge?

(b) If the answer to (a) be in the affirmative, will the Government be pleased to call for a return from the Administration concerned of such raids, outrages and serious crimes for each of the 10 years preceding the separation of the North-West Frontier Province?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): (a) The answer is presumably 'Yes.' But the old records may have been destroyed after the amalgamation of the statistics with those of the Punjab as a whole.

(b) A return has been called for from the Punjab Government who report that they possess no further material beyond that contained in the Punjab Police Administration Reports for the years in question. These reports are public, but it has been found impossible to extract from them the information

the Honourable Member desires. A further endeavour will be made to trace the required data from old Punjab records made over to the North-West Frontier Province in 1901, but as I have said the records may have been destroyed.

RAIDS IN THE NORTH-WEST FRONTIER PROVINCE.

234. Sir P. S. Sivaswamy Aiyer: With reference to the answer of the Honourable Mr. Dobbs furnished on the 11th of February 1920, to the Honourable Mr. Sachchidananda Sinha in the Imperial Legislative Council regarding the number of raids, etc., will the Government be pleased to lay on the table a similar statement for the years 1919-20 and 1920-21?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): A statement showing the number of raids committed in the Frontier districts of the North-West Frontier Province during the years 1919-20 and 1920-21 is laid on the table.

	1919-20.	1920-21.
Raids and other border offences	611	391
Losses sustained:		
(a) on account of cash, property, etc., ...	Rs. 21,30,200*	Rs. 2,86,285
(b) number of live-stock	Not available.	
Killed	298	153
Injured	392	157
Men, women and children kidnapped and returned on payment of ransom.	94	56

* Approximate and probably exaggerated.

PERSONS KIDNAPPED AND RANSOMED IN THE NORTH-WEST FRONTIER PROVINCE.

235. Sir P. S. Sivaswamy Aiyer: Is it a fact that two Indian telegraph operators, who were kidnapped last year by trans-frontier people in the North-West Frontier Province, have not been ransomed by Government, while certain British other ranks captured at the same time have been so ransomed?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): It is contrary to the policy of Government to pay ransoms for persons kidnapped by trans-frontier people, and no ransoms were paid either for the Indian telegraph operators or for the British other ranks, all of whom have been released.

ALLOWANCES TO TRANS-FRONTIER TRIBES ON NORTH-WEST FRONTIER.

236. Sir P. S. Sivaswamy Aiyer: Will the Government be pleased to furnish a return showing the allowances paid to the different trans-frontier tribes on the North-West Frontier in the years 1900-01 and 1920-21, respectively?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): Detailed figures are not yet available.

PAY OF STAFF OF SECRETARIAT ATTACHED OFFICES.

237. **Sir P. S. Sivaswamy Aiyer :** (a) With reference to Question No. 594 of Rai Bahadur Bakshi Sohan Lal and the answer of Mr. S. P. O'Donnell, will the Government be pleased to say if it is a fact that in the case of some Services, the revision of whose pay was considered at a later date than that of the Secretariat staff, the revised pay took effect from 1st December 1919, and if so, whether there is any reason for not giving effect to the revision of pay of the staff of the Attached offices from the same date?

(b) Will the Government be pleased to say why the stage at which each of the employees of the Attached offices was to enter on the revised scale was fixed on the present pay or salary *plus* a certain percentage of it, while in the case of the Secretariat the total number of years of service in the lower or upper division was allowed to count for increments?

(c) Is it a fact that while the staff of some of the Attached offices are receiving house rent allowance, no such allowance is paid to the staff of the other Attached offices like the staff of the Meteorological office?

(d) Is it a fact that in the opinion of the Staff Selection Board the duties of the lower division clerks are the same in the Attached offices as in the Secretariat; and, if so, why has not the principle of similar pay for similar labour been adhered to in revising the pay of the clerical staff of the Attached offices at Simla?

(e) Is it a fact that on account of the difficulty of getting candidates to accept appointments in the Attached offices, the Staff Selection Board have submitted a fresh scheme of pay for the Secretariat and Attached offices; and, if so, what will be the financial effect of the scheme and do the Government intend to accept the same?

(f) Has the Secretariat scale of pay been sanctioned by the Secretary of State for any, and, if so, which of the Attached offices?

(g) Is it a fact that the scale of the clerical staff of the Medical Services in the Army Headquarters is nearly double that of the clerical staff of the Director-General of Indian Medical Service and, if so, is there any reason for the differentiation?

The Honourable Sir William Vincent : (a) If the Honourable Member will kindly state what Services he has in mind I will ascertain the bearing of the decision as to date of effect upon the case of the Attached offices.

(b) The stage at which the employees of the Attached offices were to enter the new scale was fixed at a certain percentage above the amount drawn by them under the old scale in order to assure them of an immediate increase of pay in every case, as the method adopted for the Secretariat had resulted in several instances in a reduction of emoluments, which had to be made up for by the grant of personal allowances.

(c) The following Attached offices receive house-rent allowance while in Simla :—

(i) Office of the Private Secretary to His Excellency the Viceroy,

(ii) Office of the Military Secretary to His Excellency the Viceroy,

- (iii) Office of the Director-General, Posts and Telegraphs,
- (iv) Office of the Military Accountant General ;
- (v) Office of the Accountant General, Railways ;

because the headquarters of these offices are not at Simla and they are put to extra expense while residing there.

(d) and (e). The correspondence to which the Honourable Member refers is confidential. Without disclosing the contents of that correspondence I may say the Staff Selection Board have addressed letters to the Government of India which are under consideration.

(f) The answer is in the negative.

(g) The difference in the scale of establishment is not as great as the Honourable Member appears to think. The sanctioned strengths of the Director, Medical Services, and Director-General, Indian Medical Service's offices, respectively, are 67 and 50. Owing to the different nature of the duties to be performed it is impossible to base the establishment of one office on that of the other.

Mr. T. V. Seshagiri Ayyar : As regards the answer to Question No. 237 (a), will the Honourable Member state whether, in the case of the Indian Deputy Commissioner of Police, Madras, whose pay has been revised since December 1919, the revision will effect from an earlier date ?

The Honourable Sir William Vincent : This question does not arise. The original Question deals with officers attached to the Government of India only.

NAUTICAL TRAINING OF INDIANS FOR ROYAL INDIAN MARINE AND MERCANTILE MARINE.

238. Sir P. S. Sivaswamy Aiyer : Will the Government be pleased to state whether they have any intention of making arrangements for the nautical training of Indians as seamen for employment in the Royal Indian Marine or in the Mercantile Marine ; and, if so, whether they will be pleased to furnish particulars of the scheme and state when it will come into operation ?

Sir Godfrey Fell : As regards the Mercantile Marine, the Honourable Member is referred to the answer given by the Honourable Mr. A. C. Chatterjee to Question No. 52, which was asked by the Honourable Raja Promoda Nath Roy in the Council of State on the 14th February last.

As regards the training of seamen for the Royal Indian Marine, it is expected that the training vessel will reach India early in the cold weather. It is hoped to afford on this training ship general nautical training such as is required to make a good practical seaman, of the man or boy who joins the Royal Indian Marine. This training will include practical work with rope or wire, sailmaking, the use of compass, helm and lead, boatwork under oars and sail and a knowledge of signals, besides general knowledge, reading and writing, etc. For young stokers, the training will include instruction in engine-room and boiler-room work, in stoking and coal trimming, tending auxiliary machinery, and in the use of oil fuels and turbines.

DIFFERENTIAL TREATMENT UNDER ARTICLE 408 OF THE CIVIL SERVICE REGULATIONS.

239. Dr. H. S. Gour : (a) Is the Government aware that Article 408 of the Civil Service Regulations makes a distinction between officers spending their leave out of India and those spending their leave in India, the former being allowed to count as service 4 years of their leave against 2 years allowed to be counted as service by the latter in a total service of 30 years?

(b) Do the Government propose to modify the above Article so as to do away with the differentiation?

The Honourable Sir William Vincent : (a) Yes.

(b) I can promise the Honourable Member that the question will be considered, but I cannot hold out any very great hope that we shall be able to meet his wishes. The existing system does not involve racial discrimination, seeing that the concession to which the Honourable Member refers is granted to both Indians and Europeans alike. It has always been the policy of Government to encourage both classes of officer to take leave in Europe, as they consider that visits to Europe add to the efficiency of the officer in both cases.

DISSATISFACTION OF OFFICERS UNDER INDIAN SERVICE LEAVE RULES.

240. Dr. H. S. Gour : (a) Is the Government aware that among officers who come under Indian Service Leave Rules great dissatisfaction exists on account of their being debarred from getting furlough on full average salary unless they can produce medical certificate or spend the leave out of India none of these two conditions applying to officers who come under European Service Leave Rules?

(b) What step does the Government propose to take to remove the above grievance?

The Honourable Sir William Vincent : The Honourable Member is referred to the answer given on the 15th September to Rai Bahadur D. C. Barua's question on the subject.

ASSESSMENT TO INCOME-TAX.

241. Lala Girdharilal Agarwala : Will the Government very kindly state how many new persons have been assessed to Income-tax this year?

The Honourable Mr. W. M. Hailey : I regret that the information is not available.

EXTERNEES FROM CANTONMENTS.

242. Lala Girdharilal Agarwala : (a) Will the Government be pleased to give a detailed statement of all externees from the different Cantonments throughout India during the last five years, with the causes of their externment, showing also the period of their externment?

(b) Is the Government aware that Section 216 of the Cantonment Code operates harshly on the civil population of Cantonments and do the Government propose to modify the Section?

Sir Godfrey Fell : (a) As the Honourable Member is no doubt aware, persons may be excluded from a cantonment under either Section 215 or Section 216 of the Cantonment Code, in addition to Section 179 or Section 209, which relate primarily to prostitutes or persons suffering from infectious or contagious disorders. Presumably the Honourable Member is not interested in expulsions

from cantonments under the two last quoted Sections. As regards Section 215, the power to remove disorderly persons from a cantonment and to prohibit them from re-entering it can only be exercised as a result of a judicial inquiry by the Cantonment Magistrate and with the approval of the Commanding Officer of the cantonment. The Government have prepared a list of persons who have been ordered, during the last two years, to leave cantonments under Section 215 of the Cantonment Code, and if the Honourable Member so desires, a copy will be furnished to him. Government have not thought it necessary, in view of the heavy clerical labour involved, to prepare a list for so long a period as 5 years. With regard to the application of Section 216 of the Cantonment Code, the Honourable Member will see that the Commanding Officer of the cantonment can remove from the cantonment, within a time to be specified in the notice, and prohibit from re-entering it, any person whom he thinks it expedient to exclude from the cantonment, and need not assign any reason therefor, subject, however, to the provision that unless he considers immediate action to be necessary, he shall obtain the previous sanction of the Officer Commanding the Division or, in some cases, of the Commander-in-Chief. The Government have prepared a list of persons removed from cantonments during the past two years under this Section of the Cantonment Code, and have included these persons in the list already referred to. In some cases, owing to changed circumstances or for other reasons, persons have been permitted to return to the cantonments from which they had been excluded. In many cases, it would not be in the public interest to publish in detail the reasons which led to action being taken under this Section. The power was exercised only in cases where the Commanding Officer of the cantonment was satisfied that the presence of the person in the cantonment was dangerous to good order or military discipline.

(b) Government are aware that exception has been taken in certain quarters to the method in which Section 216 of the Cantonment Code is applied. The Government have just received the recommendations of the Committee appointed to consider what reforms are necessary in the Cantonment Law, and are considering what modification of Section 216, if any, should be made.

CREATION OF A RAILWAY ADVISORY BOARD.

243. **Lala Girdharilal Agarwala :** Do the Government propose to create a Railway Advisory Board consisting of big merchants, traders and other gentlemen to help the Railway Administration in removing the grievances of the public and suggest improvements and extensions of Railways?

Colonel W. D. Waghorn : The Honourable Member is referred to the reply given to Haji Wajih-ud-din's question on the same subject.

MALE CALVES IN GOVERNMENT MILITARY DAIRY FARMS.

244. **Lala Girdharilal Agarwala :** Will the Government be pleased to state :

- (a) Whether it is a fact that male calves on their birth in the Government Military Dairy Farms throughout India are sold for a few annas each or even given away sometimes, and if so, why?
- (b) What is the total number of calves so disposed of and the total income derived from their sale during the last three years?

Sir Godfrey Fell : (a) As a rule male calves born on Government Military Dairy Farms are either sold or given away within one month of birth but never at birth. The reason for this is that the dairies cannot afford to rear male calves except such as may be required for study or for draught purposes.

(b) In the Northern Districts, the total number of calves either given away or sold during the past three years, is 2,416. The income derived therefrom is reported to be negligible.

In the Southern Districts, the number is 1,153 and the income Rs. 9,484.

STRENGTH OF ROYAL ARMY MEDICAL CORPS AND INDIAN MEDICAL SERVICE OFFICERS.

245. **Mr. B. S. Kamat :** Will Government be pleased to give the latest figures as regards the following :

- (a) the total strength of R. A. M. C. Officers serving with British troops in India, and the cost of their monthly salaries and allowances ;
- (b) the total strength of I. M. S. Officers, permanent and temporary, serving on the military side, with their cost as above ;
- (c) the total strength of I. M. S. Officers serving on the civil side, with their cost as above ?

Sir Godfrey Fell : (a) There are 321 R. A. M. C. Officers (including administrative officers) serving with British troops in India, the monthly cost is approximately Rs. 3,70,070.

(b) The total strength of I. M. S. officers, permanent and temporary, serving on the military side is :

Permanent (including administrative officers)...	...	...	407
Temporary ...	...	...	450
Total			857

The approximate monthly cost is :

				Rs.
Permanent officers	...	...	...	4,98,570
Temporary officers	...	...	...	2,47,500

(c) On the 1st July 1921, there were 331 I. M. S. officers serving on the civil side. The approximate monthly cost is Rs. 3,58,500.

DIARCHY IN THE CENTRAL GOVERNMENT.

246. **Lala Girdharilal Agarwala :** (a) Do the Government propose to recommend to the English Parliament to introduce the system of Diarchy in the Central Government ?

(b) In view of the delay likely to be caused in the process, do the Government intend to make such a recommendation at an early date to enable the Diarchy form of Government to be introduced in 1923 if not earlier ?

The Honourable Sir William Vincent : The attention of the Honourable Member is invited to the reply given on the 15th September to Mr. K. Ahmed's Question No. 210 on the same subject.

REVISION OF PERSONNEL AND EXPENDITURE OF THE GOVERNMENT.

247. Lala Girdharilal Agarwala : Do the Government propose to appoint a mixed committee of officials and non-officials to revise the personnel and expenditure of the Government and report, what, if any, reduction is desirable ?

The Honourable Sir William Vincent : The answer is in the negative. The attention of the Honourable Member is invited to the answer given by the Honourable Mr. W. M. Hailey to Babu K. C. Neogy's Question No. 417 on the 8th March 1921.

MUKHTARS.

248. Lala Girdharilal Agarwala : (a) How long have Mukhtars been recognised as a class of lawyers in India ?

(b) What is the total number of Mukhtars in India and how are they provincially divided ?

(c) In what courts can a Mukhtar practise as of right ?

(d) What are the rights and duties of Mukhtars ?

(e) What is the minimum qualification of the Mukhtar of the present day ?

The Honourable Sir William Vincent : (a) Mukhtars have been recognised as a class of lawyers since 1865.

(b) The Government of India have no information.

(c), (d) and (e). The Honourable Member's attention is invited to Sections 9—11 of the Legal Practitioners Act, 1879, and to the rules specifying the functions, powers and duties of Mukhtars framed by the various High Courts under the authority vested in them by Section 11, and as regards their qualifications to the rules similarly framed under Section 6. The matter is scarcely one which concerns the Governor General in Council.

ANNUAL INCOME AND EXPENDITURE OF THE INDIAN GOVERNMENT.

249. Lala Girdharilal Agarwala : Will the Government be pleased to lay on the table a comparative statement for the last 20 years showing the annual income and expenditure of the Indian Government, sub-divided under various heads of budgets as far as possible ?

The Honourable Mr. W. M. Hailey : The information asked for by the Honourable Member is available in the statistics compiled from the Finance and Revenue Accounts, copies of which are available in the Library.

HIS EXCELLENCY THE VICEROY'S SPEECH AT THE CHELMSFORD CLUB.

250. Lala Girdharilal Agarwala : (a) Are the speeches of His Excellency the Viceroy, delivered at the dinner given by the Chelmsford Club and in answer to the address presented by the United Provinces Liberal League, public documents ?

(b) If so, in what official book or journal have they been printed or are proposed to be printed and what steps have the Government taken to bring those speeches to the notice of illiterate and half-educated masses of India?

(c) What steps do the Government propose to take to bring into practice the declarations of policy contained in those speeches?

The Honourable Sir William Vincent: (a) The speeches in question or records of them are not public documents within the meaning of Section 74 of the Indian Evidence Act. They are public in the sense that they have been made known to the public.

(b) The speeches have not been published in any official book, but it is thought that they may possibly be published later in the collected volumes of His Excellency's speeches. They have already been widely published in the Press and Government do not propose to take any action with regard to their further circulation.

(c) If the Honourable Member will indicate what particular declarations of policy he refers to and will give further notice, an attempt will be made to supply him with such information as is available.

NAVY FOR INDIA.

251. **Lala Girdharilal Agarwala:** (a) Does India possess any Navy of its own; if so, what is its strength, and how many Indians are employed as officers?

(b) If not, do the Government propose to establish a Navy for India?

Sir Godfrey Fell: (a) No.

(b) The Government of India have no immediate intention of establishing a Navy for India. Financial grounds alone would make it impossible at the moment.

AEROPLANES IN INDIA.

252. **Lala Girdharilal Agarwala:** (a) How many aeroplanes are owned by India and how many more are proposed to be added to the Indian fleet of aeroplanes during the next year?

(b) How many Indians have been trained and how many are under training as pilots of aeroplanes?

Sir Godfrey Fell: (a) The number of aeroplanes belonging to the Royal Air Force, to which the Honourable Member is understood to refer, is 184. It is not proposed to make any additions to this number during the next year.

(b) No Indians have been trained as pilots by the Royal Air Force in India nor are any being trained at the present time. Owing to lack of training facilities, it is not possible for the Royal Air Force in India, nor is it their function, to undertake the training of pilots *ab initio*.

(Question No. 253 was not asked and no reply was given.)

NURSES IN INDIAN TROOPS HOSPITALS.

254. **Mr. Harchandrai Vishindas:** (a) Have the Government of India in the Army Department taken any steps for the provision of a cadre for nurses in Indian Troops Hospitals?

(b) If so, is there any differentiation in the rates of pay and status allowed or proposed for the various grades of nurses in Indian Troops Hospital as compared with British Troops Hospital or the Queen Alexandra's Nursing Service?

(c) If the answer be in the affirmative, will Government be pleased to place on the table a statement showing what precisely is the differentiation and the reasons therefor?

Sir Godfrey Fell: (a) As a war measure, a cadre of temporary nurses was created for the service of all General Hospitals maintained for Indian troops on active service. In extension of this policy, a number of nurses recruited in India on temporary engagements have been employed since the war in certain Indian Station hospitals, as a tentative measure.

The question of creating a permanent nursing service for these hospitals is under consideration.

(b) and (c). No differentiation is made in the official status of these temporary nurses and that of nurses employed in British Troops Hospitals.

I lay on the table a statement giving the rates of pay drawn by (1) temporary nurses employed with Indian Troops hospitals and (2) the permanent members of the Queen Alexandra's Military Nursing Service for India.

Statement showing the rates of pay for temporary nurses employed in Indian Troops Hospitals and permanent members of the Queen Alexandra's Military Nursing Service for India.

Temporary Nurses.

		Ra.	
On appointment	...	175 per mensem	+ Gratuity of Rs. 203 a year, i.e., approximate Rs. 192 per mensem.
After 6 months' service	...	200 per mensem	+ Gratuity of Rs. 200 a year, or approximate Rs. 217 per mensem.
After 18 months' service	...	225 per mensem	+ Gratuity of Rs. 200 a year, or approximate Rs. 242 per mensem.
On selection for Assistant Matron	...	250 per mensem	+ Gratuity of Rs. 200 a year, or approximate Rs. 267 a month.
On selection for Matron	...	275 per mensem	+ Gratuity of Rs. 200 a year, or approximate Rs. 292 a month.

Permanent Nurse of the Queen Alexandra's Military Nursing Service for India.

	Ra.
Nursing Sister on appointment	250 per mensem.
Nursing Sister after five years' service	275 " "
Nursing Sister after 11 years' service	300 " "
Senior Nursing Sister	325 " "
Senior Nursing Sister after 5 years' service in that grade	350 " "

Note.—The scale of pay allowed to the temporary nurses is comparatively liberal. If such nurses serve for more than 18 months and prove themselves really capable, they receive approximately Rs. 242 a month, and, if selected for the post of matron, may receive approximately Rs. 292 a month. On the other hand, a permanent member of the regular Nursing Service cannot receive more than Rs. 260 a month during her first five years of service, and her engagement in the Queen Alexandra's Military Nursing Service for India involves expatriation, a minimum period of 5 years' service, and a penalty of £30 and forfeiture of passage to the United Kingdom in the event of her terminating her engagement before the expiration of that period. The temporary nurses engaged for Indian Troops Hospitals are all persons domiciled in India and are free to terminate their engagements on the expiration of six months' duty.

COLONIAL NURSES IN INDIAN MILITARY HOSPITALS.

255. Mr. Harchandrai Vishindas : Will Government be pleased to state if any, and if so, how many nurses recruited from or trained in the Colonies or the Dominions which restrict the immigration of Indians into their territories are employed in any Military Hospitals in India ?

Sir Godfrey Fell : None of the nurses employed in Military Hospitals in India were recruited in the Colonies or Dominions.

Of the nurses permanently employed in Military Hospitals in India two were trained in Australia ; and two nurses who are temporarily employed in Military Hospitals also received their training in that Commonwealth, but were engaged in India.

EMPLOYMENT OF INDIANS IN HIGHER OFFICES IN INDIA.

256. Mr. Harchandrai Vishindas : (a) Is it a fact that with a view to the more extensive employment of the children of the soil to higher offices in India, executive orders were passed by the Secretary of State prohibiting the employment of persons not statutory natives of India to posts carrying a salary of Rs. 200 and upwards per mensem without his previous sanction, and that this power was subsequently delegated to the Government of India ?

(b) Is it a fact that these orders have not been given effect to in practice and appointments have been made by Local Governments contrary to these instructions and that the Government of India's orders have been subsequently obtained formalising their actions ?

(c) Will Government be pleased to place on the table a list of posts carrying salaries of 200 rupees and upwards per mensem filled during the past three years in India by persons not statutory natives of India with the rates and designations of the posts so filled ?

(d) Will Government be also pleased to place on the table similar information regarding Port Trusts ?

The Honourable Sir William Vincent : (a) A rule to this effect was previously in force, and was embodied in the Civil Account Code as Article 773(b). As, however, it was not incorporated in the rules framed under Sections 45-A and 129-A of the Government of India Act, it has automatically been cancelled.

(b) A number of Departments were excluded from the scope of this rule, and the article in question empowered Local Governments in certain circumstances to appoint persons other than statutory natives of India to posts on a pay of Rs. 200 and over subject to subsequent confirmation by the Government of India. Otherwise the rule was, so far as the Government of India are aware, observed by Local Governments so long as it was in force.

(c) The information is not available and should be obtained, if necessary, from the Local Governments.

(d) The information is being collected and will be supplied to the Honourable Member when possible.

INDIANS IN HIGHER APPOINTMENTS IN POLITICAL AND FOREIGN DEPARTMENTS OF THE GOVERNMENT OF INDIA.

257. Sir P. S. Sivaswamy Aiyer : With reference to the statement of the Honourable the Law Member on page 1104 of the Legislative Assembly Debates,

that the principle of taking Indians into higher appointments in the Political and Foreign Departments of the Government of India had been conceded by the Government and that a scheme was being prepared to give effect to the said principle, will the Government be pleased to state :

(a) whether the scheme is ready and if so whether the Government will be pleased to publish the same and state when it will be carried into effect ? and

(b) if the scheme is not ready, when it is expected to be ready ?

The Honourable Sir William Vincent (on behalf of the Honourable Sir John Wood) : The Honourable Member is referred to the answer given to Question No. 171 put by Mr. N. M. Joshi.

COST OF INDIAN ISLAMIC DEPUTATION.

258. **Mr. M. K. Reddi Garu** : Is it a fact that the cost of the Indian Islamic Deputation which recently waited on the Prime Minister of England, to discuss the Khilafat questions, has been met by the Government of India ? If so, will the Government be pleased to state if there is any precedent on which this policy has been pursued by the Government ?

The Honourable Sir William Vincent : The answer to the first part of the question is 'Yes' ; and to the second 'No, but the circumstances were exceptional.'

PROBATIONERSHIP IN THE IMPERIAL FOREST SERVICE.

259. **Mr. N. M. Joshi** : (i) Is it a fact (a) that applications for probationership in the Imperial Forest Service are entertained from those only who have taken a degree in the First Division ? (b) That in the United Provinces of Agra and Oudh out of 450 students who passed the B. A. Examination not a single person got a first class ?

(ii) Does Government propose to modify the above mentioned qualification ?

Mr. J. Hullah : (i) (a). The qualification required in the 1921 regulations was the possession of an Honours or first class degree in any subject.

(b) Yes, but two candidates from the United Provinces with the required qualification have been appointed this year, while another, otherwise ineligible, applied.

(ii) The regulations for recruitment in 1922 have not yet been prepared. It must be borne in mind that it will be useless to appoint candidates who are insufficiently qualified to follow the prescribed course of studies ; it is most undesirable that probationers should fail and thus lose their appointments after causing considerable expenditure to Government and incurring similar expenditure themselves. The qualifications required are less exacting than those required of candidates recruited in England, where only an Honours degree in Science is accepted.

MILCH AND AGRICULTURAL CATTLE.

260. **Lala Girdharilal Agarwala** : (a) Have the Government seen a copy of the Resolutions passed by the All-India Hindu Conference held at Hardwar on 10th April 1921, relating to the protection of milch and agricultural cattle ?

(b) And, if so, will the Government be pleased to lay the same on the table ?

(c) What action, if any, has been or is proposed to be taken by the Government in the matter ?

(d) Are the Government aware that there is a widespread feeling in the country about protection of milch and agricultural cattle ?

Mr. J. Hullah : (a) Yes.

(b) A copy is laid on the table.

(c) As regards the action which Government have taken or intend to take, they have already asked Local Governments whether the export of any breeds of cattle should be stopped, and if such recommendation is made, will give effect to it, as was promised by the Honourable Member in the Revenue and Agriculture Department during the last Session of the Council of State. They do not consider that they would be justified in taking any general measures for prohibiting the slaughter of cattle but they are investigating the extent and conditions of the Burma Meat Trade. Efforts for the improvement of breeds and the supply of pasturage are primarily matters for the Local Governments to undertake, but the advice of the Imperial Dairy Expert is at the disposal of Local Governments, local bodies and private enterprise, and he is freely consulted by them. The Government of India have under consideration proposals for establishing an Imperial Dairy School, but here again, as agriculture is a provincial and transferred subject, they consider that efforts in this direction are primarily the concern of Ministers in the Provinces.

(d) Yes.

Copy of Resolution passed by the All India Hindu Conference, Haridwar, dated 10th April 1921.

RESOLUTION No. 14.

Resolved—

(a) That this conference expresses its strong protest and resentment against the callous disregard of the deep seated and most cherished religious sentiments of the Hindus displayed continuously by the present Government in the matter of allowing slaughter of cows for the Military and export of beef to Burma and cows and bullocks to other countries, and is deliberately of opinion that the time has come when Hindus should realise that the responsibility to protect their Dharma in this matter lies with them and them alone and they should be prepared to make all legitimate constitutional and peaceful efforts and undergo all sufferings and sacrifices for the achievement of their objects.

(b) That strong propaganda work should be started at once to get slaughter of cows in India and their exports to other countries stopped immediately and in case their deep religious sentiments are not heeded to by the Government before that date, a special conference of the All India Hindu Maha Sabha be held at the holy place of Brindaban on the sacred day of the birth of Bhagwan Shri Krishna with a view to decide the future line of action in the matter.

(c) That a propaganda Committee consisting of the following gentlemen with power to add to their number be formed to carry on the above resolutions under the guidance of the All India Hindu Sabha.

- | | |
|---|--|
| 1. Shri Swami Bharti Krishna Tirth, Jagat Gura Shri Shankracharya of Sharda Pith. | 13. Babu Bhagwan Das. |
| 2. The Honourable Maharaja Bahadur Sir Mahindra (Chandra Nandi of Kasimbazar, Calcutta. | 14. Pandit Krishna Chandra Asad. |
| 3. The Honourable Lala Sukhbir Sinha of Munsaffarnagar. | 15. Swami Viveka Nand. |
| 4. Pandit Din Dayal Sharma. | 16. Pandit Hari Prasad Misra. |
| 5. Swami Mangal Nath. | 17. Sardar Lukshmi Narayan of Jwalapur. |
| 6. Shri Narain Swami. | 18. Narayan Jagannath Badhe. |
| 7. Pandit Deo Ratan Sharma. | 19. Chobey Baij Nath. |
| 8. Pandit Harilur Swaroop Shastri. | 20. Pandit Bhola Nath Sharma. |
| 9. Swami Jagdishwara Nand Bharti. | 21. Pandit Hira Lal Shastri. |
| 10. Pandit Girdhar Sharma of Lahore. | 22. Lakshman Rao Gordey. |
| 11. Pandit Hari Datt Sharma of Tehri. | 23. Brij Nath Sharma of Agra. |
| 12. Pandit Lakshmi Narayan. | 24. Mr. Ganesh Singh of Calcutta. |
| | 25. Pandit Prem Narain of Bareilly. |
| | 26. Harsa Nand of Liloh. |
| | 27. Seth Kanhaya Lal Gonik of Ferozabad. |

Lala Sukhbir Sinha to act as Converner.

Pandit Prem Narain and Pandit Deo Ratan Sharma to act as Assistant Conveners.

Moved by Jagat Guru Shri Shankracharya, seconded by Maharaja Kasimbazar and the Honourable Lala Sukhbir Sinha of Muzaffarnagar.

Supported by—Choudhri Raghubir Sinha, Pandit Girdhar Sharma, Pandit Harihar Swaroop Shastri, Pandit Nardeo Shastri and Shajjada Nashin Shah Abdulmajid of Prankilyar.

SLAUGHTER OF CATTLE.

261. **Lala Girdharilal Agarwala :** In what way have the Government put into practice, if at all, the declaration of their policy made in the following terms :

The Government of India have no intention of associating themselves with any measure that may be deemed to encourage the slaughter of useful cattle or are likely unnecessarily to wound the religious feelings of the people (*vide* Government Gazette, dated 2nd October 1920, pages 1201-1202).

Mr. J. Hullah : The declaration asserts not that Government will take action but that they will refrain from action. This the Government have done.

BEEF AS MILITARY RATION.

262. **Lala Girdharilal Agarwala :** Are the Government prepared to reconsider the answer given to my Question No. 124 and order some other diet to be substituted for beef as an item of military ration ?

Mr. J. Hullah : The Government regret that this is impracticable.

MEMORIAL FROM THE ALL-INDIA COW ASSOCIATION.

263. **Lala Girdharilal Agarwala :** (a) Have the Government seen and carefully examined the memorial dated 25th February 1921, signed at 10, Old Post Office Street, Calcutta, by the Honourable Sir John G. Woodroffe, Kt., M.A., B.C.L., Bar-at-Law, President of the All-India Cow Association ?

(b) What action, if any, has been taken or is proposed to be taken on that memorial ?

Mr. J. Hullah : (a) and (b). The Government of India received the memorial, and at the request of the Association agreed to receive a deputation. The Association however failed to send a deputation.

The Honourable Member is also referred to the answer given to his Question No. 23 (c).

REPORTS OF THE ALL-INDIA COW CONFERENCE.

264. **Lala Girdharilal Agarwala :** Have the Government read the reports of the All-India Cow Conference from the date of its formation up to the present day ?

Mr. J. Hullah : The Government of India do not know whether they have received all the reports.

PROTECTION OF CATTLE.

265. **Lala Girdharilal Agarwala :** Have the Government seen a book issued by the Humanitarian Society on the subject of the protection of

cattle and if so what action (if any) has been taken or is proposed to be taken in the matter?

Mr. J. Hullah : Government have seen this publication and, with regard to the latter part of the question, the Honourable Member is referred to the answer given to his Question No. 23 (c).

RESOLUTION *re* CATTLE AND PASTURE LANDS.

266. **Lala Girdharilal Agarwala :** (a) Have the Government seen a copy of the Resolutions passed on 13th March 1921, at 30, Banstolla's Lane, Calcutta, at a meeting of *Niskam Arla Sava* *re* slaughter of cattle and pasture lands?

(b) If so, what steps do the Government propose to take in the matter?

Mr. J. Hullah : (a) Yes.

(b) The Honourable Member is referred to the answer given to his Question No. 23 (c).

SOLDIERS' RATIONS.

267. **Lala Girdharilal Agarwala :** What are the ordinary rations of soldiers (Indians and Europeans) and what variations, if any, are made in each case when they are on active service?

Sir Godfrey Fell : I will furnish the Honourable Member with statements giving the information required.

LICENSED FIRE-ARMS.

268. **Lala Girdharilal Agarwala :** (a) Will the Government be pleased to lay on the table a comparative statement showing the number of licensed fire-arms in each province held by the public within the year before the New Arms Rules came into force, and after the passing of the New Arms Rules and what was the income from license fee in one year preceding and succeeding the New Arms Rules?

(b) Have the Government of India read a copy of the Resolutions passed by the United Provinces Council on the subject of exemption from Arms Act, and what action has been taken or is proposed to be taken by the Government thereon?

The Honourable Sir William Vincent : (a) The information will be collected and supplied to the Honourable Member in due course.

(b) The Government of India have not received from the United Provinces Government a copy of the Resolutions mentioned.

FIRING ON CROWDS.

269. **Lala Girdharilal Agarwala :** Will the Government be pleased to lay on the table the information promised to be given regarding the firing on crowds after the Punjab disturbances of 1919 up to the present day with the time, place, circumstances and result of each occurrence?

The Honourable Sir William Vincent : I lay a statement on the table giving the information required and I draw particular attention to it because it shows the extent to which disorder has been prevalent in the country in the last 18 months.

List of Riots or Disturbances in which firing was resorted to since the disturbances of 1919.

Province.	Date.	Place of disturbance.	Brief description.	Casualties.
Madras	22nd September 1919.	Nellore	In an attempt to enforce a decree obtained in the civil court the Hindus with police protection took a procession with music through the main bazaar where there are mosques. They and the police were attacked by Muhammadans and the police were compelled to fire.	Two Muhammadans killed and two wounded.
Do.	April 1920	Perungumanallur, Madurai district.	The attempt to register the hallars under the Criminal Tribes Act brought about a serious collision between them and the police. On account of their defiant and aggressive attitude, the police had to open fire.	Eleven killed.
Do.	May 1920	Mathurpet, Tanjore district.	A Hindu marriage procession passing a mosque, came into conflict with the Muhammadans. A fight ensued and to clear the street the police had to open fire.	One man was slightly wounded.
Do.	17th May 1920	Madras	During a strike in the Burma Oil Company some Pathans were brought from Bombay to carry on the work. An altercation between them and the local coolies resulted in a riot which required the presence of the armed police reserve to quell it.	One Pathan was killed; there were also minor casualties on both sides.
Do.	9th December 1920.	Do.	Buckingham Mills, Perambur. The police lorry which was taking the coolies from the mills to the harbour was subjected to persistent and violent stoning by strikers. The police opened fire.	Sixteen persons were wounded, two of whom died.
Do.	3rd April 1921	Kumbakonam	Cartmen and hotel-keepers struck work as a protest against increase of municipal taxes. The leaders of the movement indulged in a good deal of high-handed action and when the police arrested one of the ring-leaders, a mob attacked the police station and the police in self-protection were compelled to fire.	One man was killed and six wounded, of whom one died subsequently.
Do.	25th August	Karur	The Khilafat party asked a theatrical company to give the proceeds of their last performance to the Khilafat Fund. The company declined and was attacked at night. The police arrived on the scene and used fire arms.	One killed and two wounded.

De. ...	26th May 1919	Godhra, Mahala.	Panch	<p>A leading wealthy member of the Ganchi community was celebrating the marriages of some of his sons and nephews. It appears that feeling was running high between the two sections of the community as some of the brides had previously been betrothed or promised to persons of the other party. The trouble began when one of the party let off potash bombs. The Ganchis then began to assemble and an altercation ensued which ended in a fight in which broken bricks and pieces of wood were freely used. The police on the spot finding that the fracas became serious, had to resort to firing. On arrival of more police, the crowd dispersed. The District Magistrate succeeded in getting both the parties reconciled to each other.</p>	Two rioters were injured; six policemen received injuries from bricks.
De. ...	11th June 1919	Deesa Cantonment		<p>Some military sepoy on duty purchased liquor, and when the police constable on duty demanded the name of the purchaser in accordance with the Cantonment Magistrate's orders, they refused to give the name and beat the constable. When one sepoy was arrested, the others interfered and attacked the constable. Three sepoys were then arrested and put in the lock-up. The Sub-Inspector of Police persuaded about 80 of the men to leave the bazaar but not before the lock-up was broken, the prisoners released and several policemen were injured.</p>	Six policemen were injured, two of them being in a serious condition.
Do ...	18th June 1919	Kanoda, Mahala.	Panch	<p>One Sania Dipping of Kanoda was terrorising the neighbourhood, committing robbery, frequently though mostly of trivial articles. When warrants were issued for him and his brothers arrest he openly defied the authorities and even threatened to kill the police or anyone who tried to arrest him with a <i>dharia</i>. As he could not be persuaded to surrender, the District Magistrate ordered the arrest of the brothers, by using force if necessary. Sania's brothers and parents all armed with <i>dharias</i>, clubs and pickaxes, and Sania armed with a gun resisted the arrest. The police were compelled to fire in self-defence with fatal results.</p>	Sania's mother and two brothers were killed, Sania himself was wounded.
De. ...	30th January 1920.	Nandvañ village, Bijapur district.		<p>A police party was engaged in protecting a faction in the village against the attacks of the rival faction when it found itself in the presence of a large body of rioters with sticks, axes and stones and fearing attack on themselves the police fired two shots in the air and one on the man in front.</p>	Three wounded.

Province.	Date.	Place of disturbance.	Brief description.	Casualties.
Bombay—contd.	16th February 1920.	Sholapur	During the strike of mill-hands at Sholapur some 8,000 mill-hands who had struck work surrounded the District Magistrate and refused to disperse when ordered to do so by the District Magistrate. They became violent and began to stone officers and troops. The District Magistrate was compelled to order firing. It was only after the military arrived that the disturbance ceased.	Four killed. Huzar Deputy Commissioner was injured.
Do.	20th January 1920.	Bombay	Abnormal conditions in Bombay due to general strike of mill-hands and other industrial unrest.	One striker killed. One seriously wounded, 8 policemen, 1 police officer, 1 lorry driver and a Magistrate injured. One private individual killed and one woman injured by strikers stoning trams.
Do.	26th January 1920.	Bombay	* Renewed attack made by strikers, police were compelled to fire.	* One striker was wounded.
Do.	14th April 1920	Jalalani Nawabshah.	A fracas took place in the Hur Criminal Tribes settlement of Jalalani Nawabshah, Sind, in the course of which one Fata Mari was attacked by a number of Hurs who belaboured him with <i>lathis</i> and blows. As his wife was in danger a Sub-Inspector ordered the mob to stop. The crowd made an attempt to attack the Sub-Inspector who finding his own life in danger ordered firing in self-defence and also with the object of quelling the disturbance.	Six wounded.
Do.	29th May 1920	Dubur, District.	On the 29th May an affray took place between the police and certain Jagirani near Dubur in the Sukkur district, Sind. The police received a complaint that two buffaloes had been stolen by some Jagirani. A police party went in search of the criminals and having found them seized and arrested the offenders. On their return journey they were attacked by about 30 Jagirani, two of whom were armed with guns. These guns were fired at the police party and the Jagirani closed in with their <i>lathis</i> . A general free fight ensued and the police seeing that they were overwhelmed by weight of numbers, fired in self-defence. The Jagirani then ran off, leaving their wounded.	One killed, one wounded, also five policemen injured.

Do.	9th January 1921.	Kolaba District ...	A riot occurred between two parties of Muhammadans in the Kolaba district during the course of a flag procession. The Sub-Inspector of Police who was in charge lost his head and fired in the air.	No casualties.
Do.	19th April 1921	Shikarpur, Sind ...	Disturbance at the anniversary celebration of Pritam Dharma Sabha of Shikarpur.	A number of people and sixteen police were injured.
Id.	April 1921	Malagaon, Nasik district.	On 25th April several Momin volunteers were prosecuted for carrying arms at a mass meeting in contravention of an order of the District Magistrate. Shortly after a mob collected and attacked the City Sub-Inspector and drove him and the three armed constables with him to seek refuge in the house of a merchant. The mob attacked and set fire to the house killing the Sub-Inspector and one constable. The following day some looting was indulged in by the rioters. Troops arrived on the scene on the 26th and their prompt arrival succeeded in quietening the rioters who dispersed.	The Sub-Inspector and one constable killed, three rioters killed and nine wounded.
Do.	25th and 26th April 1921.	Do.	A very serious disturbance arose out of the trial and imprisonment of some Khilafat volunteers. The mob determined to retaliate by making a clean sweep of all the police and Magistrates in the town. Unarmed constables and other wearers of Government uniform were stripped and beaten; and two Magistrates were mobbed and hunted out of the town. A Sub-Inspector of Police was beaten to death and his body burnt and four constables were killed, a Hindu temple was destroyed, telegraph lines were cut and roads picketed. Order was only restored on the arrival of troops.	
Do.	21st July 1921	Matiari, Sind	A meeting of the Aman Sabha was convened by Khan Sahib Hasan Ali, but the Khilafatists determined to prevent it. The members of the Sabha were subjected to abuse; brickbats were thrown throughout the meeting. Owing to the menacing attitude of the agitators, the police were summoned to escort the members home. The police were eventually attacked: the Sub-Inspector who was knocked down by brickbats, ordered a solitary armed constable to fire in the air. Eight shots were fired. The crowd subsequently dispersed.	One killed and nine wounded.

Province.	Date.	Place of disturbance.	Brief description.	Casualties.
Bombay— <i>continued</i> .	1st July 1921	Dharwar	On 1st July judgment was delivered by the Mamladar and first-class Magistrate of the town on two paid Muhammadan "volunteers" who were charged with having robbed a drinker. The convicts were escorted to jail followed by a crowd which seemed to increase as they went along. The crowd threw some stones at the jail gates and at some Parsi liquor shop-keepers. Everything was quiet for a while. Later, the Superintendent of Police received intimation that there was a riot in the town which had been set on fire; and armed police were summoned. The Collector and Superintendent of Police, when they arrived on the scene, found they were confronted by a large crowd, distant some 1000 yards or so down the street. On proceeding down the street, one policeman was found to be unconscious and a little further two bodies of policemen were discovered. The first Sub-Inspector who was in command, was bleeding from the nose; he said he had to fire because the mob had twice charged the police after being prevented from setting the liquor shops on fire; which they had already stoned and broken in.	Three rioters killed.
Bengal	18th February 1921.	Calcutta	In the forenoon of the 18th February last a disturbance occurred near the Calcutta Tramways Company's depot at Kalighat. Some European Sergeants of the Calcutta Police fired their revolvers for the suppression of the disturbance and it was found that a man had received gunshot wounds at the fringe of the locality where the disturbance had occurred. The wounded man succumbed to his injuries very shortly after his removal to Sambhunath Pandit Hospital.	One.
United Provinces	23rd September 1920.	Philibhit	During the Muharram festival an attack was made on a Hindu temple at Philibhit. The police fired a few rounds in the air.	One wounded who subsequently died.
Do.	January 1921...	Rae Bareilly district.	Serious agrarian riots occurred in the course of which the police were forced to fire. These riots had been preceded by acts of lawlessness on the part of the mob, e.g., the burning of crops, the looting of shops, etc.	At Farnagunj— Killed ... 4 Wounded ... 3 At Munahigunj— Killed ... 3 Died in hospital ... 3 Wounded ... 16

Do.	29th January 1921	Goshalganj Railway station, Fyzabad district.	A large crowd held up a train with the object of rescuing a man arrested for his complicity in the arrain riots. The police who were attacked, fired, wounding one man, several others were hit with stray pellets.	One rioter wounded.
Do.	29th and 31st March 1921.	Kachaiya, Bae Barielli district.	In the course of the riots which took place on the 29th March, the police were compelled to fire on two occasions. The riot started by the arrest of two men who had been prohibited from speaking and who were haranguing the crowd.	Killed ... 4 Wounded ... 12
Do.	5th July 1921.	Aligarh	Serious disturbances occurred arising out of trial of Mr. Sherwani, Bar-at-Law, a political agitator, who had been sentenced to a year's imprisonment. A mob attacked the police guard and re-serves in bungalow but was driven back. As the development was serious, troops were summoned from Agra. The Kotwali, Post Office and other buildings were burnt. Number of rioters were killed by armed police and a number with gunshot wounds. Thirty arrests have been made, chiefly rioters who were caught red-handed at the Kotwali.	One constable was killed and one dangerously wounded. Casualty among rioters, one killed.
Bihar and Orissa.	15th March 1920.	Jamshedpur	A general strike of the workers at the Tata Iron and Steel Works, Jamshedpur, began on the 24th February and continued for nearly a month. As the strike proceeded, the attitude of the strikers grew more hostile, those men who wished to work were intimidated, the gates of the works were picketed and the guards at the gates more than once stoned. The local Government despatched a large body of armed and military police to the spot for the protection of life and property and were compelled also to obtain assistance of regular British troops from Calcutta. On the 18th March the strikers obstructed the railway lines between the works and Tatanagar Railway Station and made a most determined attack on the armed police sent out to clear the obstruction. The police were compelled to fire in self-defence and to fall back towards the works.	Killed ... 5 Wounded ... 23
Do.	24th April 1921	Girdih	A non-co-operator against whom a criminal charge had been brought, appeared before the Sub-divisional Magistrate of Girdih on 24th April. As he declined to give bail or personal recognisance for his appearance, the Magistrate remanded him to jail. A large crowd of sympathisers assembled and accompanied the accused to the jail, endeavouring to prevent his admission, falling in this, they made a determined attack obliging the police officers to take shelter in the jail. Later in the day, the police station was attacked and the Sub-Inspector was compelled to fire on in self-defence.	Wounded one.
Central Provinces.	March 1921	Nagpur	Rioting during excise sales. Five liquor shops wrecked.	
North-West Frontier Provinces.	8th July 1920	Kachagarhi	At Kachagarhi a collision occurred between troops and Muhajiras.	Mob fired on by police, one policeman killed and 15 injured, 9 rioters killed and 14 wounded. Killed one Muhajir.

PRACTICE OF *RASAD* AND *BEGAR*.

270. **Lala Girdharilal Agarwala** : What steps are the Government taking to stop the practice of *Rasad* and *Begar* during tours of officers in the mufassal ?

Mr. J. Hullah : In reply to a question by Mr. Joshi in the last session of the Assembly, Government said :

‘So far as provinces which have Legislative Councils are concerned, the Government of India do not propose to take the initiative in effecting reforms or changes in the laws and orders regarding compulsory labour or the provision of supplies and conveyances. They, however, undertake to investigate the subject in so far as it concerns territories which have no Legislative Councils.’

In pursuance of this undertaking, the Government of India addressed the Administrations of the last mentioned territories. The replies are now being received and the matter is under consideration. The Government of India hope shortly to make a statement on the subject.

INDIAN AS PROVINCIAL GOVERNOR.

271. **Lala Girdharilal Agarwala** : Do the Government propose to recommend the appointment of an Indian to fill the next temporary or permanent vacancy of Governorship of any province in India ?

The Honourable Sir William Vincent : Government is not in a position to make any statement. The appointments referred to are made by His Majesty.

LISTED POSTS IN THE INDIAN CIVIL SERVICE.

272. **Mr. W. M. Hussanally** : (a) Will the Government be pleased to state what action has been taken on my Resolution, dated 17th February 1921 ?

(b) If no action has been taken, will the Government please state what action they propose taking in the matter of throwing open to the Provincial Service a larger proportion of the appointments now reserved for the Indian Civil Service, in the Revenue, Judicial, Police, Forests and Educational Departments ?

The Honourable Sir William Vincent : The Honourable Member is referred to the answer given on the 15th September to Rai Bahadur Giris Chandra Nag's question on the subject.

SUKKUR BARRAGE.

273. **Mr. W. M. Hussanally** : With reference to the answer to Question No. 49, dated 15th February 1921, and to No. 108, dated 17th February 1921, in regard to the Sukkur Barrage, will Government state if the sanction of the Secretary of State has now been obtained ? If the sanction has been received, has the Bombay Government made arrangements to find funds for the project and made other arrangements to start the work ?

Colonel Sir S. D'A. Crookshank : The Sukkur Barrage and Canals Project has been approved by the Secretary of State both administratively and technically but final sanction has been withheld pending receipt of the detailed proposals of the Government of Bombay as to how the scheme will be financed.

EXPORT DUTY ON FOODSTUFFS AND RAW MATERIALS.

274. **Mr. W. M. Hussanally :** With reference to the answer to Question No. 55, dated 15th February 1921, do Government propose to levy an export duty on all foodstuffs and raw material exported out of India?

Mr. J. Hullah : As at present advised, the Government of India do not propose to embark on the policy suggested.

HYDERABAD-BADIN RAILWAY.

275. **Mr. W. M. Hussanally :** (a) With reference to the answer to Question No. 106, dated the 17th February 1921, will Government state if the Hyderabad-Badin Railway has now been restored and re-opened to traffic? If not, what progress has been made?

(b) Why has the work been delayed? When is it expected that the line will start working again?

Colonel W. D. Waghorn : (a) The line in question has not yet been restored or re-opened to traffic. The following progress has been made. Preparation of ballast for the whole line and repairs to staff quarters and buildings at certain stations completed and a certain amount of work on minor bridges carried out. Tools and plant, and certain engineering stores have been collected and are held in readiness for relaying the line.

(b) The work has been delayed for want of requisite material. It is not possible to say when the line will be ready for opening; but every endeavour will be made to relay it as soon as the material is available.

REGISTRATION OF MUHAMMADAN MARRIAGES.

276. **Mr. W. M. Hussanally :** Do Government propose to consider the question of undertaking the registration of Muhammadan marriages?

The Honourable Sir William Vincent : The answer is in the negative. The registration of marriages is a provincial transferred subject.

TRAIN SERVICES BETWEEN KARACHI AND LAHORE, ETC.

277. **Mr. W. M. Hussanally :** (a) Are Government aware that the train service on the North-Western Railway between Karachi and Lahore and Karachi and Quetta is inadequate?

(b) Is it a fact that in consequence, frequently Railway carriages except the 1st class, are made to carry a number of passengers greatly in excess of the carrying capacity of such carriages? If so, do Government propose to remedy the defect either by adding extra carriages or running extra trains?

(c) Do Government propose to advise the Railway administration to run extra local trains between large towns in Sind according to a time table made after consulting local convenience?

Colonel W. D. Waghorn : (a) According to the Railway Administration, the train service on these sections is regarded as adequate.

(b) There is far less overcrowding in passenger trains on the Karachi-Lahore and Karachi-Quetta sections than on many other sections of the North-Western Railway, and when the Railway Administration has sufficient rolling stock to put on additional trains, sections on the Northern Division must

certainly get prior consideration. It may be mentioned that an additional train has been put on from the 1st July between Lahore and Multan, and that from September an alteration has been made with a view to dividing the Punjab and Karachi traffic from Quetta more equally between the two trains available.

(c) Great difficulty is experienced by the Railway Administration in combining satisfactorily through connections and local travelling convenience. Every alteration made in the time table to suit one class of passengers immediately results in protests from others. Local trains are run to suit local traffic which is not conveniently served by the through trains.

Any suggestions put forward by the public for improving the train service receive very careful consideration of the Railway Administration and when feasible, they are adopted.

INCONVENIENCE TO PASSENGERS AT KOTRI RAILWAY STATION.

278. **Mr. W. M. Hussanally** : Are Government aware that since Question No. 158 was answered on 19th February 1921, a third and Inter class carriage is run through between Karachi and Hyderabad on Quetta mail trains, yet the accommodation provided is so small that many passengers including women and children are required to tranship at Kotri to their great annoyance and inconvenience?

Colonel W. D. Waghorn : A through bogie composite carriage is attached to the Quetta mail trains for the convenience of Inter and third Class passengers travelling from Hyderabad to Karachi and *vice versa*.

It is possible that the accommodation provided is not sufficient for the number of passengers on some occasions but no complaint has been received on this score locally. It is not considered that there is any great hardship to passengers in having to change at Kotri. The *raison d'être* of the Karachi-Quetta mail trains is to provide accommodation for through passengers between Karachi and Quetta and as no more carriages can be taken on these trains without reducing the number provided for the through Karachi-Quetta traffic, it is not possible to increase the provision of through carriages between Karachi and Hyderabad.

INCONVENIENCE TO PASSENGERS AT MARWAR.

279. **Mr. W. M. Hussanally** : (a) Are Government aware that all classes of passengers between Bombay and Karachi are required to tranship at Marwar to their inconvenience?

(b) Will the Government advise the J. B. R. and B. B. and C. I. R. to run through carriages between Hyderabad and Ahmedabad?

Colonel W. D. Waghorn : Government has not received any representation regarding the inconvenience caused to passengers between Bombay and Karachi by having to tranship at Marwar. They understand, however, that the question of running through carriages between Hyderabad and Ahmedabad *via* Marwar Junction is already under the consideration of the Railway Administrations concerned.

DIRECT MAIL SERVICE BETWEEN KARACHI AND ADEN.

280. **Mr. W. M. Hussanally:** (a) With reference to the answer to Question No. 268, dated 22nd February 1921, will the Government state if they have ever received any representation from the Karachi Chamber of Commerce or any other body recommending a direct mail service between Karachi and Aden?

(b) Do the Government intend providing for such a service in any new contract with the Peninsular and Oriental or any other Company on the expiry of the present contract?

Colonel Sir S. D'A. Crookshank: (a) The answer is in the affirmative.

(b) The idea of instituting a link service from Aden to Karachi was abandoned in 1913. The Government of India have, however, considered the introduction of a mid-weekly service between London and Karachi as soon as circumstances allow of it. But they are informed by the British Postmaster-General that there is little prospect of arranging such a service at present at a reasonable cost. In the circumstances the idea has been dropped.

COST OF NEW DELHI.

281. **Mr. W. M. Hussanally:** Will the Government please state:

- (a) What has been the total cost of New Delhi so far?
- (b) What is the recurring cost of maintenance, repairs, etc.?
- (c) What is the total income from rents and all other sources?
- (d) What is the percentage of nett income realized on the total outlay after deducting recurring cost?
- (e) Is the value of land under buildings, intended for rental purposes, calculated in the total outlay?
- (f) Do tenants pay any taxes in the nature of house-tax, water-supply charges, sanitation-tax, electricity, wheel-tax and the like besides the rent they pay, or are such charges included in the rents they pay?

Colonel Sir S. D'A. Crookshank: (a) The total gross expenditure on the New Capital up to the 31st March 1921, was close on Rs. 490 lakhs and a further expenditure of Rs. 133 lakhs is anticipated during the current year.

(b) The expenditure on maintenance to the end of 1920-21, was Rs. 25.6 lakhs and a further expenditure of Rs. 9.1 lakhs is anticipated this year.

(c) The total amount realised and treated as reduction of outlay to the end of 1920-21, was Rs. 12.2 lakhs, and a further credit of Rs. 3 lakhs is anticipated this year.

(d) The expenditure on maintenance being in excess of the amount realised there is no net income.

(e) The answer is in the affirmative.

(f) Tenants pay for the cost of water and electric current supplied to them in addition to the rent paid. Tenants also pay rent on the cost of water, electric and sanitary installations in addition to the rent of the building. There is at present, no house-tax, sanitation-tax or wheel-tax assessed by the Imperial Delhi Municipal Committee.

INCREASE OF PENSIONS.

282. **Mr. W. M. Hussanally :** (a) Have Government received any representations from any Pensioners Associations in India, praying that their pensions be increased ?

(b) Is it a fact that ' Pension ' is defined in the Civil Service Regulations as ' deferred pay ' ?

(c) Is it a fact that pensions of some classes of Civil Pensioners have been enhanced ? If so, by how much and on what grounds ?

(d) Is it a fact that in other cases enhancement of pensions has been refused ? If so, on what grounds ?

(e) What action does Government propose to take on the representations recently received ?

The Honourable Mr. W. M. Hailey : (a) Yes.

(b) No.

(c) The pensions of all pensioners drawing less than Rs. 45 have been enhanced according to a graduated scale. The reasons for this step and the amount of increase are shewn in the Government Resolution of 14th January 1921, which I lay on the table. Further, as a result of the recommendations of the Public Services Commission, the maximum pension of a number of gazetted officers was increased in 1919 from Rs. 5,000 a year to Rs. 6,000 a year according to length of service and additional pensions up to a maximum of Rs. 2,500 a year have also been instituted for the holders of certain appointments involving high responsibility. These increases were given with reference to existing and future conditions of service, and not with the intention of giving relief to those who had already retired, but, in pursuance of what was considered to amount to a pledge given when memorials on the subject were presented in 1913, these benefits have been extended to those who have retired since 23rd July 1913.

(d) The Resolution to which I have referred gives the reasons why Government have been unable to extend pecuniary concessions in other cases.

(e) The representations more recently received were of the same class as those referred to in the first part of my answer, and I have already given in detail the action taken by Government. No further action is at present contemplated.

No. 56-C.S.R.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT.

Delhi, the 14th January 1921.

PENSIONS AND GRATUITIES.

RESOLUTION.

The question of ameliorating the condition of those pensioners in India who are dependent on small pensions has been engaging the attention of the Government of India for some time past and careful consideration has been given to various appeals for aid received from pensioners individually and from pensioners' associations. From the outset it has been recognised that those same economic conditions which necessitated a revision of pay in the case of Government servants must press hardly upon the class of pensioners with small pensions though other considerations are often present to mitigate in the latter case the immediate hardship of high prices. At the same

time the Government of India were forced to recognise that an increase of pensions on a comprehensive scale was a matter of the greatest difficulty owing to the large numbers of pensioners affected and the heavy increase of expenditure thus involved. It was therefore necessary to consult local Governments whose resources were already depleted by the heavy charges for revision of pay, as upon them would fall a very considerable part of the contemplated expenditure. The local Governments are unanimous in their opinion that some relief should be given to poorer pensioners, although they are equally impressed with the difficulty of providing for the consequent expenditure even though that relief is strictly confined to cases of greatest necessity. After the most careful consideration of all the interests involved, the Government of India have reached a decision to which the approval of the Secretary of State has been accorded and they are therefore pleased to announce the following scheme which will be applicable to pensioners in receipt of pensions granted under the Civil Service Regulations.

At the outset, it is necessary to consider the effect upon pensions of recent revisions of pay and it is provided that the scheme shall not apply to pensioners in receipt of superior pension who retire after three years from the date of introduction of revised rates in the establishments to which they belong. Those pensioners will receive the full pensionary consequences of the revised rates of pay in the shape of an enhanced pension and it is therefore not considered necessary to grant them any relief. In the case of establishments which have been sanctioned since 1914 the local Governments will decide which of them should be treated as establishments the pay of which has been revised. Any establishment, the pay of which has been fixed either on the analogy of the revised rates of pay sanctioned for similar establishments or after taking into account the increased cost of living, should be treated as an establishment the pay of which has been revised.

2. (1) For purposes of the scheme pensioners will be divided into the following classes :

(i) *Class A*.—Pensioners in receipt of a superior pension who have retired before the introduction of revised rates of pay. Those who were on long leave on the date of the introduction of the revised rates of pay and have retired on a pension calculated on the old rates [*vide* Article 60, and rule 1 (a) under Article 487 of the Civil Service Regulations] should be treated as having retired before the pay of the establishments, in which they were employed, was revised.

(ii) *Class B*.—Pensioners in receipt of a superior pension who have retired after the date of the introduction of the revised rates of pay but who, not having since that date put in 3 years' service qualifying for pension, have not received the full pensionary benefit of the revision.

(iii) *Class C*.—Pensioners in receipt of an inferior pension.

(iv) *Class D*.—Pensioners in receipt of a pension granted under the rules in Part VI of the Civil Service Regulations or under Articles 673, 684 and 685 of the same Regulations.

(2) (a) Pensions of those in Class A will be raised on the following scale :—

(i) Pensions up to R10 a month by R2.

(ii) Pensions over R10 and up to R20 a month by R3.

(iii) Pensions over R20 and up to R30 a month by R4.

(iv) Pensions over R30 and up to R40 a month by R5.

(v) Pensions over R40 and up to R45 a month by an amount which will bring the pension up to R45 a month.

(b) Pensions of those in Class B will be raised on the scale given in clause (a) above reduced by one-sixth for every completed six months of service qualifying for pension from the date of the introduction of the revised rates of pay.

(c) Pensions of those in Class C who retired before the introduction of the revised rates of pay, as well as of those who retired after the introduction of the revised rates of pay, but on pension calculated on the old rates, will be raised on the scale given in clause (a) above. In the case of those retiring after the introduction of the revised rates of pay the maxima limits of pensions in Article 481 (b) of the Civil Service Regulations will be enhanced in accordance with the same scale.

(d) Pensions of those in Class D will be enhanced on the scale given in clause (a) above.

(3) In cases in which a portion of the pension has been commuted the increase will be calculated on the original amount of the pension as it existed before commutation.

3. The scheme will apply to pensions beginning with those falling due for payment on the 1st December 1920 and will be subject to reconsideration at the end of 3 years. Political and Literary pensioners may be granted, at the discretion of the local Governments, an increase on the scale given in clause 2(a) of paragraph 2 above, provided that their pensions have not already been increased in consequence of the rise in prices.

4. The Government of India regret that in view of the very heavy financial commitment involved it has been found impracticable to sanction relief on a larger scale or with retrospective effect.

ORDERED that the Resolution be communicated to the several Departments of the Government of India (including the Financial Advisers and the Board of Industries and Munitions), all Provincial Governments and Minor local Governments, the Comptroller and Auditor General, the Heads of Departments subordinate to the Finance Department, all Accountants General, the Comptroller, Assam, the Chief Auditors of State Railways and Government Examiners of Railway Accounts, the Examiner of Accounts, Military Works Services, the Examiner, Government Press Accounts, the Controller of War Accounts, the Audit Officer, Delhi Province, the Examiner of Customs Accounts, and the Deputy Accountant General, Central Revenue, Delhi.

ORDERED also that the Resolution be published in the *Gazette of India*.

E. M. COOK,

Secretary to the Government of India.

No. 56-C.S.R.

Copy forwarded to the several Departments of the Government of India (including the Financial Advisers and the Board of Industries and Munitions), all Provincial Governments and Minor local Governments, the Comptroller and Auditor General, the Heads of Departments subordinate to the Finance Department, all Accountants General, the Comptroller, Assam, the Chief Auditors of State Railways and Government Examiners of Railway Accounts, the Examiner of Accounts, Military Works Services, the Examiner, Government Press Accounts, the Controller of War Accounts, the Audit Officer, Delhi Province, the Examiner of Customs Accounts, and the Deputy Accountant-General, Central Revenue, Delhi.

By order, etc.,

J. C. NIXON,

Under Secretary to the Government of India.

EXTENSION OF KARACHI.

283. **Mr. W. M. Hussanally :** (a) Are Government aware that the large cantonment area at Karachi is blocking the way of the expansion of the city ?

(b) Are the Government aware that the area known as Artillery Maidan has been demanded by the Municipality of Karachi for years past for city expansion : and last year His Excellency the Governor of Bombay laid the foundation stone of the new buildings for the Court of the Judicial Commissioner of Sind on that site ? Has this area been transferred to the civil authorities and the Artillery removed ? If not, what is the reason ?

(c) Do the Government contemplate removal of the cantonment as a whole to outside Municipal limits with a view to the civil town being extended ? If so, when ?

Sir Godfrey Fell : (a) Representations to this effect have been made by the local civil authorities and the Government of India are endeavouring, in consultation with the Government of Bombay, to provide an outlet for expansion in the direction desired.

(b) The battery of Artillery was removed in October 1920 and the greater part of the Artillery Maidan has already been handed over to the civil

authorities. The balance will be transferred when the Government of Bombay have provided facilities for the accommodation on other sites of certain necessary military institutions which at present occupy part of the maidan.

(c) No. The removal of the entire cantonment from its present position would be impracticable on financial and other grounds.

EXTENSION OF HYDERABAD SIND.

284. **Mr. W. M. Hussanally :** (a) Is it a fact that the cantonment area in the city of Hyderabad Sind is blocking the way of the extension of that town in the only direction available?

(b) Is it a fact that this city is heavily congested and as a result it has become very insanitary with high mortality from phthisis and other diseases?

(c) Is it a fact that for several years past the Municipality have asked for the removal of the cantonment and transfer of the area to the city for expansion? Have the Local Government supported their prayer?

(d) What decision have the Government arrived at in connection with this demand?

Sir Godfrey Fell : (a) It is true that the cantonment area in the city of Hyderabad Sind is blocking the expansion of the city in one direction, but this is not the only direction in which the city can be expanded.

(b) The Government are aware that the congested state of the city is conducive to insanitary conditions.

(c) Various suggestions, including one for the removal of the cantonment, which was supported by the Bombay Government, have been put forward by the Municipality with the object of relieving the congestion, but all of them have been found to present serious difficulties.

(d) The Government of India have recently directed that the question should be examined by the local civil and military authorities concerned, and thereafter by the Government of Bombay in communication with the General Officer Commanding-in-Chief, Western Command. The Government of India have not yet had any final report regarding the result of these discussions. A report has, however, been received from the General Officer Commanding-in-Chief, Western Command, which shows that there is no other site near Hyderabad which can be compared with the present site either in altitude, in freedom from mosquitoes, or in space available for parade grounds.

INCONVENIENCE TO PILGRIMS AT HARDWAR.

285. **Dr. Nand Lal :** (a) Is the Government of India aware that a large number of respectable Hindu ladies go to Hardwar as pilgrims, and that owing to the want of separate 1st and 2nd class waiting rooms for ladies, they are put to great inconvenience? If the answer be in the affirmative, do the Government propose to remove this inconvenience?

(b) Is the Government aware that the Station Master, Hardwar, in order to reserve 1st and 2nd class berths or compartments from Hardwar to other stations, has got to communicate with the Station Master, Dehra Dun, and that his inability to allow such reservations direct is the cause of great inconvenience to respectable Hindu pilgrims, and if so, would the Government be pleased to remove this inability?

Colonel W. D. Waghorn: Government are aware that a number of Hindu ladies on pilgrimage have travelled to Hardwar recently as first and second class passengers. There is no waiting accommodation for such passengers at Hardwar at present, but it is proposed to provide it as soon as funds can be made available.

(b) The practice on most railways is for reserved accommodation to be arranged by the Station Master at the station from which trains start. The inconvenience complained of has been brought to the notice of the authorities of the Oudh and Rohilkhand Railway, and steps are being taken to remove it as far as possible.

THIRD CLASS ACCOMMODATION ON RAILWAYS IN THE PUNJAB.

286. Dr. Nand Lal: Is the Government aware that the third class accommodation on lines passing through the newly established colony towns in the Punjab is still far from being comfortable, and if so, would the Government be pleased to take the necessary steps in the matter?

Colonel W. D. Waghorn: Government is aware that there has been some over-crowding in the accommodation provided for third class passengers on trains on certain sections of the North-Western Railway. The Railway Administration has given the matter very special attention and has lately increased the number of passenger coaches on trains and added extra trains as coaching stock has become available.

MEMORIAL FROM THE ASSOCIATION OF QANUNGOS, LUDHIANA.

287. Dr. Nand Lal: Is it a fact that a memorial has been submitted by an Association of Qanungos from Ludhiana to the Governor General of India? If so, will the Government be pleased to state what action has been taken thereon?

Mr. J. Hullah: Yes. A collection of a large number of memorials was received and has been returned for submission through the Local Government.

MEDICAL GRADUATES OF THE PUNJAB.

288. Dr. Nand Lal: Is it a fact that a copy of proceedings of the general meeting of medical graduates of the Punjab, held on 17th July 1921, in the S. P. S. K. Hall, Lahore, was submitted to the Education Member of the Government of India, and if so, will the Government be pleased to inform this Assembly as to what step has been taken by the Government in that connection?

Mr. H. Sharp: A copy of the proceedings of the meeting referred to has been received.

As regards the latter part of the Question the Honourable Member is referred to the reply given to Question No. 174 asked by Mr. Kanhat.

BANGALORE PENSIONERS' ASSOCIATION.

289. Dr. Nand Lal: Is it a fact that the Bangalore Pensioners' Association has submitted a memorial to the Viceroy and Governor General of India praying for an adequate increase of pension? If so, what action has been taken thereon?

The Honourable Mr. W. M. Hailey: I would refer the Honourable Member to the answer which I have given to Question No. 282 by Mr. Wali Mahomed Hussanally.

SECURITY UNDER THE FRONTIER CRIMES REGULATION.

290. **Dr. Nand Lal:** Is it a fact that Abdul Jalil, Melap Singh, Jan Mohamad and Mohamad Salim were ordered to give security under the Frontier Crimes Regulation, and if so, will the Government be pleased to state why they were not proceeded against under the ordinary law?

The Honourable Dr. T. B. Sapru: (on behalf of the Honourable Mr. Denys Bray) : Yes, all four, being ordinarily resident in the Peshawar district, were ordered to give security under Section 40 of the Frontier Crimes Regulation, which expressly provides for the taking of security for the purpose of preventing the dissemination of sedition. The Local Government considered that a prosecution for sedition under the Indian Penal Code would have been inexpedient owing to local conditions.

ADMINISTRATION OF N.-W. F. PROVINCE.

291. **Dr. Nand Lal:** Will the Government be pleased to place on the table the two circulars issued by Sir Hamilton Grant last year in summer on the subject of the present working of Frontier Crimes Regulation and laying down rules for the future administration of the North-West Frontier Province?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray) : Sir Hamilton Grant issued only one circular order in July 1920, regarding the working of the Frontier Crimes Regulation and copies of this are laid on the table. A confidential demi-official letter issued on the same subject on the same date, to which the Honourable Member possibly refers as the second circular, cannot be laid on the table as it is not a public document.

CIRCULAR ORDER.

To

ALL OFFICERS EXERCISING POWERS UNDER THE FRONTIER CRIMES
REGULATION IN THE NORTH-WEST FRONTIER PROVINCE.

Dated Nathiagali, the 19th July 1920.

1. The attention of the Chief Commissioner has been drawn to the number and diversity of the instructions which have from time to time been issued by various authorities for the working of the Frontier Crimes Regulation : and he now considers it desirable in the succeeding paragraphs to lay down, in supersession of all previous instructions so far as they conflict with these, the lines on which the main provisions of the Regulation should be carried out and the powers conferred by the Regulation should be exercised.

Some of the instructions here conveyed undoubtedly involve a departure from existing practice, and some may be regarded as tending to weaken the criminal administration of the Province. But a careful review of the criminal statistics for the past 20 years does not indicate that the present method of working the Regulation has resulted in an appreciable reduction of crime, and Sir Hamilton Grant feels that the time has come to try the experiment of working the Regulation more on the lines that were originally intended with the object of associating the tribal leaders more effectively with the punishment and settlement of offences and of securing the co-operation and support of public opinion.

This circular, I am to add, is not to be regarded as an academic essay to be read and laid aside. Sir Hamilton Grant desires that every officer exercising powers under the

Frontier Crimes Regulation should keep it on his table and consult it for guidance as required. It has the same binding force on officers exercising powers under the Frontier Crimes Regulation as Judicial Circulars of the High Court or Judicial Commissioner have upon ordinary Courts of Justice, and it will be published in vernacular as well as in English. The effect of these orders will be closely watched.

2. *References under Section 8, Frontier Crimes Regulation :*

- (a) Very free use should be made of this Section, except in urban areas.
- (b) Before passing a decree under Section 8, Frontier Crimes Regulation, the Deputy Commissioner^a should satisfy himself that the defendant possesses sufficient property to satisfy it. The Council should always be advised to limit their recommendations accordingly as far as possible.
- (c) Compromises should be referred *pro forma* to a Council of three persons, and on their finding a decree should be passed.
- (d) Section 86, Frontier Crimes Regulation, should only be used to enforce a decree under Section 8, Frontier Crimes Regulation, when the finding of the *jirga* specifically recommends this course or for most exceptional reasons.
- (e) Special attention should be paid to the protection of the interests of minors against whom a decree under Section 8 is proposed.

3. *References to Council of Elders in criminal cases :*

- (a) The Deputy Commissioner should never refer a case to a *jirga* under Section 11, Frontier Crimes Regulation, unless he is satisfied that there is reasonable ground for proceeding : or unless he thinks that a settlement of the offence in accordance with tribal custom is probable. Section 18, Frontier Crimes Regulation, should be employed, where necessary, to embody this settlement in a decree under Section 8. There is occasionally a tendency to refer cases to Councils where there is practically no evidence at all against the accused on the chance of the Council discovering some. This is obviously wrong. In such cases the accused should be forthwith discharged.
- (b) References under Section 11, Frontier Crimes Regulation, should be made, not only for heinous offences, but also freely for other offences, especially personal injury, rioting without murder, damage to property not disclosing professional or habitual crime, and cases relating to women. These cases, though brought on the criminal side and referred under Section 11, can frequently be satisfactorily disposed of by a decree under Sections 18 and 8, Frontier Crimes Regulation.
- (c) The order of reference under Section 11, Frontier Crimes Regulation, should always state clearly the grounds of reference and the issues upon which the Council are to enquire and give a finding. No typed or printed forms of reference should be used.
- (d) In references under Section 11, Frontier Crimes Regulation, the Council should always be instructed either verbally or in writing (i) to state clearly the facts and evidence upon which they base their finding ; (ii) to suggest, in case of conviction, the punishment that should be awarded or the manner in which, the case should be settled in accordance with tribal usage.
- (e) Cases should not be withdrawn under Section 15, Frontier Crimes Regulation from the Sessions Court once the trial has commenced without the previous sanction of the Chief Commissioner or of an officer empowered by him in this behalf.
- (f) References to a second Council under Section 11 (3) (b), Frontier Crimes Regulation, should not be made without the sanction of the Chief Commissioner or of an officer empowered by him in this behalf.

4. *Finding of the Council :*

- (a) When the Council find the accused not guilty, the finding should be accepted unless there are definite grounds for believing that the finding is dishonest or that there has been an obvious miscarriage of justice.
- (b) When the Council convict the accused, the Deputy Commissioner should carefully consider whether 'the facts as found show the accused to be guilty.' Unless he is satisfied of this, he has no right to accept the conviction, and he must discharge or acquit the accused. There must be definite facts beyond mere opinion or secret enquiries to support a conviction. In certain cases the facts may amount to little more than customary oaths by compurgators; and, where it is the custom, these may be accepted as evidence. But without at any rate

this amount of evidence a conviction should not be accepted. It is hardly necessary to point out that it is infinitely better that a guilty man should go unpunished than that an innocent man should be unjustly convicted.

5. *Punishment:*

(1) It is most necessary to remember that offences on the frontier fall into two categories—

- (a) ordinarily recognised crime, e.g., crime for the sake of gain, especially when coupled with violence, and crime indicating professional or habitual addition; and
- (b) offences committed in pursuance of tribal custom or the Pathan code of honour which are rather law breaking than crime.

Offences falling within the first category should be severely punished whatever the recommendation of the *jirga* may be. Offences falling within the second category, where not marked by special deliberateness or brutality, should be punished or settled so far as possible in accordance with tribal usage. Where, however, there are special features of deliberateness or brutality, the case is different, and the offence must be punished severely on its merits. While anxious to admit tribal usage as far as possible, the Chief Commissioner has no wish to assist in crystallising it in its more violent and callous forms, or in countenancing acts which are repugnant to civilisation.

- (2) In punishing the first class of offences, *viz.*, ordinarily recognised crime, though severe and deterrent sentences are called for, they must not be extravagant or savage. There is occasionally a tendency to mete out sweeping sentences without full consideration of their full purport. Sometimes, for instance, a sentence of ten years is awarded where a sentence of two or three years would be adequate. The Chief Commissioner thinks the standard of punishment might be considerably reduced without losing its deterrent or reformatory effects. We can alone secure the co-operation of the general public in suppressing crime by giving sentences of which they approve and by getting public opinion with us.
- (3) In dealing with the second class of offences, *viz.*, those committed in pursuance of tribal custom or honour, the Deputy Commissioner should be primarily guided by the recommendation of the Council, and, where he can not accept that recommendation, he should in his order expressly detail his reasons for not accepting it. In this connection attention is called to the following important points:—
 - (i) Under Section 12, Frontier Crimes Regulation, no minimum penalty is prescribed. There is nothing to preclude the substitution of tribal or customary penalties for those prescribed by the Indian Penal Code.
 - (ii) There is nothing in Section 12, Frontier Crimes Regulation, to preclude the compounding of an offence (even murder) not compoundable under the Criminal Procedure Code.
 - (iii) Under Section 18, Frontier Crimes Regulation, the Deputy Commissioner may treat the recommendation of a Council under Section 11, Frontier Crimes Regulation, as if it were a civil finding under Section 8, Frontier Crimes Regulation.
- (4) In inflicting a sentence of fine whether in addition to or without imprisonment, the Deputy Commissioner should consider carefully the status and means of the offender and regulate the fine accordingly. Fines should not be inflicted which are obviously not likely to be payable. When imprisonment in default of a fine has been suffered, the fine should always be remitted unless it is payable as compensation to an injured person.

6. *Constitution of Councils of Elders:*

- (a) The Council appointed should so far as possible be tribal in character. To this end Deputy Commissioners, instead of keeping the present lists of gentlemen qualified to serve on *jirgas*, Raies, Khans, retired officers, civil and military, etc., should keep lists arranged according to tribal areas. It happens, of course, sometimes that the parties belong to different tribes or to no particular tribes. In such cases mixed *jirgas* are inevitable. But for this purpose the *Shahi Jirga*, which should certainly be maintained, is obviously suitable.
- (b) The parties should always be given ample opportunity of challenging any of the members it is proposed to appoint. Where the objection is overruled, the reasons for so doing should be recorded.
- (c) A charge of bribery or corruption brought against a *jirga*, if there are reasonable grounds for thinking it justified, should be thoroughly investigated.

7. Action under Section 21, Frontier Crimes Regulation :

The cases of tribesmen arrested and detained under Section 21 (b), Frontier Crimes Regulation, should be constantly reviewed, and such persons should not be indefinitely kept in custody without the special sanction of the Chief Commissioner. In this connection attention is directed to Circular No. 86—96-P. N., dated 5th July 1920, on the subject of monthly statements regarding these prisoners.

8. Action under Sections 22 and 23, Frontier Crimes Regulation :

Communal fines, though often deserved and salutary, should not be proposed merely because a conviction is not obtained. There must be definite reasons for believing that the inhabitants are guilty in one or other of the ways indicated in these Sections, and these reasons must be clearly demonstrated.

9. Action under Section 36, Frontier Crimes Regulation :

The expulsion of persons mentioned in Section 36 (d), Frontier Crimes Regulation, should only be ordered or recommended when the cause of quarrel is really definite and serious. The Chief Commissioner has noted cases where it was proposed to expel a woman because she was a prostitute or a bad character. This is obviously entirely beyond the intentions of the Regulation. There must be a specific cause of quarrel between definite persons likely to lead to bloodshed.

10. Action under Section 40, Frontier Crimes Regulation :

Security under Section 40, Frontier Crimes Regulation, for preventing the dissemination of seditious should not be taken except after full enquiry, which must show that there is real danger that the accused is disseminating or is likely to disseminate seditious, and must be clearly recorded.

11. Action under Section 41, Frontier Crimes Regulation :

This Section is, in the opinion of the Chief Commissioner, much too freely used. This is due in a great measure to constant criticisms of the Police by the Magistracy and superior Police officers implying that a particular offence could have been prevented by timely security proceedings. Such comments are not only improper, but they are usually untrue in fact. There are cases undoubtedly where the danger of bloodshed is obvious and imminent and cases where one or both of the parties apply for security to be taken, and in such cases security under Section 41, Frontier Crimes Regulation, is called for. But in many hundreds of cases where security of this kind is taken the proceedings have merely served to give publicity to private and domestic unpleasantnesses which would otherwise be amicably settled, and to afford a handle to unscrupulous persons to dishonour their opponents. If security under this Section were really a deterrent, there would have been a general reduction in violent crime proportionate to the number of securities taken, but this has emphatically not been the case. The excessive use of this Section causes considerable private distress and alienates the community, and the Chief Commissioner desires that the experiment should at once be made of reducing its operation to a minimum.

12. Inspections :

When a Deputy Commissioner in his capacity of District Magistrate or an Additional District Magistrate inspects the court of a Magistrate exercising powers under the Frontier Crimes Regulation, he will prepare a separate Inspection note dealing with the Magistrate's working of the Frontier Crimes Regulation in addition to that submitted on the ordinary Criminal working to the Sessions Judge and Judicial Commissioner. Such Inspection notes on Frontier Crimes Regulation working will be submitted to the Chief Commissioner by Deputy Commissioners direct, and by Additional District Magistrates through the Deputy Commissioners to whom they are subordinate. A separate circular will also issue to this effect.

13. In order to satisfy himself that these instructions are being duly carried out, the Chief Commissioner directs that a statement in the form attached shall be sent to him by the 15th day of each month direct by all Deputy Commissioners showing details of cases under the Frontier Crimes Regulations disposed of by them and by the officers serving under them during the month.

P. J. G. PIPON,

*Secretary to the Chief Commissioner,
North-West Frontier Province.*

Statement of cases decided under the Frontier Crimes Regulation by
 a Magistrate of the
 District, in the month of

192 .

1	2	3	4	5	6	7	8	9
No. of case in Register.	Names of complainants and accused or petitioners and respondents.	Offence referred under Section 11, Frontier Crimes Regulation.	Dispute referred under Section 4, Frontier Crimes Regulation.	Other proceedings under Frontier Crimes Regulation.	Result of proceedings, sentence or other order.	Remarks explaining grounds of light or heavy sentence or other abnormal feature of the case.	Remarks by Deputy Commissioner.	Remarks by Chief Commissioner.

TRANSFER OF ADEN FROM THE GOVERNMENT OF INDIA.

292. Dr. Nand Lal: Is it a fact that a memorial, on behalf of the British Indian Colonial Merchants' Association, Bombay, was submitted to the Viceroy and Governor General of India praying that the contemplated transference of the administration of Aden from the Government of India to the Colonial Office be prevented? If so, would the Government be pleased to enlighten this Assembly as to what action has been taken thereon?

The Honourable Dr. T. R. Sapru (on behalf of the Honourable Mr. Denys Bray) : I would refer the Honourable Member to my reply on the 10th September, to Question No. 129 asked by Rai Bahadur Bakhshi Sohan Lal.

MEMORIAL FROM THE PUBLIC WORKS ACCOUNTANTS OF THE PUNJAB.

293. Dr. Nand Lal: Has any memorial, on behalf of the Public Works Accountants of the Punjab, been submitted to the Government of India, praying for an increase in their salary? If so, what action has been taken thereon?

The Honourable Mr. W. M. Hatley: Yes. Memorials were received in March 1921 from some senior Accountants of the Public Works Department in the Punjab (borne on the All-India list of Accountants) regarding their pay. The question raised therein cannot be treated separately and will be considered in connection with the general question of the adequacy of pay in Accounts Offices which is now under review.

MALE CALVES IN GOVERNMENT MILITARY DAIRY FARMS.

294. Dr. Nand Lal: Will the Government be pleased to state :

- (a) Whether it is a fact that male calves, on their birth in the Government Military Dairy Farms throughout India, are sold for a few annas each or sometimes given away without any price, and if so, what is the reason for this?
- (b) The total number of calves so disposed of, and the total income derived from the sale during the last three years?

Sir Godfrey Fell: (a) As a rule male calves born on Government Military Dairy Farms are either sold or given away within one month of birth, but never at birth. The reason for this is that the dairies cannot afford to rear male calves, except such as may be required for study or for draught purposes.

(b) In the Northern Districts the total number of calves either given away or sold during the past three years is 2,416. The income derived therefrom is reported to be negligible.

In the Southern Districts, the number is 1,153 and the income is Rs. 9,484.

REFORMS AND THE NORTH-WEST FRONTIER PROVINCE.

295. Dr. Nand Lal: Will Government be pleased to state as to why the North-West Frontier Province has not been given the benefit of the Reforms, namely, why it has not been allowed to send representatives to the Legislative Assembly?

The Honourable Sir William Vincent : When the Reforms were introduced it was considered desirable that the administration of the North-West Frontier Province should remain in the hands of the Government of India, and that the claims of the province to representation on the Indian Legislature could be met by occasional nominations to the Assembly. The Chief Commissioner has been pressing for some time for the nomination of a North-West Frontier Province representative to the Assembly. As the number of nominated Members is limited, it was found difficult to include a representative of that Province. An opportunity has, however, recently occurred, and His Excellency the Viceroy has taken advantage of it to nominate Mr. Abdul Rahim Khan, Bar-at-Law, to be a Member of this Assembly.

ASSAM-BENGAL RAILWAY.

296. Rai S. C. Sen Bahadur : (a) Does the Assam-Bengal Railway enjoy a guarantee of profit by the Government ?

(b) Will the Government be pleased to state the total amount of loss, if any, that has been sustained by the Assam-Bengal Railway up to the end of July 1921, on account of the recent strike ?

(c) Will the Government be pleased to state how much of such loss will have to be borne out of the public revenue ?

(d) Is it true that certain terms were offered on behalf of the strikers and the Assam-Bengal Railway authorities declined to accept or discuss them ?

(e) Are the Government aware that great inconvenience was and is being felt by the public and merchants on account of the strike in the Assam-Bengal Railway ?

(f) Will the Government be pleased to state what steps, if any, the Government have taken up to 31st July 1921, to put an end to the strike ?

Colonel W. D. Waghorn : (a) The Government guarantee interest in sterling at 3 per cent. on the Company's share capital of 1,500,000.

(b) It is impossible to state with any accuracy what amount of earnings have been lost owing to the strike. Naturally a large proportion of the traffic held up will be carried now that the line is again open.

(c) Any loss which is incurred will fall on Government as the Assam-Bengal Railway earnings do not cover the guarantee.

(d) Terms involving extravagant demands which could not be conceded were put forward a day or two after the men had ceased work.

(e) and (f) Government are fully aware of the inconvenience caused and while the strike lasted every effort was made to induce the men to return. Most of them resumed duty at the end of July except the workshop staff at Pahartali, who have now been largely replaced from outside.

INSPECTORS OF MINES.

297. Rai S. C. Sen Bahadur : Will the Government be pleased to state :

(a) When the posts of Inspectors of Mines were first created ?

- (b) If it is a fact that the posts of Inspectors of Mines have always been held by persons other than Indians?
- (c) How the Inspectors of Mines are recruited?
- (d) If they will throw the appointments of Inspectors of Mines open to Indians?

Mr. A. C. Chatterjee : (a) The first Inspector of Mines was appointed in November 1893, and he was borne on the cadre of the Geological Survey Department. The present posts of Inspectors were created by the Indian Mines Act, 1901, the first appointment being made on 23rd January 1902.

(b) Yes.

(c) Appointments in the grade of Inspectors are ordinarily made by the promotion of Junior Inspectors, who are at present selected by the Secretary of State on behalf of the Government of India as candidates with sufficiently high qualifications have not so far been available in this country.

(d) There is no bar to the appointment of Indians possessing the necessary qualifications. With a view to providing local instructional facilities for the training of Indians for these appointments, steps have been taken to open a School of Mines and Geology at Dhanbad. When students trained in this institution are available, appointments will be made in India as far as possible. Meanwhile steps will be taken to advertise these appointments in India when they fall vacant in order that Indian candidates with suitable qualifications may have an opportunity of competing with candidates from elsewhere.

SCALES OF SALARIES OF VARIOUS SERVICES.

298. **Babu P. P. Singh :** (a) Did the Royal Commission on Public Services in India express the opinion that service conditions make it desirable that a superior officer should not draw less pay than an officer who is actually under his orders, and has the above principle been accepted by the Government of India in fixing scales of salaries for the different services?

(b) Is it a fact that 2nd Class Head Postmasters whose maximum pay has been fixed at Rs. 350 have to work under the orders of Superintendents of Post Offices? And that the minimum pay of Superintendents of Post Offices has been fixed at a rate lower than the maximum pay of their direct subordinates? If so, will Government state the reasons?

(c) Did the Postal Officers' Association, India, petition the Government of India on behalf of Superintendents asking for a scale of pay with a minimum of Rs. 350, and is it a fact that the request has been rejected summarily, and the Postal Officers' Association was not informed of the reasons for this rejection of their prayer?

(d) If the principle mentioned in (a) has not been accepted by the Government of India, will Government mention the departments in which and the class of officers in whose case the pay of subordinates is higher than the minimum pay of their direct superiors?

Colonel Sir S. D'A. Crookshank : As the replies to these questions right down to No. 304 involve a fairly vast amount of detailed figures and the replies are somewhat dull, I propose with your permission, Sir, to lay them on the table.

(a) The Royal Commission on Public Services in India made the remark quoted by the Honourable Member in paragraph 57 of their Report. But

they laid no special stress on the point, and did not affirm it as a general principle to be followed in all cases. The Government of India have not accepted the principle as one of universal application in fixing scales of salaries for the different services.

(b) Yes, second class head postmasters on a day of Rs. 250—20—350 are under the immediate control and supervision of the Superintendents of post offices whose scale of pay is Rs. 250—25—300—20—700. This is a long established practice of the Department which has hitherto worked without friction.

(c) The attention of the Honourable Member is invited to parts (a) to (d) of the answer to his Question No. 300.

(d) In the Post Office the maximum pay of certain postmasters is higher than the minimum pay of their direct superiors, viz., Superintendents of post offices, and in the Railway Mail Service also certain Record Clerks, Accountants and Head Sorters draw more than their immediate superiors, viz., Inspectors, Railway Mail Service, the grades of the former being Rs. 175—10—225 and Rs. 145—5—170, and that of the latter Rs. 100—5—175.

On the Telegraph side the minimum pay of 2nd Division officers in the Superior Traffic, Engineering and Technical Branches is less than the maximum pay of Deputy Superintendents, the grade of the former being Rs. 350—20—550—30—700 whereas Deputy Superintendents, 1st class, draw Rs. 500—20—600 and 2nd class Rs. 350—20—450. This has not been represented by the staff as a grievance.

As regards other Departments the information will be found in the statement laid on the table.

Statement.

Department (or Service).	Grade or class of subordinates whose maximum pay is more than the minimum of their direct superiors.	Designation of grade or class of direct superiors.
Imperial Customs Service ...	Chief Inspectors and Inspectors, Preventive Service. Head Appraisers and Appraisers. Superintendents of clerical establishment.	Assistant Collectors of Customs.
Government Press, Calcutta	Computer	Head Computer.
Government Press, Simla ...	Overseer	Assistant Superintendent.
Indian Audit Department ...	1. Assistant Accounts officers (Civil and Railways.) 2. Members of the Subordinate Accounts Service. 3. Railway Accountants ...	Officers of the General List of the Indian Audit Department.
Merit and Assay Department	1st Assistant to Assay Master ...	
State Railway Engineers ...	Sub-Engineers, Senior Permanent Way Inspectors and Inspectors of Works and Maintenance, Senior Bridge Inspectors.	Deputy Assay Masters. Assistant Engineers, Provincial Service and Assistant Ex-Engineers of the Indian Service of Engineers.
State Railway Loco. and Carriage and Wagon Departments.	Senior Loco. and Carriage and Wagon Foremen.	Assistant Loco. and Carriage and Wagon Superintendents.
State Railway Traffic ...	Traffic Inspectors, Senior Station Masters and Station Superintendents, Yard Masters, Goods Supervisors, etc.	Assistant Traffic Superintendents of local services and Assistant District Traffic Superintendents.
State Railway Signal Department.	Senior Signal Inspectors ...	Assistant Signal Engineers.
State Railway Stores Department.	Depot Storekeepers	Assistant Controllers of Stores.
Post Office	Certain Postmasters	Superintendents of Post Offices.

Department (or Service).	Grade or class of subordinates whose maximum pay is more than the minimum of their direct superiors.	Designation of grade or class of direct superiors.
Railway Mail Service	Certain Record Clerks, Accountants and Head Sorters.	Inspectors, Railway Mail Service.
Telegraphs	Deputy Superintendents	Officers of the 2nd Division in the Superior Traffic Engineering and Technical Branches.
Civil Service	Provincial Civil Service	Indian Civil Service appointments on superior scale.
Police Department	Provincial Police Service	Indian Police Service appointments on superior scale.
Civil Veterinary Department	Deputy Superintendents	Assistant Superintendents or Superintendents.
Forest Department	Laboratory Assistants (upper grade) in Muktesar. Extra Assistant Conservators (Provincial Service).	Imperial Veterinary Service Officers. Assistant Conservators and Deputy Conservators (Imperial Service).
Indian Agricultural Department. Extra Assistant Commissioners, Ajmer-Merwara.	Provincial Agricultural Service Officers. Additional District and Sessions Judge. Extra Assistant Commissioner, 1st grade.	Officers of the Indian Agricultural Service.
Provincial Civil Service, Baluchistan and North-West Frontier Province.	Extra Assistant Resident, Hyderabad District and Sessions Judge, Bangalore, Personal Assistant to His British Majesty's Consul for Sistan and Kain, British Trade Agent, Yatung.	Political Department. In all these cases the maximum pay of the subordinate officers is more than the minimum pay of the Political Department time-scale, which is Rs. 500 per mensem plus overseas pay of Rs. 150 per mensem.

PAY OF POSTAL AND TELEGRAPH SERVICES.

299. **Babu B. P. Singh** : (a) Will the Government lay on the table a statement showing :

(1) the average pay of each of the following classes of officers in July of 1913, 1914, 1920 and 1921 :

- (i) Postmasters-General,
- (ii) Deputy Postmaster-General,
- (iii) Assistant Director-General,
- (iv) Superintendents of Post Offices,
- (v) Telegraph Officers, Imperial,
- (vi) Telegraph Officers, Provincial,
- (vii) Superintendent, Telegraph Traffic,

(2) the percentage of increase of the pay in July 1921 on that in July 1913,

(3) the rates of pay in force on each of the above dates,

(4) the number of officers in each of the above classes on each of the dates mentioned above?

(b) What has been the additional annual expenditure to the Department by the increases in the scale of pay sanctioned for each of the class of officers mentioned above in 1914, 1919, 1920 and 1921?

Colonel Sir S. D'A. Crookshank : The statement asked for by the Honourable Member is placed on the table.

Posts and Telegraphs (Post Offices).

Service.	AVERAGE PAY IN JULY OF				Percentage of increase of the pay in July 1911 on that in July 1912.	RANGE OF PAY IN JULY OF		NUMBER OF OFFICERS IN JULY OF		ADDITIONAL ANNUAL INCREASES DIVIDED BY THE INCREASES IN PAY IN				REMARKS.
	1912.	1914.	1920.	1921.		1912.	1921.	1912.	1921.	1914.	1919.	1920.	1921.	
(60) Postmasters-General.	£a. 1,516	£a. 2,075	£a. 2,566 for I.C.S. Officers, 2,083 for departmental officers.	£a. 2,566 for I.C.S. Officers, 2,083 for departmental officers.	20 for I.C.S. Officers, 15 for departmental officers.	1st GRADE £a. 1,750-40-2,000 with one special post on £2,250-50-2,500. 2ND GRADE £a. 1,500-50-1,750	£a. I. C. S. OFFICERS. Salary on time scale of £250-250.	10	10*	£a. 30,000	No increase up to November.	£a. 17,340	No increase.	£a. Includes one Director, Telegraph Engineer.
	£a. 1,007	£a. 1,007	£a. 944	£a. 944	No increase ...	1st GRADE £a. 1,300-40-1,400 2ND GRADE £a. 1,000 3RD GRADE £a. 800	1st GRADE £a. 1,300-40-1,400 2ND GRADE £a. 1,000 3RD GRADE £a. 800	9	13†	Nil	Nil	Nil	Nil	† Additional appointments created in the lowest grade.
(60) Deputy Postmasters-General.	£a. 1,083	£a. 1,083	£a. 987	£a. 987	No increase ...	Same as for Deputy Postmaster-General.	Same as for Deputy Postmaster-General.	4	5†	Nil	Nil	Nil	Nil	† 1 temporary in the lowest grade.

Service.	AVERAGE PAY IN JULY OF				Percentage of increase of the pay in July 1921 on that in July 1913.	RATES OF PAY IN JULY OF		NUMBER OF OFFICERS IN JULY OF		ADDITIONAL ANNUAL INCREASES BY THE INCREASE IN PAY IN				REMARKS.
	1913.	1914.	1920.	1921.		1913.	1921.	1913.	1921.	1914.	1919.	1920.	1921.	
	Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
(a) Superintendents of Post Offices.	323	323	461	461	30	1st GRADE. 500-25-600 2nd GRADE. 400-25-500 3rd GRADE. 300-25-400 4th GRADE. 250 5th GRADE. 200	Rs. 750-25-700 -25-700.	172	183	Rs. Nil	Rs. Nil up to November.	Rs. 2,64,540	Rs. Nil	

Posts and Telegraphs (Telegraph Engineers employed in T. B.)

Service.	AVERAGE PAY IN JULY OF				Percentage of increase of the pay in July 1921 on that in July 1913.	RATES OF PAY IN JULY OF		NUMBER OF OFFICERS IN JULY OF		ADDITIONAL ANNUAL INCREASES BY THE INCREASE IN PAY IN				REMARKS.
	1913.	1914.	1920.	1921.		1913.	1921.	1913.	1921.	1914.	1919.	1920.	1921.	
	Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
(1) Chief Engineer	...	2,750	2,967	2,967	6*	...	3,750-125-3,000	...	1	5,800	1,500	...	...	* Comparison is in this case made with 1916 as the appoint-ment of Chief Engineer was created subse-quent to the abolition of the appoint-ment of Direc-tor-General of Telegraphs in 1900.
(2) Director, Tele-graph Engineering	...	...	...	...	...	...	...	...	...	...	...	...	...
Imperial	1,550	1,715	2,043	2,043	13	2,250, 2,000, 1,750, 1,800 and 1,500-25-1,750-100-2,250.	1,750-100-2,150. The Chief Direc-tor's appoint-ment was in-creased by 10 per cent. from April 1914 to draw Rs. 2,250.	11	9	N/A	15,300	...	...
Provincial	1,400	1,450	...	...	40	1,800, 1,600 and 1,500	Rs. 2,250	...	...	...	...	...	...

* Comparison in this case is with 1914 as the appointment of Chief Engineer was created subsequent to the abolition of the post of Director-General of Telegraphs on Rs. 5,000.

TIME-SCALE OF PAY OF SUPERINTENDENTS OF POST OFFICES.

300. **Babu B. P. Singh:** (a) Did the Government of India receive last year memorials from Superintendents of Post Offices and petitions from the Postal Officers Association asking for the introduction of the following time-scale of pay for Superintendents of Post Offices:

Rs. 350—30—560—40—1,000.

(b) Will the Government lay on the table a copy of the reply sent to these communications?

(c) Is it a fact that a further representation was submitted in June last by the Postal Officers Association to His Excellency the Viceroy urging for a reconsideration of the matter?

(d) Has any reply been sent to this representation? If so, will the Government lay on the table a copy of the representation as also a copy of the reply that has been sent?

(e) What will be the additional annual expenditure if the pay of the Superintendents of Post Offices be raised as asked for by the Postal Officers Association?

(f) Will the Government of India lay on the table a copy of the letter received by it from the Director-General of Posts and Telegraphs (Mr. Hutchinson) forwarding the memorials of Superintendents of Post Offices and Deputy Postmasters-General and Assistant Director-General?

(g) What scale of pay did the Director-General of Posts and Telegraphs (Mr. Hutchinson) recommend for Superintendents of Post Offices and for Deputy Postmasters-General and Assistant Directors-General?

Colonel Sir S. D'A. Crookshank: (a) Yes.

(b) A copy of Commerce Department letter No. 285-S., dated April 25th 1921, is laid on the table.

(c) Yes.

(d) Not yet. The matter is still under consideration. A copy of the Memorial dated June 23rd 1921, is laid on the table.

(e) The additional annual expenditure is estimated to amount to Rs. 4,92,880.

(f) A copy of Mr. Hutchinson's letter No. 254-S.E.S., dated 16th September 1920, is laid on the table.

(g) Superintendents 300—25—550—30—850.

Deputy Postmasters-General	} 1,000—50—1,500.
Assistant Directors, General	

No. 285-S., dated Simla, the 25th April 1921.

From—R. B. EWANK, Esq., I.C.S., *Deputy Secretary to the Government of India, Department of Commerce.*

To—The DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

With reference to the correspondence ending with your letter No. 333s-Es., dated the 25th October 1920, I am directed to convey the orders of the Government of India regarding the revision of the pay of the superior officers of the Post Office, namely:—

- (1) Superintendents;
- (2) Deputy Postmasters-General, and Assistant Directors-General;
- (3) Postmasters-General and Deputy Directors-General.
2. Superintendents. Until last year, Superintendents were graded as follows:—
 - 12 posts on Rs. 500—20—600.
 - 36 posts on Rs. 400—20—500.
 - 56 posts on Rs. 300—20—400.
 - 47 posts on Rs. 250.
 - 32 posts on Rs. 200.

Owing to the small proportion of posts in the upper grades, promotion was seriously blocked and very few officers could rise above Rs. 500.

3. The Public Services Commission made the following recommendation :

26 Selection appointments on Rs. 500—40—700 ;

Remainder on a continuous time scale of Rs. 250—~~40~~—450—~~40~~—500. This gave steady promotion reaching Rs. 500 after 18 years' service. But the number of posts on pay exceeding Rs. 500 was still small.

4. In view of the rise in the cost of living since the Public Services Commission reported, and in view also of the increase of pay sanctioned for other services, it was considered that the recommendations of the Commission were no longer adequate. In July last therefore the following time-scale was introduced for all Superintendents, with retrospective effect from the 1st December 1919 :

Rs. 250—25—300—20—700.

Thus a man will rise to Rs. 500 after 12 years' service, as against 18 years recommended by the Public Services Commission ; and he will continue to rise by yearly increments to Rs. 700 after 22 years' service, instead of depending for further promotion on selection to one of 26 special appointments.

5. As it seems to be thought that the rate of pay now sanctioned is not appreciably better than the recommendations of the Public Services Commission, it will be convenient to compare the two scales in tabular form :

Year of service.					As recommended by the Public Services Commission.	As sanctioned.
5	...	...	...	...	250	250
					250	275
					250	300
					290	320
					290	340
					290	360
					330	380
10	...	...	...	...	330	400
					330	420
					370	440
					370	460
					370	480
					410	500
					410	520
15	...	...	...	...	410	540
					450	560
					450	580
					450	600
					500	620
					500	640
					26 selection appointments on Rs. 500—40—700.	
20	...	...	...	...		660
						680
						700

The improvement on the old graded rates of pay which were actually drawn until last year, is, of course, even more substantial.

6. During the last year, however, the Superintendents have made the following requests for revision :

In March 1920, they asked that their pay should be raised to Rs. 300—20—500—40—700—50—900 ; that is, Rs. 300 rising to Rs. 900 after 19 years' service.

In July 1920, they asked that their pay should be raised to Rs. 300—20—600—40—1,000 ; that is, Rs. 300 rising to Rs. 1,000 after 20 years' service.

In October 1920, they asked that their pay should be raised to Rs. 350—30—560—40—1,000; that is, Rs. 350 rising to Rs. 1,000 after 18 years' service.

7. The rapidity with which the demands of these officers increase will be better appreciated, if it is exhibited in tabular form :

Year of service.				Scales of pay demanded by Superintendents			Compare scale of pay as sanctioned with effect from 1st December 1920.
				March 1920.	July 1920.	October 1920.	
5	...	...	...	300	300	350	280
				320	330	380	275
				340	360	410	300
				360	380	440	320
				380	420	470	340
				400	450	500	360
				420	480	530	380
				440	510	560	400
10	...	...	...	460	540	600	420
				480	570	640	440
				500	600	680	460
				540	640	720	480
				580	680	760	500
				620	720	800	520
15	...	...	...	660	760	840	540
				700	800	880	560
				740	840	920	580
				800	880	960	600
				850	920	1,000	620
				900	960	...	640
20	...	...	...	...	1,000	...	660
				...	...	...	680
				...	...	...	700
			

8. When it is remembered that the revised scale of pay as sanctioned with effect from the 1st December 1919, was in itself a very substantial improvement on the old graded rates of pay, it will be realised how impossible it is to keep pace with the demands of these officers. The Government of India, after careful consideration of all the circumstances have decided that they are unable at present to go beyond the revised scale which was sanctioned last July with retrospective effect from the 1st December 1919.

9. Deputy Postmasters-General and Assistant Directors-General.

The pay of these officers was fixed by the Public Services Commission partly with reference to the maximum pay of Superintendents and partly with reference to the pay of the corresponding grades of the Telegraph Traffic branch. As it is not proposed to make any increase in either of these the Government of India do not consider it desirable at present to revise the pay of Deputy Postmasters-General and Assistant Directors-General.

10. Postmasters-General, including Deputy Directors-General.

The present pay of Postmasters-General is graded as follows :—

						Rs.
2 posts on	...	...	...	...	...	2,600
2 posts on	...	...	...	...	...	2,250
3 posts on	...	...	...	...	...	2,000
3 posts on	...	...	...	...	...	1,750

The Public Services Commission recommended the following revision :

						Rs.
2 selection appointments on	...	...	...	...	...	2,600
Remainder on a time scale of	...	...	...	...	...	1,750—50—2,250

The Postal Officers' Association asked for a graded scale as follows :

	Rs.
2 posts on	3,000
2 posts on	2,750
3 posts on	2,500
3 posts on	2,250

This has already been refused in this Department's letter No. 7187, dated the 16th October 1920.

11. At the same time it is recognised that the scale recommended by the Public Services Commission is not altogether suitable to present conditions. In the first place, the new time-scale of pay for officers of the Indian Civil Service in the regular line, which was introduced with effect from the 1st December 1919, is in some respects more attractive ; and this would have adversely affected recruitment from the Indian Civil Service. Secondly, as departmental officers do not usually rise to be Postmasters-General until the closing years of their service, it would be unfair to place them on a time-scale which does not reach its maximum for 10 years. Thirdly, the new scale sanctioned for Directors of Telegraphs and for officers of the Telegraph Department employed as Postmasters-General is Rs. 1,750 rising by annual increments of Rs. 100 to Rs. 2,150 with one senior post of Rs. 2,250.

The Government of India have therefore decided, with the approval of the Secretary of State, to revise the rates of pay for Postmasters-General as follows :

Postmasters-General who are members of the Indian Civil Service. Their pay of the Indian Civil Service time-scale in the regular line *plus* Rs. 250.

Postmasters-General who are not members of the Indian Civil Service. One selection appointment on Rs. 2,500. Remainder on a time-scale of Rs. 1,750—190—2,250.

The new rates of pay will have effect from the 1st December 1919. A resolution on the subject will be published in the Gazette of India.

No. S-G., dated Calcutta, the 23rd June 1921.

FROM—THE HONORARY SECRETARY, POSTAL OFFICERS' ASSOCIATION, INDIA,

TO—HIS EXCELLENCY THE RIGHT HONOURABLE SIR DANIEL RUFUS ISAACS, P.C., G.M.S.I., G.M.I.E., G.C.B., K.C.V.O., EARL OF READING, VICEROY AND GOVERNOR-GENERAL OF INDIA.

MAY IT PLEASE YOUR EXCELLENCY,

I am directed by the Committee of the Postal Officers' Association, India, to address Your Excellency on the subject of the revision of the pay of the Superintendents of Post Offices and the Railway Mail Service.

2. In laying the case of these officers before Your Excellency my Committee considers it desirable to mention briefly the endeavours hitherto made by these officers and on their behalf by the Postal Officers' Association, India, to obtain an improvement in their pay. In February 1920, the Superintendents of Post Offices submitted a memorial to the Right Honourable the Secretary of State for India asking for the introduction of a better scale of pay. This memorial was withheld by the Government of India. On the introduction of a time-scale of pay for Superintendents of Post Offices in June 1920 they submitted another memorial to His Excellency Lord Chelmsford in July 1920. A deputation of the members of the Association waited on the Honourable Sir George Barnes, K.C.B., K.C.S.I., Member-in-charge, Commerce Department, in September 1920, and this was followed in October 1920 by a further representation on the subject from this Association to the Government of India. As no reply was received to any of these representations in spite of several other communications subsequently addressed to the Government of India and to His Excellency the Viceroy urging the necessity for the grant of immediate relief, my Committee addressed a letter to Your Excellency's Private Secretary on the 20th April 1921, in the hope that Your Excellency would be pleased to extend to the prayers of a long suffering and loyal body of public servants the just and sympathetic consideration which they deserved. On the 25th April 1921, Your Excellency's Assistant Private Secretary informed the Association that the matter was receiving the attention of the Government of India, and in a letter addressed on the same date to the Director-General of Posts and Telegraphs, the Government of India communicated their decision on the memorials. A copy of this letter has been forwarded by the Director General to the Postal Officers' Association.

3. My Committee is greatly disappointed and surprised at the summary rejection by the Government of India of the modest prayers of the memorialists. The Committee ventures respectfully to submit that the arguments used in the letter conveying the decision will not bear examination. They are extremely superficial and indicate utter want of appreciation of the conditions of the service and of the circumstances which necessitated the grant of relief. The absolute refusal of the Government of India to sanction any measure of relief is moreover contrary to the expectations held out by the Honourable Sir George Barnes to the deputation referred to above, and is difficult to understand in view of the fact that a provision had been made for an improvement in the pay of the Superintendents of Post Offices in the Budget Estimates for 1921-22, which were presented to and passed by the Legislative Assembly in March 1921.

4. As regards the case of the Superintendents of Post Offices and the Railway Mail Service, my Committee begs that Your Excellency will be pleased to take into consideration the facts and arguments put forward in the memorials and in the letter of the Association of which copies are enclosed. An examination of these facts will clearly demonstrate the unsubstantial nature of the arguments embodied in the letter of the Government of India rejecting the memorials.

5. In paragraphs 3 to 5 of the letter of the Government of India it has been stated that in consideration of the rise in prices since the investigation by the Public Services Commission, and in view of the improvements in the pay of other services, a scale of pay better than what was recommended by the commission has been sanctioned for Superintendents of Post Offices. It is apparently implied that these officers have been generously treated. My Committee submits, however, that the new scale of pay is inadequate and the extent to which it is an improvement on the scale proposed by the Public Services Commission is not in proportion to the extent of the rise in prices. As regards the second reason for improving upon the scale recommended by the Royal Commission my Committee desires to draw prominent attention to the fact that the Royal Commission recommended a uniform time-scale of pay, *viz.*, 250—400—500 (Paragraph 58 of the Report of the Public Services Commission) for Superintendents and other similarly recruited services (such as the Provincial Civil Service, Superintendents of Excise, etc.) but the time-scales of pay sanctioned for these services are materially better than that sanctioned for Superintendents of Post Offices as will be clear from the following table :

Time-scale of pay recommended by Public Services Commission for Provincial Civil Service, Excise Department, Superintendents of Post Offices, etc.	Scale sanctioned for Provincial Civil Service.	Excise.	Superintendents of Post Offices.
250—400—450—400—500	Rs. 300 to 850	Bengal 300—400—850	Rs. 250—25—300— 20—700.
(N.B.—For Superintendents of Post Offices a selection grade of 500—400—700 was recommended. The selection grades for other services were not the same.)	The rate of increment varies in the different provinces but the maximum pay is reached in 12 years in Madras, and 20 years in Bengal.		

The figures speak for themselves. They show that in the case of Superintendents of Post Offices alone there has been no improvement over the minimum (Rs. 250) and maximum (Rs. 700) pay recommended by the Public Services Commission while the rates of increment are not only much smaller than those sanctioned for other services but do not also represent any appreciable increase over those recommended by the Commission. The conclusion thus appears to my Committee to be irresistible that of all the services for which the Public Services Commission recommended uniform treatment in the matter of pay the Superintendents of Post Offices have been unaccountably singled out for unfair and illiberal treatment. The invidious manner in which Superintendents of Post Offices have been treated will also be apparent when a comparison is made with the rates of pay

sanctioned for officers in the Telegraph Branch of the same Department. The comparative statement below will exemplify this :

Class of officer.	Scale of pay in 1918 when Public Services Commission appointed.	Scale of pay recommended by Public Services Commission.	Scale of pay on 1st January 1921.
Deputy Superintendent of Telegraphs.	1st grade Rs. 400—95—50. 2nd grade Rs. 325—15—10. 3rd grade Rs. 250—15—325.	No. increase recommended.	Superior Traffic, 2nd Division, Rs. 35—20—550—30—700. Deputy Superintendents. 1st Class, Rs. 500—20—600. 2nd Class Rs. 250—20—450.
Provincial Services Telegraph Officers.	Rs. 250—25—45—50—500—35—850—4—900	Ditto ...	Junior scale Rs. 300—90 in 15 years. Senior scale Rs. 550—1,200 in 20 years.
Superintendent of Post Offices.	1st grade Rs. 500—20—700. 2nd grade Rs. 400—20—500. 3rd grade Rs. 300—20—400. 4th grade Rs. 250. 5th grade Rs. 200.	Rs. 250—20—450—20—500. Selection grade Rs. 500—40—700.	Rs. 250—25—300—20—700.

Further comment is superfluous.

6. In paragraph 8 the Government of India has held that the scale of pay sanctioned for Superintendents of Post Offices in June 1920, constitutes "a very substantial improvement on the old graded scale of pay." This, however, is not borne out by facts. More than ten years ago, Sir Charles Stewart-Wilson as Director-General of Post Office, recommended the adoption of the maximum pay now sanctioned (*viz.* Rs. 700) and Sir William Maxwell in his evidence before the Public Services Commission in 1913, also recommended the same maximum. My Committee wonders how the Government of India could say that the time-scale of pay was a substantial improvement when the maximum of the scale of pay sanctioned in June 1920 was exactly what was recommended by successive Director-General more than ten years ago, and the minimum the same as recommended by the Public Services Commission in 1913 without taking into account the phenomenal rise in the cost of living. It has also to be borne in mind that this scale involved an increase in the average pay from Rs. 335 to only Rs. 388 as compared with the increase from Rs. 621 to Rs. 720 and from Rs. 820 to Rs. 1,018 in the case respectively of provincial and Imperial Telegraph officers.

7. In paragraph 6 to 8 of the letter, the fact that in each successive communication a better scale of pay was asked for has been commented upon in a manner which appears to be sarcastic, the clear implication being that the prayers were unreasonable and extravagant. In this respect the letter almost repeats the answer given by Mr. Innes in the last session of the Legislative Assembly to questions asked by Rao Bahadur T. Rangachariar on the subject. The letter of the Government of India implies that it was only in March 1920, that Superintendent of Post Offices asked for a scale of pay Rs. 300 rising in 20 years to Rs. 900. This is not the case. The records of the Commerce Department will show that this prayer for a scale of Rs. 300 to Rs. 900 was made for the first time not in 1920 but so far back as 1913 in the Memorandum by the Superintendents of Post Offices to the Public Services Commission. It was this proposal and not any new one that was put forward in the memorial submitted by Superintendents in February 1920. It is a fact that the second memorial which was submitted in July 1920, embodied a prayer for a higher scale *viz.*, Rs. 300—30—600—40—1,000, but the reasons for this request for a higher scale, which were fully explained in paragraph 11 of the memorial, have been ignored in the letter of the Government of India to the Director-General of Posts and Telegraphs. The Chief reason was that in February 1920, when the first memorial was submitted revised rates of pay for

Provincial Executive and other similarly-recruited services, had not been announced, and Superintendents of Post Offices did not then know what increased scale of pay would be sanctioned for those services. Revised time-scales of pay were sanctioned for the Provincial Executive Services shortly afterwards and it was when Superintendents of Post Offices found that Government had sanctioned for those services scales of pay ranging from a minimum of Rs. 300 to a maximum of Rs. 1,200, which were substantially better than that recommended by the Public Services Commission for them as well as for Superintendents of Post Offices, that they asked for a very moderate and reasonable rate of pay, *viz.*, a time-scale of Rs. 300—30—600—40—1,000. When submitting the memorial, the Superintendents of Post Offices represented that they failed to understand why, when the Public Services Commission recommended the same time-scale for Superintendents of Post Offices and the Provincial Civil Services, the scale of pay sanctioned for Superintendents of Post Offices was so much inferior to those sanctioned for the Provincial Civil Services. My Committee has very carefully examined the letter of the Government of India referred to in paragraph 2, but has been unable to discover in that letter any reason for the action of Government in sanctioning for Superintendents of Post Offices a scale of pay decidedly inferior to that introduced for Provincial Civil Service Officers. The only conclusion possible is that the case of the pay of Superintendents of Post Offices has not been justly dealt with. The request made by the Association in October 1920, for a minimum pay of Rs. 350 for Superintendents of Post Offices was based on the principle laid down by the Public Services Commission, *viz.*, that a superior officer should not draw less pay than an officer who is actually working under his orders, and on the fact that between July and October 1920, the maximum pay of certain subordinates of the Superintendent was raised from Rs. 300 to Rs. 350. It is curious that this fact and the principle laid down by the Public Services Commission have been ignored by Government of India in criticising the demands of Superintendents of Post Offices. My Committee trusts that it has been made clear to Your Excellency that there was ample justification for putting forward a better scale of pay in each of the three successive communications. As a matter of fact, the conditions of salary of the different services were rapidly changing during 1920 and the claims of Superintendents of Post Offices could not in the circumstances remain unaltered.

The prayers were supported by reasonable grounds and instead of a careful, judicious and sympathetic scrutiny and consideration which they deserved they appear to have been superficially gone into and have been rejected on unsubstantial grounds and with caustic comments.

8. It is well known that after the sanction of the existing scale of pay in June 1920 the Director-General of Posts and Telegraphs recommended to the Government of India a further substantial revision of the scale of pay of Superintendents of Post Offices. In September 1920 the Honourable Sir George Barnes, Member-in-charge, Commerce, received a deputation of the Postal Officers' Association and when the deputation pointed out to the Honourable Member the inadequacy of the scale of pay sanctioned for Superintendents of Post Offices and mentioned the grounds on which an improved scale had been asked for, he admitted the force of the arguments and the words that fell from him clearly indicated that he considered that Superintendents of Post Offices were entitled to at least the time-scale of pay sanctioned for Provincial Civil Service Officers. On that basis the Honourable Member even discussed with the deputation the amounts of annual increment that would be suitable and acceptable to Superintendents. My Committee also begs to bring to the notice of Your Excellency another significant fact bearing on this subject, *viz.*, that in the Budget Estimates for 1921-22 passed by the Legislative Assembly a sum of Rs. 75,000 was earmarked for improving the scale of pay of Superintendents of Post Offices. Although this amount would not have brought about any substantial improvement, it is obvious that when the Budget Estimates were framed Government did not consider the requests of Superintendents of Post Offices for an increase of pay to be unreasonable and did intend to sanction a further increase.

9. The letter addressed by this Association to the Government of India in October 1920, contained three requests, the second of which was a prayer to allow service passed by Superintendents of Post Offices as officiating Superintendents and as Probationary Superintendents to count for increments in the time-scale. The Government of India seem to have arrived at no decision on this request, and it is not known whether this point was considered or was overlooked. This point could have been decided independently of the question of revision of pay, it being only a formal recognition of a principle which, my Committee understands, has been observed in other services and has recently been followed in fixing the rate of pay of Postmasters-General (see paragraph 3 of Commerce Department Resolution No. 853-S., dated the 30th May 1921). My Committee, therefore, requests that pending final decision

of the question of pay of Superintendents of Post Offices, the request referred to above may be complied with. This benefit, however, slight, will help a little to mitigate the hardship caused by the rise in the cost of living.

10. My Committee begs to submit for the consideration of Your Excellency that had the requests of Superintendents of Post Offices for increase of pay been as unreasonable as they are represented to be in Mr. Ewbank's letter, then surely they would not have been recommended by the Director-General of Posts and Telegraphs or received the approval of the head of the administrative department of the Government of India concerned, *viz.*, the Honourable Sir George Barnes, Member, Commerce, nor would any provision have been made by the Finance Department in the Budget Estimates. The decision of the Government of India now communicated to the Director-General of Posts and Telegraphs is therefore as unexpected as it is unjustified.

11. Superintendents of Post Offices consider themselves to be specially unfortunate because they find that after waiting for a long time and working silently and loyally under difficult economic conditions, their reasonable and moderate representations made to His Excellency Lord Chelmsford have been almost rejected on. What appears to be, very superficial consideration although they received the support of the Director General of Posts and Telegraphs and the approval of the Honourable Member, Commerce and of the Finance Department. Superintendents of Post Offices have all along faithfully carried out their exacting duties some of which are set forth in paragraphs 5 to 7 of the memorial submitted by them in July last. They have always taken an affectionate and active interest in the improvement of the Department and are proud of the excellence of the organisation to which they have contributed to the best of their powers and my Committee can assure Your Excellency that they are eager to continue in their devoted service to the Department in this troublous time. Owing, however, the manner in which their prayers are being rejected, a feeling of dissatisfaction is bound to and has arisen in the service and however much they may strive against it, this feeling is sure to react unconsciously on their work and will impair the efficiency of the Department.

12. My Lord, on behalf of Superintendents of Post Offices, the Committee of the Postal Officers' Association, India, respectfully approaches your Excellency who as is known throughout the length and breadth of India has come to this country to dispense equity and justice, with the humble request that Your Excellency will be graciously pleased to :

- (1) sanction the following time scale of pay for Superintendents, with effect from the 30th August 1919, *viz.*, Rs. 350—30—560—40—1,000,
- (2) take early steps for obtaining (if necessary, by telegram) the sanction of the Right Honourable the Secretary of State for India to the introduction of the above scale of pay, and
- (3) allow service passed by Superintendents of Post Offices as officiating Superintendents and as probationary Superintendents to count for increments in the time scale.

I have the honour to be,

MY LORD,

Your Excellency's most obedient and humble servant,
(Sd.)

Honorary Secretary.

No. 2542-E. S., dated Simla, the 16th September, 1920.

From—The Honourable Mr. H. N. HUTCHINSON, O.B.E., I.C.S., Director General of Posts and Telegraphs,

To—The Secretary to the Government of India, Department of Commerce, Simla.

With reference to the correspondence ending with Mr. Ewbank's letter No. 1715, dated the 3rd May 1920, I have the honour to forward for the favourable consideration of Government 144 more memorials received from the Superintendents of Post Offices and 19 new memorials received from the Assistant Director General and Deputy Postmaster-General for an increased rate of pay. As the scale of pay granted to either class will necessarily bear a close relation to that granted to the other it will be convenient if the two sets of memorials are dealt with in the same letter.

2. The question of the pay of Superintendents of Post Offices was dealt with by the Public Services Commission in paragraph 17, annexure XVII of the report and Mr. Clarke's recommendations on the subject were placed before Government with his letter No. 132-s-Con., dated the 28th August 1918. In the statement accompanying that letter he emphasised the necessity for annual increments of pay for Superintendents of Post Offices instead of the triennial increments recommended by the Commission for the earlier stages of the service. In his note to Government dated the 17th January 1919, Mr. Clarke emphasised the necessity for such a scale, but to avoid delay in obtaining sanction to a revision he agreed to the Deputy Secretary's suggestion to support the recommendations of the Public Services Commission as made as he felt that the need for a revision of the pay of Superintendents was a crying necessity and that they had been fed too long on promises.

3. In February this year when the Superintendents found that no revision of their pay had been effected, while the pay of other services had been materially improved, they submitted a memorial addressed to the Secretary of State with whom their case was then pending. In submitting these memorials with his letter No. 9s-Ap., dated the 28th March 1920, Mr. Clarke proposed a scale of Rs. 300—20—500—25—750 in consideration of the fact that the conditions of life had materially altered since the scale of Rs. 250—700 had been recommended by the Public Services Commission and supported by him. Before this recommendation could be adequately considered by Government, the orders of the Secretary of State sanctioning a revised scale of pay were received and it was not thought necessary to take any further action on their memorials. I am not aware on what ground the Secretary of State based his decision, but presumably an alteration in the rate of increment was made by him on grounds similar to those which were urged in August 1918 against a complicated system of triennial and annual increments coupled together in one scale. The maximum and the minimum pay, however, is not more than that recommended by the Public Services Commission on their investigation in 1913-14, when conditions of living were entirely different, and the decision of the Secretary of State has naturally occasioned profound disappointment among Superintendents of Post Offices.

4. At the time when Mr. Clarke made his recommendations, he was unaware of the scales of pay proposed for other services similarly placed, such as the Provincial Civil Services, but in the body of the report, in his letter to Government No. 132-s-Con. of the 28th August 1918 and in subsequent unofficial correspondence he gave it as his considered opinion that the work of a Postal Superintendent is more important than that of a Deputy Collector and that the former were very inadequately paid for the important work they have to perform, and that an improvement in their pay was a necessity.

5. Much time has elapsed since the Public Services Commission made their investigation in 1913-14, and even since August 1918 conditions have radically changed. A scale of pay which may have been adequate in 1914 or 1918 is certainly not adequate now, and this is proved beyond a doubt by the fact that rates of pay higher than those recommended by the Public Services Commission have recently been sanctioned for the Provincial Civil and kindred services. It is not surprising therefore that Superintendents of Post Offices are deeply dissatisfied and that they have memorialised His Excellency the Viceroy.

6. It may be asked whether a comparison of the pay and status of Superintendents of Post Offices with the Provincial Civil Services has any justification. Originally in some provinces Superintendents of Post Offices were selected from among the candidates who sat for the Provincial Civil Service Examinations, and from my experience of both district work and of this Department I can unhesitatingly say that the work of a Superintendent of Post Offices is more responsible. In practice the two services have always been treated, officially, and socially, as on the same footing; and in paragraphs 5-8 of their present memorial the Superintendents have correctly stated the nature of their duties and their claims to rank as the equals of the Provincial Civil Services.

7. The memorialists have asked for the following scale, viz., 300—30—600—40—1,000. The scales sanctioned for Provincial Civil Services in the various provinces are as follows:

		Rs.		
Madras	250—850	in 15 years.	} With selection grade of pay varying from Rs. 1,000 to Rs. 1,200.
Bombay ...	...	300—850	in 22 "
Bengal ...	...	250—850	in 25 "
United Provinces	...	250—850	in 22 "	
Burma ...	...	250—850	in 25 "
Bihar and Orissa	...	250—850	in 25 "	
Assam ...	...	250—850	in 25 "
Punjab	300—850	in 15 "	

The initial pay in the Provincial Civil Service (except in Bombay and the Punjab) is Rs. 250, but the first two years are probationary and serious service only begins in the third year on Rs. 300. This initial pay of Rs. 300 asked for by the memorialists is therefore in consonance with this scale, since the pay of Probationary Superintendents has been fixed at Rs. 200 and I do not propose any alteration in it. This initial pay of Rs. 300 was what Mr. Clarke recommended in his letter of the 26th March 1920 and no change has occurred in the interval to justify any reduction in that figure. There are indeed strong reasons to the contrary. Among the recommendations of the Postal Enquiry Committee is a subordinate grade of Rs. 250—350 which will consist entirely of men under the control of the Superintendent. The Public Services Commission expressed the opinion that it is undesirable for a supervising officer to draw less pay than those he is expected to control. To fix the initial pay of Superintendents, therefore, at any lower figure than Rs. 300 would, from this point of view be most unsuitable. It will be equally unsuitable from the point of view of recruitment, since the best men will obviously enter services with the higher initial pay, and though the number of candidates seeking entry into the post office may not perhaps decline, there would certainly be a deterioration in quality.

Furthermore, as pointed out in paragraph 12 of the memorial the present initial pay of Rs. 250 does not represent any advance on the actual initial salary drawn under the graded scale, because, owing to leave and other vacancies in the higher grades, all Superintendents in the lowest grade actually never drew less than Rs. 250.

As regards the maximum I do not think it necessary to go beyond that fixed for the Provincial Civil Service in the various provinces, *viz.*, Rs. 850, but I certainly think that no lower figure should be fixed. In Mr. Clarke's letter of 26th March 1920 quoted above he recommended Rs. 750 as the maximum pay on the ground that the lowest pay of Deputy Postmaster General was Rs. 800. On the receipt of their memorial he was prepared to recommend a maximum of Rs. 800, but I am strongly of opinion that Rs. 850 should be agreed to.

There remains the question of the number of years in which the maximum should be reached. This varies in the different provinces from 15 to 22 and 25. For a service such as that under consideration a period of 22 or 25 years is too long. It must be remembered that a Superintendent serves at least 2 years as a probationer before he is admitted to the time-scale. It is estimated that Superintendents will for some years to come be taken into the selected grades of Assistant Directors-General and Deputy Postmasters-General after about 17 or 18 years as permanent Superintendent and it would be advisable to fix the period of attaining the maximum at not more than 20 years.

Moreover, a large proportion of Superintendents are men promoted from the ranks, who on entering the Superintendent's cadre have already served for 10 years or more in the subordinate grades as Inspectors and clerks. If the progression is fixed at 25 or 22 years such men would have to serve for 35 or 32 years in order to reach their maximum pay and qualify for a pension of Rs. 425. I recommend that the maximum should be attained in 20 years and that the scale should be:

Rs. 300—25—550—30—850.

8. The following is a comparison of the total monthly cost of and the average pay provided by, the existing scale and my present proposal:

		Monthly cost, Rs.	Average pay, Rs.
Existing scale ...	...	84,363	461
Revised proposal ...	...	1,03,212	564
Increase ...	...	18,849	103

The annual increase would be Rs. 2,26,188.

9. In the event of my proposal being sanctioned existing incumbents would be brought on to the new scale in the same way as they have been brought on to the existing scale, and with effect from the same date, *viz.*, 1st December 1919.

This disposes also of prayers (iv) and (vi) of the memorialists.

10. I now turn to the consideration of the memorials of the Assistant Directors-General and Deputy Postmasters General. The outstanding fact about the scale of remuneration of these officers is that it has not been altered since it was fixed in 1905. The present grades are:

Assistant Directors-General.	Deputy Postmasters-General.	Pay. Rs.
2	7	800
2	4	1,000
1	2	1,200—40—1,400

The memorialists ask for a time-scale of pay rising from Rs. 1,200 to Rs. 1,600 in 5 years. Under present conditions the average rate of progress from the lowest grade on Rs. 800 to the bottom of the highest on Rs. 1,200—40—1,400 is 5 years.

11. The pay of these officers was fixed in 1905 and 1906 over 14 years ago, and no increase was recommended by the Public Services Commission for the reasons given at page 321 of their report (paragraph 16). The first reason given by the Commission that the pay of these officers has been under revision in recent years was hardly correct. In the second place, the scale of pay sanctioned for the Superior Traffic Branch of the Telegraph Department is not connected with that of Deputy Postmasters-General, and Assistant Directors-General; and, in the third place, the findings of the Public Services Commission, arrived at before the war, naturally did not take into account the abnormal rise in the cost of living which have occurred during the last five years. The fact that the Public Services Commission made no recommendation should therefore not bar consideration of the present memorials.

12. As the memorialists point in paragraph 6 of their memorial, the pay of the class of officers immediately above them, namely, the Postmaster-General and that of the class of officers immediately below them, namely, the Superintendents of Post Offices, have been raised, in both cases apparently, on account of the increased cost of living. The claim of the memorialists that they also should receive some consideration on this account is perfectly reasonable.

13. In the preceding paragraphs I have, I hope, established the necessity for fixing the maximum pay of Superintendents at Rs. 850 and I would recommend that the minimum pay of Assistant Directors-General and Deputy Postmasters-General should be Rs. 1,000. This will make the difference between the maximum pay of Superintendents and the lowest pay of Assistant Directors-General and Deputy Postmasters-General Rs. 150 which is not too great. The scale I propose is :

Rs. 1,000—50—1,500.

This scale contemplates a period of 10 years in which to reach the maximum. As regards the maximum pay the lowest pay of a Postmaster-General is Rs. 1,750, and if the maximum pay of Assistant Directors-General and Deputy Postmasters-General is fixed at Rs. 1,500 there will remain a suitable interval between the two grades of officers.

14. The following is a comparison of the total monthly cost of and the average pay provided by the existing scale and my present proposal:

			Monthly cost.	Average pay.
			Rs.	Rs.
Existing scale	...	...	17,200	955
Revised proposal	...	...	23,508	1,306
Increase	...	...	6,308	351

The annual increase should be Rs. 75,696.

15. In the event of my proposal being sanctioned I would recommend that the concession which has been accorded to all other services should be granted to these officers also and that existing incumbents should be permitted to draw the revised scales of pay with effect from the 1st December 1919.

DAILY ALLOWANCE OF SUPERINTENDENTS OF POST OFFICES.

301. **Eabu B. P. Singh:** (a) Will the Government mention the rate of daily allowance sanctioned for Superintendents of Post Offices when this service was first organised in the year 1871, and also the rate in force in 1885?

(b) Is not the rate of daily allowance intended to cover the expenses of an officer halting at a place?

(c) Have the rates in force in 1871 and 1885 been raised owing to the increase which has since taken place in the cost of living?

(d) What are the rates of daily allowance now in force for Superintendents of Post Offices in the different provinces in India?

(e) Will the Government of India consider the advisability of issuing immediate orders for raising the rates of daily allowance in provinces where it has remained practically stationary since 1871 or 1885?

Colonel Sir S. D'A. Crookshank : (a) In 1871, the rates of daily allowance for Superintendents of Post Offices and Superintendents of the Railway Mail Service were Rs. 4 and Rs. 5, respectively. In 1885, the rate was fixed at Rs. 4 for both classes of Superintendents.

(b) A reference is invited to Article 1052 of the Civil Service Regulations.

(c) The reply is in the negative, but the question of raising the rate of Rs. 4 is under the consideration of the Director-General of Posts and Telegraphs.

(d) The rates of daily allowance drawn by these officers are generally :

Rs. 4 in Bengal, Bihar and Orissa, Madras, Rajputana, Central India, Central Provinces and United Provinces.

Rs. 6 in Burma, Assam, Bombay and Baluchistan.

Rs. 7-8 in the Punjab.

Superintendents of the Railway Mail Service, including Personal Assistants to the Deputy Postmasters-General, Railway Mail Service, who are not attached to any particular railways or lines, draw daily allowance at Rs. 8 for journeys on tour in the Bombay Presidency and the Punjab. The Superintendent of the Indus Right Bank and Persian Gulf Division draws the allowance at Rs. 9 while on tour in the Persian Gulf and at Rs. 6 while on tour in other places.

There are some special localities in various provinces where enhanced rates of daily allowance are allowed, the maximum increase over the ordinary rate of Rs. 4 being 100 per cent.

(e) The Honourable Member may rest assured that the Government of India will give any recommendation in this matter that may be made by the Director-General, their very early attention.

DUTIES OF SUPERINTENDENTS OF POST OFFICES.

302. **Babu B.P. Singh :** (a) Is the Government aware that after the amalgamation of Posts with Telegraphs a good deal of extra work has been thrown upon the Superintendents of Post Offices and that they are required to inspect about 75 per cent. of the Combined Offices for which special training is now compulsory but no allowance of any kind is given to them ?

(b) If the reply is in the affirmative, does the Government propose either to fix some allowance for the Telegraph work or to relieve the Superintendents of Post Offices of the extra work and of the technical training ?

Colonel Sir S. D'A. Crookshank : (a) The inspection of combined Post and Telegraph offices by Superintendents of Post Offices is not a consequence of the amalgamation of Posts and Telegraphs. They were required to do this work before, and to enable them to perform it efficiently, a short training in telegraphy was made compulsory. With the amalgamation, there has not been any material change in this respect, and they have been relieved of part of their purely postal inspection. No special allowance is given for this work, as it forms part of their ordinary duties.

(b) This part of the question does not arise.

SERVICE OF PROBATIONARY SUPERINTENDENTS OF POST OFFICES.

303. **Babu B. P. Singh :** (a) Does the service of a Probationary Superintendent of Post Offices count towards leave and pension ?

(b) Is it a fact that the service of a Probationary Superintendent of Post Offices has been totally ignored for increments under the time-scale of pay ?

(c) If the answers to (a) and (b) are in the affirmative, will the Government state the reasons for the two different principles in the above cases ?

(d) Is the Government aware that the period passed under probation in other services has been allowed to count for increments ?

(e) Are Probationary Superintendents in the Post Office appointed substantively and, if so, will not the Government consider the question of allowing them increments under the time-scale from the date of their appointment ? If not, why not ?

Colonel Sir S. D'A. Crookshank : (a) and (b). The answer is in the affirmative.

(c) Probationary Superintendents of Post Offices are not Superintendents on probation, they form a separate class. They have no claim to a Superintendent's appointment until they have passed the departmental examination and they have no claim to earn increments until they are actually appointed to permanent vacancies in the regular cadre of Superintendents. Probationary Superintendents after their entertainment have to undergo a year's training in the practical work of the Department and then usually officiate as Superintendents for a year or more before being confirmed. The question of counting this period towards increments on the time-scale is under consideration.

(d) Yes, but as already explained, a Probationary Superintendent is not an officer on probation in the same sense as in the other Departments.

(e) Probationary Superintendents really hold substantive appointments in a lower grade and Government do not think it necessary to allow the period of Probationary Superintendentship to count for service on the Superintendents time-scale, for the reasons given in part (c).

PROBATIONARY POST MASTERS AND INSPECTORS OF POST OFFICES.

304. **Babu B. P. Singh :** (a) Will the Government lay on the table a statement showing :

(1) The number of (i) Probationary Postmasters, (ii) Probationary Inspectors of Post Offices in July 1921 ?

(2) Total number of appointments made under each class from 1905 with details of nationality ?

(b) Will the Government state the reasons why suitable Indians were not proportionately appointed to the above two posts ?

(c) Does not the Government of India consider it necessary that the claims of Indians for such appointments are fairly dealt with and that while recruitment is made no preferential principles are observed by the authority making the appointment ?

(d) Will the Government issue orders to the effect that only Indians should henceforth be appointed to the above two posts till the time that the proportion is equalised ?

Colonel Sir S. D'A. Crookshank: (a) (1) and (2). A statement is laid on the table. There are no Probationary Inspectors of Post Offices, as Inspectors are recruited from among the clerks.

(b) Out of 34 persons appointed as Probationary Postmasters 11 were Indians and 23 Non-Indians. Of the Non-Indians, 7 have resigned. Competent domiciled Europeans are required for employment in cantonment offices or as Deputy or Assistant Postmasters in large industrial and commercial centres.

(c) Yes. The only principles observed are the interests of the service.

(d) No such orders are required. The appointments are being abolished in accordance with the recommendations of the Postal Committee, 1920.

POST OFFICE.

PROBATIONARY POSTMASTERS.

PROBATIONARY POSTMASTERS IN JULY 1921.		TOTAL NUMBER OF APPOINTMENTS MADE.		REMARKS.
Names and Circles to which attached.	Particulars.	Number of persons appointed as Probationary Postmasters.	Nationality.	
		*1908-1921.		* The system was introduced in 1907.
<i>Bengal and Assam.</i>		<i>Bengal and Assam.</i>		
Srishchandra Basu	A graduate—son of a departmental officer.	8	Indians—4 (a) ... Non-Indians—4	(a) 1 resigned.
<i>Bihar and Orissa.</i>		<i>Bihar and Orissa.</i>		
Sadat Ali Khan ...	A graduate (highly connected).	3	Indians—2 (b) ... Non-Indian—1.	(b) 1 resigned.
<i>Bombay.</i>		<i>Bombay.</i>		
B. B. Shortland ...	Late of the Indian Army Reserve of officers.	3	Indian—1. Non-Indians—2 (c).	(c) 1 resigned.
<i>Burma.</i>		<i>Burma.</i>		
F. W. Graham ...	A demobilised officer of the Army—son of a departmental officer.	1	Non-Indian.	
<i>Madras.</i>		<i>Central Circle.</i>		
G. G. E. Combes ...	Specially promoted from a clerical appointment in recognition of Field Postal service.	2	Non-Indians (d)	(d) Both resigned.
		<i>Madras.</i>		
		6	Indians—2. Non-Indians—4 (e)	(e) 1 resigned.
		<i>Punjab and North-West Frontier.</i>		
C. G. C. Walker ...	A qualified candidate—son of a departmental officer.	4	Indian—1. Non-Indians—3 (f).	(f) 1 died.
<i>Punjab and North-West Frontier.</i>				
M. J. A. Wood ...	A qualified candidate—son of a departmental officer.	7	Indian—1. Non-Indian—6 (g).	(g) 3 resigned, 1 died.

COUNCIL MEMBERS AND THE ARMS ACT.

305. **Mr. M. K. Reddi Garu:** (a) Has the attention of the Government been drawn to a Resolution that was passed in the Madras Legislative Council on the 4th August 1921, regarding exemption of the Members from the restrictions and limitations imposed by the Arms Act?

(b) Will the Government be pleased to state if they are aware that a similar Resolution was passed by the United Provinces Legislative Council?

(c) Will the Government be pleased to consider the desirability of exempting all Members of Provincial Councils from the prohibitions and restrictions imposed by the Arms Act and the Arms Rules?

The Honourable Sir William Vincent: (a) No.

(b) Government understand that such a Resolution was passed, but it has not been formally brought to their notice.

(c) Local Governments have been consulted on the subject, and a decision will be taken when their replies have been received.

MARTIAL LAW PRISONERS.

306. **Rai Bahadur Pandit J. L. Bhargava:** (a) Will the Government be pleased to state for the information of this Assembly and the public, if His Excellency the Viceroy has been pleased to pass any orders in the cases of Martial Law prisoners?

(b) If the reply is in the affirmative, will the Government be pleased to inform this Assembly what those orders are?

(c) If the reply is in the negative, will the Government be pleased to state if any orders may be expected and, if so, when?

The Honourable Sir William Vincent: (a) The reply is in the negative.

(b) Does not therefore arise.

(c) His Excellency hopes to be able to announce his decision shortly, but the Honourable Member will understand that the papers connected with these cases are so voluminous that their examination involves a great expenditure of time.

TREATMENT OF UNDERTRIAL AND CONVICTED POLITICAL PRISONERS.

307. **Rai Bahadur Pandit J. L. Bhargava:** Are the Government aware of the serious complaints appearing from time to time in papers, about the treatment meted out in the lock-up and the jail to undertrial and convicted political prisoners? Do the Government propose to consider the desirability of issuing clear and definite instructions not to treat such prisoners as ordinary offenders and criminals, and directing that their position and status in life be taken into consideration in making residential and dietary arrangements for them?

The Honourable Sir William Vincent: The Honourable Member's attention is invited to paragraph 132 of the report of the Indian Jails Commission. Government accept the view there stated. Recommendations, however, are made in paragraphs 130-131 of the same report which go a long way towards meeting the point raised by the Honourable Member. We have consulted Local Governments on these proposals.

CANAL SCHEMES FOR THE SOUTH EASTERN DISTRICTS OF THE PUNJAB.

308. Rai Bahadur Pandit J. L. Bhargava : (a) Will the Government be pleased to state how far the great canal schemes for the benefit of the South Eastern Districts of the Punjab including Hissar and Rohtak Districts referred to by His Honour the Lieutenant-Governor in his speech delivered at the Durbar held at Hissar on 24th January 1919, published in the Punjab Government Gazette, dated 20th June 1919, on page 425 of Part I have progressed?

(b) What are those schemes?

(c) By what time is it likely that operations to give effect to the projected schemes will begin and how much time will be required to complete them?

Colonel Sir S. D'A. Crookshank : The project referred to by the Honourable Member is, it is understood, under the consideration of the Government of the Punjab. It has not yet been submitted to the Government of India, who have no information in regard to the points mentioned in the question.

BROAD GAUGE CONNECTION BETWEEN BHEWANI AND DELHI.

309. Rai Bahadur Pandit J. L. Bhargava : Will the Government be pleased to state if there is any proposal of direct broad gauge connection between Bhewani or Hansi and Delhi through Rohtak?

Colonel W. D. Waghorn : A project for the construction of a broad gauge line connecting Bhewani with Rohtak has been under the consideration of the Government of India, but no decision has yet been arrived at.

ARTICLE IN THE 'TRIBUNE' ON 'SECTION 15 OF THE TELEGRAPH GUIDE.'

310. Rai Bahadur Pandit J. L. Bhargava : (a) Has the attention of the Government been drawn to an article headed 'Section 15 of the Telegraph Guide' which appeared in the *Tribune* of Lahore in its issue of 6th August 1921, column 4?

(b) If so, will the Government be pleased to consider the advisability of issuing proper instructions in the matter with a view to prevent the abuse of Section 15 of the Telegraph Guide in future?

Colonel Sir S. D'A. Crookshank : (a) The attention of Government has been drawn to the article referred to and the facts of the case are correctly stated in that article.

The delivery of the message at Peshawar was stopped by an order of the Chief Commissioner of the North-West Frontier who was competent to issue it.

(b) Government do not consider that the course suggested is either necessary or advisable.

NICKEL RUPEE.

311. Rai Bahadur Pandit J. L. Bhargava : (a) Is it a fact that the Government contemplates the issue of a Rupee coin made of nickel?

(b) If so, do the Government propose not only to consider the advisability of abandoning such a proposal but also of restoring the old silver coinage of coins of smaller denomination?

The Honourable Mr. W. M. Halley : (a) No.

(b) Government has no intention of reverting to silver in the case of coins of smaller denominations.

PRICES OF WHEAT AND GRAM.

312. Rai Bahadur Pandit J. L. Bhargava : Do the Government propose to take such effective measures as would prevent any further rise in the prices of wheat and gram throughout India and bring down the high rates now prevailing?

Mr. J. Hullah : The attention of the Honourable Member is invited to this Government's communiques of the 2nd and 16th September.

Government are already controlling strictly the export of the principal food grains. They are purchasing their own military requirements of wheat in Australia and their efforts to encourage the private import of Australian wheat are, they believe, already achieving success. They have exported Local Governments to assist in the opening of cheap grain shops. They are anxiously considering the subject, but no further measures seem to be practicable.

THEFTS FROM PARCELS ON RAILWAYS.

313. Rai Bahadur Pandit J. L. Bhargava : (a) Are the Government aware of frequent complaints about thefts from parcels especially of fresh fruits and other edibles, and luggage while in transit on railways?

(b) Do the Government propose to consider the desirability of enforcing more stringent control on the Railway staff by resorting to more frequent criminal prosecutions or severer departmental punishments to stop the evil?

Colonel W. D. Waghorn : The remedy for the evils mentioned is one of the subjects dealt with by the Railway Police Committee whose recommendations as embodied in their Report are being taken up with railways.

EXTERNEES FROM CANTONMENTS.

314. Rai Bahadur Pandit J. L. Bhargava : Will the Government be pleased to give a detailed statement of all the externees from the different cantonments throughout India during the last 3 years with causes and the period of their externment?

Sir Godfrey Fell : I would invite the attention of the Honourable Member to the reply just given to the question asked by Lala Girdharilal Agarwala, No. 242.

If the Honourable Member so desires, I will furnish him also with a copy of the list referred to in that reply.

MALE CALVES IN GOVERNMENT DAIRY FARMS.

315. Rai Bahadur Pandit J. L. Bhargava : (a) Is it a fact that male calves born in Government Dairy Farms are sold at a very young age?

(b) What is the total number of male calves born in the Government Military Dairy Farms throughout India during the last 2 years?

(c) How many of them were sold at an age of three months or less and what is the income derived from such sales?

Sir Godfrey Fell : (a) With regard to the Government dairy farms under civil control, the answer is that male stock are not sold as calves. The usual age for selling surplus male stock is from 1½ years to 2 years. As regards military dairy farms, I would refer the Honourable Member to part (a) of the reply which I have just given to the question asked by Dr. Nand Lal, No. 294.

(b) 4,428.

(c) 1,119. The income from the sale of these calves is reported to be negligible.

INTEREST ON POSTAL SAVINGS BANK DEPOSITS.

316. Mr. A. B. Latthe : Will the Government state if it is intended to increase the rate of interest paid on Postal Savings Bank deposits?

The Honourable Mr. W. M. Hailey : In reply to a similar question by Mr. Garu last Session, I said that the matter was under consideration, but that, so far as we had considered it, opinions differed as to whether an increase in the rate of interest would have any substantial effect in increasing the amount of Savings Bank deposits. Further consideration confirmed the opinion that an increase in the rate of interest would not be likely to lead to any increase in the deposits commensurate with the extra expenditure involved, and that was the only ground upon which, in the present financial position of the country, we felt that any increase in the rate of interest could be justified.

PUBLICATION IN HINDI OF PROCEEDINGS OF THE INDIAN LEGISLATURE.

317. Mr. A. B. Latthe : Does the Government propose to consider the question of publishing the reports of proceedings in the Indian Legislature in easy Hindi?

The Honourable Sir William Vincent : Government do not, as at present advised, propose to take the action suggested, but reports of important questions and debates are published in the vernacular papers.

EXTENSION OF THE INDIAN COMPANIES ACT OF 1913 TO SECUNDERABAD.

318. Mir Asad Ali Khan Bahadur : With reference to the answer to my Question No. 110 regarding the extension of the Indian Companies Act of 1913 to Secunderabad (Deccan), to the effect that the question was under consideration, have the Government since taken any action in the matter?

The Honourable Sir William Vincent (on behalf of the Honourable Sir John Wood) : The Resident at Hyderabad, after consulting local opinion, both legal and commercial, advised the Government of India that the application of the Companies Act, 1913, to Secunderabad Cantonment was not desirable. The Act cannot be administered efficiently except by highly trained judicial officers assisted by a bar of wide experience, and it is not always possible to count on the presence of these two essential factors at Secunderabad. The Resident reported that only one case had been brought to his notice in which inconvenience had been experienced by reason of the Act not being in force in the administered areas in the Hyderabad State.

For these reasons, the Government of India decided that it was unnecessary to apply the Act to Secunderabad Cantonment.

TERRITORIAL FORCES IN INDIA.

319. **Mir Asad Ali Khan Bahadur**: Will Government be pleased (a) to state: (i) the number as well as the strength of territorial forces in India, and (ii) the proportion of Hindus, Musalmans and Christians in each unit; and (b) to lay on the table a statement, showing (i) the number of Indian officers as well as men employed in each division of the Indian Army, and (ii) the proportion of Hindus, Musalmans and Christians in each unit?

Sir Godfrey Fell: (a) (i) and (ii). The formation of the following units has been sanctioned:

University Training Corps.

- 1st (Bombay) Battalion.
- 2nd (Calcutta) Battalion.
- 3rd (Allahabad) Battalion.
- 4th (Lahore) Company.
- 5th (Madras) Company.
- 6th (Burma) Battalion.

Indian Territorial Force Infantry.

One Territorial Battalion for each of the following provinces:

United Provinces, Madras, Bengal, Bombay and Burma and two Territorial Battalions for the Punjab.

Enrolment has not yet begun. For the University Corps, it will be begun immediately, and for the other units, as soon as enrolling officers have been appointed. It is not possible, therefore, to give the numbers or the proportions asked for.

(b) (i). A statement is laid on the table showing the total number of Indian officers and men in the Indian Army. It is hoped that this information will serve the Honourable Member's purpose.

(ii) The compilation of this statement would involve an amount of labour which, in the opinion of the Government of India, would not be commensurate with the result obtained. I will furnish the Honourable Member, if he so desires, with a statement showing the various classes of which each unit of the Indian Army is composed.

Statement showing the number of Indian officers and other ranks, in the Indian Army.

	Indian officers.	Indian other ranks.
Cavalry	378	10,752
Artillery	205	14,443
Sappers and Miners	146	7,705
Pioneers	177	8,468
Infantry	2,280	97,645
Signal Service	140	3,033
Total	3,335	142,041
GRAND TOTAL	145,376	

RAW COTTON.

320. Mir Asad Ali Khan Bahadur: Will Government be pleased to furnish a statement for each of the last five years, showing (a) the quantity as well as the value of raw cotton of all sorts (i) produced in India, and (ii) imported from (1) the United Kingdom and (2) other foreign countries, and (b) the quantity as well as the value of the manufactured cotton goods (i) exported from India and (ii) imported into India from (1) the United Kingdom and (2) other foreign countries?

The Honourable Mr. C. A. Innes: The Honourable Member will find information regarding imports and exports of the commodities he mentions in the 'Annual Statement of the Sea-borne trade of British India with the British Empire and Foreign Countries' published by the Department of Statistics. Statistics of the production of cotton in India are published annually in the 'Estimates of area and yield of principal Crops in India,' but information regarding its value is not available.

These publications are available in the Library.

LABOUR BUREAU AND THE LABOUR SITUATION.

321. Mir Asad Ali Khan Bahadur: (a) Will Government be pleased to state whether the Labour Bureau of the Central Government has been able to collect information from provincial agencies as regards the real causes of labour strikes all over India, and the present labour situation, particularly with reference to wages, prices and cost of living?

(b) If so, do Government propose to issue shortly a Resolution on the subject with a clear enunciation of the Government policy in the matter?

Mr. A. C. Chatterjee: Government have at present no legal authority to call for information on the subject of labour strikes from owners or occupiers of factories, but the Labour Bureau has commenced collecting information since the beginning of this year. The information collected cannot be guaranteed to be either full or accurate. A summary of the information obtained is published every quarter in the Journal of Indian Industries and Labour, copies of which have been supplied to Members of the Legislature. The Government of Bengal have also published a record of strikes that took place in that presidency during the second half of 1920 in the Supplement to the Calcutta Gazette of the 22nd June 1921, a copy of which would be found in the Library. The Government of India are at present consulting Local Governments regarding an inquiry into the cost of living in different provinces. They are also in consultation with Local Governments and employers of labour regarding a census of wages in the larger organised industries in the country. I shall be glad to show the papers to the Honourable Member. It is not proposed at present to issue any Resolution on this subject. I may remind the Honourable Member that the settlement of labour disputes is a provincial subject.

LABOUR STRIKES.

322. Mir Asad Ali Khan Bahadur: Will the Government be pleased to lay on the table a statement, province by province, for each of the last three years and for the current half year, showing (a) the number of labour strikes, (b) the duration each lasted, (c) the nature of the settlements arrived at in

each case, (d) the extent of the loss both to the employers and the employed, and (e) the number of men involved in each strike?

Mr. A. C. Chatterjee: As stated in my answer to the last question the information that has already been collected has been published in the Journal of Indian Industries and Labour and as a Supplement to the Calcutta Gazette. It is not possible now to collect information of this nature for the last 3 years which will be of trustworthy value. As I have already explained, there is difficulty in collecting information even for the current year, but I shall be glad to show the Honourable Member the detailed information which has been obtained so far by the Labour Bureau.

MUHAMMADANS IN INDIAN PUBLIC SERVICES.

323. Mir Asad Ali Khan Bahadur: With reference to the answer to my Question No. 399 (during the last Session) regarding the employment of Muhammadans in Indian Public Services, will Government be pleased to state whether the required information has been collected, and, if so, whether a statement of the same will be laid on the table?

The Honourable Sir William Vincent: The information has not been collected as the difficulty in obtaining it was pointed out to the Honourable Member, and it was understood he did not press for it. If he still wishes it to be collected I will take steps to obtain it though I must point out that this information is available in public documents, and will involve considerable labour in collecting—labour which, I may say, is in our opinion out of all proportion to its utility.

TELEPHONE SERVICE.

324. Mir Asad Ali Khan Bahadur: Do Government propose to consider the desirability of throwing open the telephone service to the general public at each post office in each provincial Capital and at other important stations, wherever practicable, at a cheap rate for each call?

Colonel Sir F. D'A. Crookshank: Public call offices are already in existence at the places enumerated in the list which is placed on the table where there are telephone systems operated by Government.

The desirability of opening more public call offices in places where the telephone services is operated by Government is fully recognised but cannot be considered at present owing to the want of funds.

In Calcutta, Bombay, Madras, Karachi, Ahmedabad, Rangoon and Moulmein, there are telephone services managed by Companies and the establishment of call offices in connection with their systems is a matter for them to consider. The suggestion will, however, be brought to the notice of the Companies concerned.

With regard to call rates, the existing charge is 2 annas for a call not exceeding 3 minutes in duration, a reduction from 4 to 2 annas having been made in 1907. In considering rates it must be borne in mind that the expense of providing and maintaining a public call office is necessarily much greater than that of an ordinary subscribers' circuit. The initial cost is higher owing to the provision of a room or cabinet, repairs are heavier owing to rough handling, operating charges are excessive owing to the necessity for

collecting fees and accounting for them, and in certain cases, payment of call office attendants involves additional charges which are not incurred in maintaining an ordinary line.

In England, the call office fee is three pence for local calls. It is quite likely that in India the fee will require to be increased.

Thayetchaung Police Station.

(Burma) 1

Rawalpindi	...	(3) 1 in Telegraph Office and 2 in Post Offices.
Peshawar	...	(1) In Telegraph Office.
Murree	...	(2) 1 in Telegraph Office and 1 in Post Office.
Lahore	...	(1) In Telegraph Office.
Amritsar	...	(1) In Telegraph Office.
Delhi	...	(1) In Telephone Exchange Office.
Simla	...	(6) In Post Offices.
Mashobra	...	(1) In Post Office.
Ambala	...	(2) 1 in Telegraph Office and 1 in Post Office.
Dehra Dun	...	(1) In Telegraph Office.
Mussoorie	...	(1) In Telegraph Office.
Cawnpore	...	(1) In Telegraph Office.
Lucknow	...	(2) 1 in Telegraph Office and 1 at Lucknow O. and R. R. Station.
Naini Tal	...	(2) 1 in Telegraph Office and 1 in Post Office.
Allahabad	...	(1) In Telegraph Office.
Calcutta	...	(3) 1 in Telegraph Office and 2 in Post Offices.
Asansol	...	(1) In Post Office.
Loyabad	...	(1) In Post Office.
Bombay	...	(19) 15 in Post Offices and 4 in Telegraph Offices.
Poona	...	(3) 1 in Telegraph Office and 2 in Post Offices.
Surat	...	(1) In Telegraph Office.
Broach	...	(1) In Telegraph Office.

AREA OF POPPY CULTIVATION AND PRODUCTION OF OPIUM.

325. **Mir Asad Ali Khan Bahadur** : Will Government be pleased to lay on the table a statement for each of the last five years, showing (a) the area of poppy cultivation, private owned, and Government owned, in different provinces, (b) the quantity of production and consumption in India; and (c) the quantity as well as the value of opium exported from India?

The Honourable Mr. W. M. Hailey : The information is contained in the statement which I lay on the table. It will of course be seen that the figures do not include opium grown in Native States.

Statement showing	{	(a) Area under poppy cultivation	{ Government owned.
			{ Private owned.
		(b) Quantity of opium produced	{ Government owned.
		{ Private owned.	
(c) Quantity		{ Exported abroad, with value.	
		{ Consumed in India.	

Year.	POPPY CULTIVATION, GOVERNMENT OWNED		POPPY CULTIVATION, PRIVATE OWNED.					
	UNITED PROVINCES.		PUNJAB.		AJMER-MERWARA.		TOTAL.	
	Area.	Produce.	Area.	Produce.	Area.	Produce.	Area.	Produce.
	Acres.	Mds.	Acres.	Mds.	Acres.	Mds.	Acres.	Mds.
1915-16	167,155	27,001	1,800	207	...	...	1,800	207
1916-17	204,186	32,124	2,256	208	...	...	2,256	208
1917-18	207,010	32,248	2,285	161	...	...	2,285	161
1918-19	177,124	27,343	1,541	93	Not available.	30	1,541	123
1919-20	154,621	22,731	1,782	137	32	4	1,814	141

Year.	QUANTITY EXPORTED.		Quantity consumed in India.
	Chests.	Value	
		Rs.	Mds.
1915-16	11,436	1,99,81,840	12,045
1916-17	13,425	3,06,96,180	13,156
1917-18	16,5634	3,60,76,462	12,146
1918-19	17,828	4,22,96,144	11,609
1919-20	9,823	3,64,94,575*	10,988

(Exports during 1915-19 included supplies of medical opium to London during the war, which have since ceased from 1st January 1920.)

* Represents receipts from sales in India.

SUGAR FACTORIES AND OUTPUT.

326. Mir Asad Ali Khan Bahadur: (a) Will Government be pleased to state whether the Sugar Bureau of the Central Government has been able to collect necessary information from foreign countries and Indian provinces as regards the number of the Sugar Factories working and the output of each factory, the quantity as well as the value of sugar imported into India from foreign countries as well as exports to foreign countries, and fluctuation of prices? (b) If so, do they propose to issue a supplement on the subject with the Government of India Gazette?

Mr. J. Hullah: Sir, may I lay this on the table:

The Secretary, Sugar Bureau, receives information of the number of sugar factories working in every important sugar-producing country in the world. He also receives information of the total amount of sugar made in each country by these factories, but does not receive information as to the separate output of each factory. All such information received is published in the Indian Trade Journal. The number of factories working in India and their total output of sugar and molasses was published by the Secretary, Sugar Bureau, in the issue of the Indian Trade Journal dated the 28th July 1921.

An article regarding the quantity and value of sugar imported into India, exports to foreign countries and fluctuation of prices has been issued as a Supplement to the Indian Trade Journal of the 25th August 1921, as this is considered to be a much better medium of communication to persons interested than the *Gazette of India*. I may add further that the Sugar Bureau, in response to the requests of numerous sugar firms, has been regularly publishing from March last notes in the Indian Trade Journal dealing with sugar crops conditions, consumption and stocks in all the sugar countries in the world.

As the present method of obtaining information by letter and from published periodicals makes such information very much out of date by the time it reaches India, the Secretary, Sugar Bureau, is now working out a scheme for securing telegraphic information regarding sugar crops and prices regularly from all important sugar producing countries and selling centres and a note drawn up in consultation with prominent sugar firms and the Director-General of Commercial Intelligence is now being submitted to the Government of India through the Agricultural Adviser.

ARMS ACT AND THE UNITED PROVINCES.

327. Makhdum Sayad Rajan Baksh Shah: (a) Is it a fact that the United Provinces of Agra and Oudh are exempted from the prohibitions and

restrictions imposed by the Arms Act and Rules so far as the keeping of swords is concerned ?

(b) If so, why have other Provinces in India not been granted a similar concession and why has the Punjab been deprived of it ?

The Honourable Sir William Vincent : Swords are excluded from the operation of the prohibitions and directions contained in the Indian Arms Act throughout British India, except the Punjab, Burma, the North-West Frontier Province and Delhi, but this exclusion is subject to the proviso that a Local Government may retain all or any of these prohibitions and directions in the case of any class of persons or of any specified area.

The Punjab was excluded on the recommendation of the Committee of official and non-official Members of the Indian Legislative Council appointed in 1918 to consider the amendment of the Arms Act and Rules. This Committee considered that swords should not be excluded in the case of the Punjab and their recommendation was accepted.

INCOME FROM THIRD CLASS RAILWAY TRAFFIC, NORTH-WESTERN RAILWAY.

328. **Makhdum Sayad Rajan Baksh Shah :** Will Government please state :

- (a) What was the total income from third class Railway fares on the North-Western Railway last year ;
- (b) How much was spent towards the comfort and convenience of third class passengers, giving details of the amount spent ?

Colonel W. D. Waghorn : (a) The total gross receipts from third class passenger traffic on the North-Western Railway during 1920-21 amounted to Rs. 4,76,57,000. It is regretted that no answer can be given to part (b) of the question, since expenditure on railway working is incurred in the general interests of the public and it is impossible to specify what proportion is in the interests of a particular class of passenger.

GRANT OF LICENCES UNDER ARMS RULES.

329. **Makhdum Sayad Rajan Baksh Shah :** Will the Government please say how many Europeans and Eurasians have been granted licences of guns and pistols and how many Indians have been granted such licences under the New Arms Rules ?

The Honourable Sir William Vincent : The total number of licences for firearms granted to Europeans, including Anglo-Indians and Indians, during 1920, were 28,975 and 1,29,346, respectively. Separate figures for guns and pistols are not available, but they are being collected and will be supplied to the Honourable Member when received.

GOVERNMENT AID TO CHRISTIAN AND NON-CHRISTIAN PLACES OF WORSHIP.

330. **Makhdum Sayad Rajan Baksh Shah :** (a) Is it a fact that the Government gives financial aid to Roman Catholic and Protestant Churches in each district or Central Headquarters ? If so, will the Government please state the total amount of grant-in-aid given in each Province on this account ?

(b) Similar information may also please be supplied in case of mosques and temples ?

Mr. H. Sharp: (a) The rule is that upon certain terms Government contributes towards church accommodation at the chief civil station of a district where there are at least 25 European British-born subjects in the general service of Government and where no suitable church provision for them already exists. Information is not available regarding the total amount so spent in each province. But the Finance and Revenue Accounts of the Government of India for 1919-20 show that expenditure from Imperial funds in connection with ecclesiastical buildings was Rs. 3,89,043 upon works and repairs. This sum, however, includes expenditure on military churches, churches maintained by State Railways and Government cemeteries.

(b) Non-Christian places of worship have been and are financially assisted by the State, through grants of land and alienations of land-revenue made for religious purposes and to some extent through expenditure for archaeological purposes. The amount so spent on mosques and temples cannot be ascertained but is undoubtedly very large.

EUROPEAN, ANGLO-INDIAN AND INDIAN POPULATION OF INDIA AND RATES OF PAY.

331. Makhdum Sayad Rajan Saksh Shah : (a) What is the total population of Europeans and Anglo-Indians in India and how many of them are in Government service getting Rs. 100 and above?

(b) What is the total Indian population excluding the European and Anglo-Indian population and how many of them are in Government service getting Rs. 100 and above?

The Honourable Mr. W. M. Hailey : Statistics of population are given in the Census reports; and the Central Government has no details of the totals of the establishments of the classes named maintained in the different provinces.

PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA.

332. Mr. B. S. Kamat : (a) With reference to a recent speech by the Honourable Sir Thomas Holland, addressed to the Committee of the Indian Merchants' Chamber and Bureau at Bombay, assuring the Chamber that in the matter of the purchase of stores the High Commissioner may be trusted to safeguard the interests of India, have the Government of India noticed the report of evidence of Sir William Meyer, the High Commissioner, before the Railway Committee in England in which that official is said to have admitted that he has been purchasing stores for India from British firms although the same were obtainable from Continental manufacturers at cheaper rates? Will the Government be good enough to explain in full the situation?

(b) Will the Government of India be pleased to place on the table a list of orders for stores placed by the High Commissioner for India during the first six months since his appointment, respectively, in the United Kingdom, on the Continent of Europe, in the United States, and in Japan? Will Government further specify in which cases and to what extent orders for stores were placed in the United Kingdom notwithstanding the fact that the quotations from foreign countries were lower?

Mr. A. C. Chatterjee : (a) The Honourable Member is referred to the answer given by me to Question No. 229, asked by Sir P. S. Sivaswamy Aiyer.

(b) I am unable to place on the table a list of orders for stores placed by the High Commissioner in the United Kingdom. The statements, however, which have been laid on the table already will give the Honourable Member the information he requires regarding the extent to which orders for stores have been placed in the United Kingdom notwithstanding the fact that the quotations from foreign countries were lower.

ORDERS FOR STORES IN THE UNITED KINGDOM.

333. Mr. E. S. Kamat : (a) Will Government be pleased to state the total amount of orders for stores, with their value in sterling, placed during the first six months of the calendar year 1921, or such period thereof for which figures are available, in the United Kingdom, by Government Departments both Imperial and Provincial, as well as by other authorities such as Port Trusts, Improvement Trusts, Railways, Development Boards, Corporations, etc. ?

(b) Are Government aware that there is a wide-spread feeling of public opinion in Bombay in commercial circles that the placing of such orders in the United Kingdom at this juncture is a deliberate method of helping British industries irrespective of any effects on India's imports and exchange ?

(c) Will Government be pleased to state if they propose to take any steps in the direction of restriction of imports generally ?

Mr. A. C. Chatterjee : (a) I am unable to give the full information required by the Honourable Member, but I would refer him to the reply given to his previous Question. I may add that the rules for the supply of articles for the public service do not apply to Company railways, or to such public bodies as Port Trusts, etc., and I am not in any case, in a position to state the amount of stores ordered by those bodies.

(b) The Government of India are aware that an opinion has been expressed in Bombay in the direction indicated.

(c) The Government of India would not be willing to impose any restrictions of the kind suggested by the Honourable Member.

INDIAN INVESTORS AND STERLING LOANS.

334. Mr. B. S. Kamat : (a) Was an assurance given by the Secretary in the Finance Department in one of his letters to the Indian Merchants' Chamber, Bombay, to the effect that opportunity would be given to Indian investors in future to subscribe to Sterling Loans ?

(b) Was not this assurance ignored when the 7 per cent. Sterling Loan of the Calcutta Port Trust was sanctioned ?

The Honourable Mr. C. A. Innes : The assurance to which the Honourable Member refers is presumably that contained in the following sentence in the Government of India's letter of the 7th May 1921, to the Indian Merchants' Chamber and Bureau :

'The Secretary of State will, however, consider, on the occasion of the next loan, whether in the event of the early closing of the lists special consideration can be given to persons in India, as he recognises the desirability of giving residents in India a similar opportunity, so far as practicable, of subscribing to that open to persons in the United Kingdom.'

Those remarks, however, refer solely to the Government of India's own Sterling Loans. The primary concern of the Secretary of State and the Government of India in controlling issues like that of the recent Sterling Loan of the Calcutta Port Trust is partly to satisfy themselves of the Port Trust's ability to meet the services of the proposed loan and partly to see that the terms and dates of the loan are not such as would embarrass Government's own borrowing operations.

INDIANS, ANGLO-INDIANS AND EUROPEANS ON STATE RAILWAYS.

335. Khan Sahib M. M. Ikramullah Khan : (a) Will the Government be pleased to state the number of Indians and Anglo-Indians (or Europeans) respectively in the following subordinate services of each State Railway in India :

- (i) Loco. Foremen.
- (ii) Loco. Inspectors.
- (iii) Loco. Pump Inspectors.
- (iv) Carriage Inspectors.
- (v) Traffic Inspectors.
- (vi) Permanent-way Inspectors ?

(b) How many Indians are there in the officers' grades in the Loco. and the Carriage Departments of these State Railways and what is their proportion to the number of European officers ?

(c) What is the ratio in recruiting of the Indian Permanent-way Inspectors to that of the European or Anglo-Indian Permanent-way Inspectors on these State Railways ?

(d) Will the Government be pleased to consider the advisability of appointing Indians where there are none and more Indians where the number is not equal in all the above services of the State Railways ?

Colonel W. D. Waghorn : (a) The information will be found in the statement placed on the table

(b) At present there is only one Indian in the officer's grade of the Locomotive and Carriage Department, State Railways. As regards the steps being taken to increase the number of Indians I would refer the Honourable Member to my reply to Mr. N. M. Samarth's Question No. 84 in this Assembly.

(c) The actual number of apprentice Permanent-way Inspectors on the North-Western Railway is, Europeans and Anglo-Indian 18 and Indians 13. Four more Indians are to be taken on as apprentices this year. On the Oudh and Rohilkhand Railway, the ratio is 2 Indians to one European and Anglo-Indian. On the Eastern Bengal Railway, there is no fixed ratio. At present there are 18 Assistant Permanent-way Inspectors, of whom 13 are Indians, and 24 Apprentice Permanent-way Inspectors of whom 15 are Indians.

(d) Appointment depends entirely on a man's qualifications. The man best fitted is appointed to fill a vacancy irrespective of his nationality.

Designation.	Europeans and Anglo-Indians.	Indians.	Total.
Loco. Foremen ...	N. W. 41 O. & R. 26 E. B. 13	... 9*	41 35 13
Loco. Inspectors ...	N. W. 10 O. & R. 2 E. B. 5	... 2	10 2 5
Loco. Pump Inspectors.	N. W. 7 O. & R. 3 E. B. 1	... 2	7 3 1
Carriage Inspectors	N. W. 11 O. & R. 13 E. B. 8	31†	11 44 9
Traffic Inspectors ...	N. W. 44 O. & R. 10 E. B. 18	5	49 83 16
Per. Way Inspectors	N. W. 57 Temp. 2 Offg. 1 Prob. 8 O. & R. 21 E. B. 25	66 (Offg. 12 Prob. 2)	123 25 34

EUROPEAN, ANGLO-INDIAN AND INDIAN SUPERINTENDENTS ON STATE RAILWAYS.

336. **Khan Sahib M. M. Ikramullah Khan :** (a) Will the Government be pleased to state how many Superintendents are there of European and Anglo-Indian nationality and how many of Indian nationality in the various administrative offices of each State Railway ?

(b) Is there any differentiation in their respective grades of pay, and, if so, why ?

(c) How many Indian clerks have during the last 10 years been raised to the position of office Superintendents and how many outsiders have been brought in, to supersede the Indians ?

Colonel W. D. Waghorn : (a)

	Total number.	European and A. I.	Indians.
North Western Railway ...	7	6	1
Oudh and Rohilkhand Railway ...	4	3	1
Eastern Bengal Railway ...	5	4	1

(b) There is no differentiation in their respective grades of pay.

(c) On the North-Western Railway during the last 10 years six Indians have been appointed as Office Superintendents, five have since retired. In the Locomotive Department three European or Anglo-Indian outsiders were brought in as they were considered better qualified for the appointment. In the Traffic Department two Europeans were brought in over the heads of Indians in consideration of their larger experience.

On the Oudh and Rohilkhand Railway one Indian was promoted to Office Superintendent. One European was appointed from outside (in the Traffic Department) as there was no one else qualified to hold the post.

On the Eastern Bengal Railway two Indians have been promoted to Office Superintendents. No Non-Railway outsiders have been brought in to fill up such posts.

PRIVILEGE PASSES ON NORTH-WESTERN RAILWAY.

337. **Khan Sahib M. M. Ikramullah Khan :** (a) Is it a fact that the issue of privilege passes to the staff of the North-Western Railway has been considerably restricted since the end of the war and, while the officers have been more liberally treated, the Subordinate Service has been hard hit and therefore much discontented?

(b) Will the Government be pleased to consider the advisability of removing this discontent by reverting to the *status quo ante*?

Colonel W. D. Waghorn : (a) and (b). In the matter of the issue of privilege passes Gazetted Officers on the North-Western Railway are in the same position as they were before the war, except that they have been allowed the additional concession of passes to include two additional dependent relatives, which has also been allowed to subordinate officials. While there have been some changes as regards the number of issues and class of passes in the case of subordinate officials, the rules have been made more liberal in other respects, such as the removal of the mileage limit which was in force previously, and the issue in favour of two dependent relatives already mentioned. The rules in respect of the class of passes issued to individuals on a salary basis, had to be revised on account of the all-round increase of wages, and to prevent the upper class accommodation on trains being swamped by pass-holders to the discomfort and inconvenience of the public; and advantage was taken to reconsider and regulate the number of passes issued as it was found that the existing rules were being abused.

SETTLEMENT OF CLAIMS BY THE NORTH-WESTERN RAILWAY.

338. **Khan Sahib M. M. Ikramullah Khan :** (a) Will the Government be pleased to state what is the average period of settlement of each claim of the public by the North-Western Railway?

(b) Will the Government be pleased to devise some more expeditious means in the matter?

Colonel W. D. Waghorn : (a) A statement showing the average time taken recently in the settlement of claims on the North-Western Railway is laid on the table.

These figures were received before the close of August and do not therefore include the percentage of claims settled during that month. It may, however, be said that over 70 per cent. of the ordinary claims preferred are now settled within 3 months of receipt. It is not possible to dispose of all cases so promptly, as some, from their nature, required more time for inquiry and settlement. Generally speaking, few cases remain unsettled after 6 months.

(b) The desirability of settling claims as expeditiously as possible was brought to the notice of Railway Administrations in March last and the statistics obtained at the time in this connection did not show that the North-Western Railway compared unfavourably with other railways. The figures

furnished in reply to the first part of this question already indicate an improvement and Government do not propose to take any further action at present.

Statement showing the average time taken on the North-Western Railway in settlement of claims.

Month.	Number of claims received,	Percentage settled during the same month.	Percentage settled by end of following month.	Percentage settled by end of next following month.
May 1921	4401	25	52	72
June 1921	4012	22	53	...
July 1921	4028	34	...	...

MR. HESELTINE'S APPOINTMENT AFTER RETIREMENT.

339. **Khan Sahib M. M. Ikramullah Khan:** (a) Will the Government be pleased to state on what post Mr. Heseltine, late Accountant General, has been employed since his retirement and under what circumstances?

(b) What are his duties?

(c) What is the total expenditure incurred since his appointment in this connection, including that of his staff, travelling allowances, haulage charges of his saloon, etc.?

(d) Has this expenditure been compensated by the savings, if any, which he has effected and, if so, how?

Colonel W. D. Waghorn: (a) and (b). In view of Mr. Heseltine's special qualifications for the purpose, he was employed under the Railway Board from 7th November 1918 to 15th December 1919 in reorganizing the offices of the Agents, North-Western, Eastern Bengal and Oudh and Rohilkhand Railways and of the Loco. Superintendent and District Loco. Superintendents, North-Western Railway. From 16th December 1919 to 31st August 1920, Mr. Heseltine was detached from his special railway duty and worked on

- (1) the Stores Purchase Committee,
- (2) the Telegraph Inquiry Committee,
- (3) the Postal Inquiry Committee.

From 1st September 1920 to 22nd July 1921, Mr. Heseltine was again employed under the Railway Board. During this period he was engaged on an inquiry into the rates of pay of the staff of the various railways and investigated the claims of the subordinate staff to further increases and concessions. He also brought to notice variations in scales of pay and terms of service with a view to obtaining some co-ordination.

(c) The total expenditure incurred on the employment of Mr. Heseltine, and office staff, under the Railway Board is :

					Rs.
First period ...	...	...	...	...	44,564
Second period...	...	...	...	...	65,900
				Total	1,10,464

(d) During the first period of his employment by improving the system of office working, which cannot be measured in rupees, he effected a substantial reduction in staff thereby saving Rs. 1,84,000 a year at the then existing rates of pay.

After investigating the claims of the subordinate railway staff, Mr. Heseltine submitted a report of great value which shows clearly that there is no case for further increasing pay generally at the present time and that railway men are as well-off as their fellows in other departments or in private employ.

DELAY IN PAYMENT OF SALARIES, NORTH-WESTERN RAILWAY.

340. **Khan Sahib M. M. Ikramullah Khan :** (a) Is it a fact that the superior staff of the North-Western Railway, with the exception of those at the Headquarters, are paid their salaries 10 days after expiry of the month and the menial staff 20 days after expiry of the month?

(b) Will the Government be pleased to consider the advisability of disbursing the salaries and wages of the staff immediately on expiry of each month?

Colonel W. D. Wghorn : (a) It is a fact that the payment of salaries and wages to the staff on the North-Western Railway are made on dates varying between the 1st and about the 20th of the month following that to which they relate—a procedure similar to that which exists on every railway in India. Except in the case of new entrants, this arrangement involves no hardship as it is arranged that a particular class of employees should receive payment on or about the same date every month.

(b) The question of devising a scheme aiming at subordinate employees of State Railways receiving their wages for a month during the first seven days of the following month has been under the consideration of the Railway Board for some time past and some experimental measures to achieve this end are at present under trial. There are, however, practical difficulties in introducing any great advance in the dates of payment of all salary and wages bills, involving as it does the employment of a large additional staff in the Audit and Pay Departments and the concentration of audit and payment of bills to a certain small portion of a month, leaving the audit and pay staff with insufficient work during the rest of the month—an arrangement not in the interests of economy in Railway management.

ALLOTTED DAYS FOR VOTING ON SUPPLEMENTARY GRANTS.

Mr. President : I have to announce that the 22nd and 23rd of September have been allotted for the voting on Supplementary Grants.

STATEMENT OF GOVERNMENT BUSINESS.

Mr. President : I wish to ask the Leader of the House whether he is in a position to state the Government business for the 22nd September.

The Honourable Sir William Vincent : Sir, on the 22nd September the following Bills will probably be taken into consideration :

- (1) The Bill to facilitate the enforcement in British India of maintenance orders made in other parts of His Majesty's Dominions and Protectorates and *vice versa*, as amended by the Select Committee.
- (2) The Bill further to amend the Indian Penal Code as amended by the Select Committee. The Report of the Joint Committee on the Indian Factories (Amendment) Bill will also be presented.
- (3) The Bill further to amend the Indian Limitation Act, 1908, will probably be re-committed to Select Committee, if the Assembly consents to that course, and the Bill to consolidate and amend the law relating to income-tax and super-tax will also be referred to a Joint Select Committee on the same understanding.

Mr. Chatterjee's Resolution regarding the establishment of a Chemical Research Institute at Dehra Dun will be discussed.

ELECTION OF DEPUTY PRESIDENT.

Mr. President : In accordance with the announcement previously made, I am now prepared to receive nominations for the election of the Deputy President. I have already received the following nominations, in due form proposed and seconded with the nominees' assent :

Mir Asad Ali Khan Bahadur,
Dr. H. S. Gour,
Rai Bahadur Jadu Nath Majumdar,
Sir Jansetjee Jejeebhoy.

I am not sure, but I think another nomination may have been sent in.

Mr. T. V. Seshagiri Ayyar : Sir, as regards the procedure for election of a Deputy President, may I ask you whether it will be by process of elimination ?

Mr. President : Are there any further nominations ?

Then I appoint the ballot for the election of one of those now nominated to be taken immediately after questions on Wednesday, the 21st of this month. The manner in which the election will be conducted will be conveyed to each Member of the Assembly in an announcement which is now being printed but which will be in the hands of Members in a few hours.

THE INDIAN ELECTRICITY (AMENDMENT) BILL.

Mr. A. C. Chatterjee : Sir, I beg to present the report of the Joint Committee on the Bill further to amend the Indian Electricity Act, 1910.

THE CARRIERS (AMENDMENT) BILL.

The Honourable Mr. C. A. Innes : Sir, I move.

'That the Bill further to amend the Carriers Act, 1865, in order to empower the Governor General in Council to make by notification additions to the Schedule to that Act, and to free a common carrier from liability under that Act for loss or damage, arising from the negligence of himself or of any of his agents or servants, in respect of any property, which, being of the value of over one hundred rupees and of the description contained in the Schedule to that Act, has not been declared in accordance with the provisions of Section 3, be taken into consideration.'

[Mr. C. A. Innes.]

When I introduced this Bill, Sir, on the 5th September last, I explained fully the reasons which have led Government to initiate this legislation. I do not think I need do anything more at the present stage. I move, Sir, that the Bill be taken into consideration.

The motion was adopted.

The Honourable Mr. C. A. Innes: I move, Sir, that the Bill be passed.

The motion was adopted.

THE INDIAN LAC CESS BILL.

The Honourable Mr. C. A. Innes: I move, Sir.

'That the Bill to provide for the levy of customs duty on lac exported from British India be taken into consideration'.

Here, again, Sir, I have explained already in my introductory speech the reasons why we have introduced this Bill. At the present moment I have nothing further to add.

The motion was adopted.

Mr. B. S. Kamat: Sir, there are a few features of this Bill on which I wish to offer a few observations. I am glad Government are trying to develop the lac industry. The only question is whether, in trying to do so, they are proceeding on the right lines and in the right way.

In order to carry on research for the development of the lac industry it is proposed by Government to set up a Research Association. On the last occasion, the Honourable Mr. Innes told us that the formation of this Association would be on democratic lines and that persons concerned in the lac industry, both shippers, manufacturers and brokers, were unanimous with reference to the formation of this Association, and about this legislation in general. However, I have my own doubts on two or three points of principle. I believe this legislation is introducing one or two features of an unusual character to which it is necessary to draw the attention of this House.

Government propose to levy a cess, but the unusual feature to which I wish to draw the attention of the House, is this: Instead of crediting the whole of the collections of this cess to Government Treasury, in the first instance, what is proposed to be done is to transfer it straightaway from the Collectors of districts to this Association at once. Now, I don't know why Government wish to adopt this novel procedure. Whenever a cess is levied, whether it is a tea cess or an indigo cess or a shellac cess, I believe the right procedure ought to be to collect the whole amount and credit it to Government Treasury, and then it would be the duty of Government to give, by way of a subsidy, or by annual grants, any amounts for the furtherance of research, so that the Legislative Assembly might have some sort of control, by means of their vote at the Budget, over the subsidy or over the grant as the case may be. What is proposed to be done at present is that the collections will be transferred straightaway and at once from the Collectors of districts to this Association for its objects. I think the House like myself would like to have an explanation from the Honourable Mr. Innes why it is proposed to do this.

Secondly, instead of bringing under Government control not only the amounts collected but also any measures for research which the Association may take, what is proposed to be done by Government is to allow this Association to adopt any measures they like at their own sweet will. In one of the

sections of this Bill we are told that the Association will be at liberty to adopt 'such measures as the Association may consider advisable' to take for the promotion of improved methods of cultivation of Lac and also the manufacture of Lac. Here again, I think we ought to know for instance, from year to year, what this Association is doing, what particular line of development they have adopted, what research officers they are employing, what are the qualifications of those officers and under what tenure they hold their office in order to carry on their researches. The Honourable Mr. Innes, so far as I know, has not told us what shall be the machinery for the employment of the research officers and what shall be their duties. I take it that the Association will select and appoint their own officers, but I do not think the Association should be given a *carte blanche* in this matter, as also in respect of the line of research they will pursue, without an opportunity to the Assembly to know what the Association is doing. That is the second feature to which I wish to draw attention. I do not mean to say that I object to the Bill, but I do say that further light is necessary before this House can pass this Bill.

Then, again, regarding the constitution of this Association, I do not think we have all the details that are necessary. We have simply been told that this Association will consist of members representing European and Indian shippers, manufacturers and brokers. We do not know to whom the membership will be open, nor do we know on what lines all these representatives will be chosen, or who the Secretary will be—what will be their salaries or their functions. In all these things, I believe, it is necessary for the Honourable Member to tell the House what it is proposed to do, so that we may pass on to the further consideration of the Bill. It is true that Government have provided a safeguard in that the amounts which will be handed over to this Association throughout the year from month to month by each District Collector will be subjected to an audit. But I do say that this audit will be a sort of *post-facto* affair, that is to say, the Association will throughout the year first spend the money and then the Auditor—perhaps at the end of the year—is to sit in judgment and tell us whether those amounts have been spent properly or not. I do not think that is the right procedure. We ought to know in the first instance how they will spend the money. The auditor will only know after the amounts have been spent and it is no use taking objection after they have been spent.

There is a further point with reference to Sections 2 and 6. It is this: The Association, at the end of five years, may recommend to the Viceroy whether its life is to be prolonged or not. I do not like this feature of the Bill. It means that the Association itself will sit in judgment at the end of five years upon its own work and declare whether it has done useful work or not, and will then recommend to the Viceroy whether its life is to be prolonged.

On all these grounds I think it is necessary that this Bill should be discussed further in Select Committee and these different features thrashed out; after that, we can pass on to the passing of the Bill. Until these things are taken up and discussed properly, I do not think we should be in a hurry to pass the Bill at this meeting this morning. I believe it is necessary on these grounds, to send the Bill to a Select Committee.

Mr. B. Venkatapatiraju: Sir, I have given notice of a similar amendment that this Bill should be referred to a Select Committee. The previous speaker, Mr. Kamat, has pointed out some of the objectionable features of the Bill, but I want to take another course. I want to point out to the Assembly whether it is desirable that the Government of India should abrogate its

[Mr. B. Venkatapatiraju.]

functions and give up its powers with reference to this lac industry to a private body. That aspect also should be considered and thrashed out in the Assembly. The only reason given by the Honourable Mr. Innes on the occasion when he introduced this Bill was that we have done similar things with reference to the Indian Tea Cess Act. But I believe that the Indian Tea Association was in existence for a long time before any cess was imposed for that purpose. The matter was only brought before us in the year 1921, and it was then only a matter of changing the duty to be levied. That, I venture to submit, is not a very useful precedent to follow on the present occasion. Also most of the shares were held by European capitalists, and it was a longstanding institution.

That was a longstanding institution, and we can safely rely upon that. On the other hand, I do not know how the present Lac Association came into existence. It sprang up all of a sudden on the 12th September in order to receive this bonus of not less than Rs. one lakh at our hands. Well, the Government of India introduced a similar Act, I mean Act III of 1918, for Indigo improvement, and what they have stated there is 'to provide funds for the promotion of research in the interest of indigo in India' and so forth. The Act III of 1918 says :

'Whereas it is expedient to levy assessment... from British India, there shall be levied a cess of a rupee a maund and the proceeds of the cess collected shall be applied to meet the cost of such measures as the Governor General in Council may consider it advisable to take for promoting research in the interests of the Indigo industry in India.'

Why should we not follow the same course with reference to lac industry? Why should not the money be ear-marked for the purpose of improving the lac industry and why should we leave the matter in the hands of a private Association whose movements we cannot control or whose vouchers we cannot check. If it was a matter in the hands of the Government of India, it would have been open to the Members of the Assembly to question the policy, to suggest remedies and to point out defects, if any, from time to time, but as it is, we do not know who represents the new Association, who started it, and how it is constituted. Even the Honourable Mr. Innes has not thought it fit to place this information in the hands of the Members of this Assembly. Another statement made in the Objects and Reasons is that persons interested in the lac industry were consulted. Now who were those persons? We do not know whether the Local Governments were consulted and what their opinion is, because Industry is a Transferred Subject, and we have a Research Institute at Dehra Dun to help the Provincial Governments and to co-ordinate their efforts. We have also appointed temporarily with regard to several industries, tanning experts, and cellulose experts, and so I do not see why we should not appoint an expert on lac industry also. Whether this Association will only do propaganda work, whether they will be able to introduce any useful industry in this country such as the purification of lac instead of sending the raw product to other countries and getting it back purified at an extra cost, all these things should very well be considered. I would, therefore, suggest that the whole question be referred to a Select Committee instead of hurrying through the measure, and I would also suggest that we should levy the tax from the 1st April next. I think the Council will probably meet in January next, and we can then settle the business. There does not appear to be any hurry in the matter at all and nothing will be lost if this Bill is postponed till the 1st of April, that is the next official year. I

therefore earnestly appeal to the Members of this Assembly that they should all press on the attention of the Government that this Bill should not be passed through the Council in such haste and that it should be committed to a Select Committee so that the whole matter can be carefully considered.

Mr. E. L. Price : Sir, I am sorry to have to oppose the two Honourable Members who have just spoken. If I do so, it is because I think that they are taking quite a wrong notion of the functions of this House. I knew once a man, the head of a large business, who never had the capacity of delegating any functions that he might possibly perform himself to anybody. It was a common jest that even if a postage stamp had to be put on a letter he wanted to stick it himself. The end of it was that the poor old gentleman not only ruined his business but died of over-work, and I feel that the way these Members suggest we should look after things, is going to impose a similar fate on this Assembly. It seems to me that the Government, in proposing to hand over the administration of the Fund to an Association which understands the industry and to give them a reasonable space of time, are doing an eminently reasonable thing, because such scientific research and experiments will take time, and Government proposes to give them five years to see what they can do and then to have another look at the thing. By that means we are putting the whole affair into the hands of those most interested. It will be a most remarkable thing in the history of humanity if the Lac Association do not do their best. Why should they not do their best? It is their bread and butter. Not only this. I may say incidentally that the whole country benefits by their researches and the Association benefits most of all. Those are the people above all who should carry on research work and experiments, and not amateurs who know nothing about the business. So far Mr. Kamat pushed his desire for this Assembly to interfere and to have its finger in the pie, as far as I can understand him, he wants to have not only the audit of accounts guaranteed by the Bill, apparently he wants an audit before the accounts are made up!

Then, again, Mr. Raju took the line that this trade was getting a bonus from this Assembly. I suggest that they are getting nothing of the sort. We are merely legalising for them a machinery by which they may collect money from one another for this purpose, and the object might be equally well carried out if every member of the industry would agree without our sanction to pay a subscription at the rate of four annas a maund. But you know perfectly well that when you leave subscriptions to voluntary effort people do not subscribe equally, and it is highly probable that some people would not meet their share. To make sure that everybody does the fair thing by the Association, we regulate that everybody pays his four annas, and I do suggest that the Government's plan is an eminently sensible one as it stands to develop the industry greatly to the benefit of the country in a most reasonable way, and that this Assembly cannot possibly put its finger into a scientific, experimental business of the development of lac in our forests, and that we had much better leave the business to those who understand it. At the end of five years, if they have not done very well, we will see about it, but I think that they will require five years for experimental work of this sort, and I urge that the proposals of Government are eminently reasonable.

Rai J. N. Majumdar Bahadur : Sir, I am sorry I cannot agree with my Honourable friend, Mr. Price, in this matter. My Honourable friends, Mr. Kamat and Mr. Raju, have very sensibly proposed that the Bill should be

[Rai J. N. Majumdar Bahadur.]

referred to a Select Committee. There is no such urgency in this matter that we should pass the Bill in such haste. The Bill was introduced only the other day and is taken into consideration to-day, and I cannot understand what urgency there is in the matter that we should pass the Bill to-day. The objects of the Bill are no doubt very good, but there is no reason why we should not have more information about the Bill. It is certainly for the improvement of the lac industry and the cess will be levied on the exporters, but when we are legalising the machinery and when we are going to be a party to it, I think we owe a duty to ourselves to look into the matter carefully. I think my friend, Mr. Price, has misunderstood the objections urged by Mr. Kamat and Mr. Raju, because they are not against the Bill. They only wanted to have more information about the matter and that the Bill should be referred to a Select Committee so that the whole question may be thrashed out. For instance, there are many Government research laboratories, and I think they are in a much better position to conduct the research about lac in some of their own laboratories instead of a body of merchants.

The money will be in the hands of the Government ; where is the harm ? Of course, I do not say that their recommendations will be finally accepted. But I think the House has a right to know how the money is going to be spent, who are going to spend it, what are their credentials ? We do not know anything about it. And therefore I think Mr. Kamat very sensibly and rightly asked Mr. Innes to enlighten us on the matter, and, if the House is satisfied that there is every chance of the provisions being carried out for the object for which it is intended, I think the House will be glad to pass the Bill to-day, but we want more information, and I think Mr. Price has no right to question whether this House might not be prepared to resign their right. We have been resigning everything to the hands of others. We are more or less an advisory body here, and the men who have been resigning everything have no choice but to resign in this matter also.

The Honourable Mr. C. A. Innes : Sir, perhaps I may help to bring this discussion to a close by saying, that if there is any desire on the part of the House that this Bill should be referred to a Select Committee, the Government have no objection at all. The only hope that the Government have is that this House and the Council of State will pass this legislation if possible this Session.

There are one or two remarks, however, to which I should like to refer before I sit down. In the first place, we have been accused of trying to rush this legislation through the House. Nothing was further from our thoughts than that. The Government is often accused of undue dilatoriness in dealing with matters put up by the business community. Now, what has happened in this case ? And this enables me to refer to Mr. Venkatapatiraju's accusation that I did not tell him the history of this Bill. I thought I had told him the history of the Bill in my introductory speech. What happened was that the report of Mr. Lindsay and Mr. Harlow was published only in May. In June, Sir Thomas Holland and I were down in Calcutta. We took the opportunity of meeting the representatives of the lac trade in Calcutta and the point the House has got to remember is that the lac trade—the merchant part of the trade, is concentrated almost entirely in Calcutta. As far as I know, no other port exports lac in any quantity. Sir Thomas Holland met these gentlemen. He referred them to the proposed lac cess and pointed out that it was not a proposal which Government

could take up of itself ; it was for the trade first to move. And, following the precedents in this matter, the condition he laid down was that they must show the Government that the trade was at one in the matter. The trade took up that suggestion at once and, as I said in my introductory speech, they appointed a committee. That committee consisted of four Indian brokers and manufacturers and three shippers and European manufacturers. This committee set to work at once and formulated the rules of this Association. The Association was formed by the end of August and has now been registered, and the first thing the Association did when it met was to pass a unanimous Resolution that Government should introduce this legislation and impose this cess. Mr. Venkatapatiraju has complained that I have given you no information regarding this Association. I told you one material fact, namely, that any firm or individual trading in his own name directly connected with the lac trade as a cultivator, manufacturer, shipper, dealer or broker, was eligible for membership to the Association. That is to say, everybody connected with the trade can come into the Association. The next point is the management of the Association. It is to be managed by a committee and that committee is to be elected by various sections of the trade as follows : two members by Indian manufacturers, two by Indian brokers, two by Calcutta shippers, one by European manufacturers, and one by European brokers. Therefore, provision has been made in the Association rules not only for the representation of every section of the trade in the Association but also full representation of every section of the trade in the Amangement of the Association. Could more be done than that ?

The next point that was raised was raised by Mr. Kamat. He said that the Bill presented unusual features. I am afraid I must deny that statement. The only reason why we ventured to try and push this legislation through the House in this Session was that the principle of legislation of this kind has already been accepted. It was accepted as far back as 1903 when we passed the Indian Tea Cess Act, and in drafting this Bill we were most careful to follow throughout the provisions of the Indian Tea Cess Act. Mr. Kamat said that it was an unusual feature in the Bill that clause 4 (1) of the Bill should empower the Collector of Customs to pay the proceeds of the lac cess after deducting the expenses of the cultivator to the Lac Association. As far as I remember, that clause is simply copied from the Indian Tea Cess Act. The actual wording is the same. The tea cess is collected by the Collectors of Customs and the net proceeds are paid over to the Tea Association.

The other question raised was the general question of principle, whether Government should undertake lac research itself or whether we should leave it to the trade. We preferred to leave this matter to the trade because we thought the trade might be allowed to undertake research in its own way. After all, what do we propose to do ? We are merely allowing this trade to tax itself to a small extent. We are simply placing our machinery at their disposal. We collect the tax for them, we hand it over to them, we leave them to do what they like with it subject to the conditions of this Bill. The only safeguard we thought it necessary to make in the interests of the public was that their accounts should be audited, and their accounts should be published in order that the public and ourselves might see that the proceeds of the cess were not in any way being misapplied. There is another point to remember. What does this cess amount to ? 4 annas per maund. The present price of T. N. shellac is Rs. 135 a maund. 4 annas per maund represents a cess of $\frac{1}{3}$ th per cent. It will merely become one of the handling charges of the shippers. It won't

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make the slightest difference in the price paid to the cultivators. If it makes itself felt at all, it will be passed on to the consumer in other countries.

I have just tried to explain, Sir, that we have no idea in any way of trying to hustle this House into hasty or ill-considered legislation. I myself rather doubt whether it is necessary to take this Bill, which has after all been framed on very familiar lines, to a Select Committee. I rather doubt myself whether it is necessary to make two bites at a cherry, especially at such a small cherry as this. At the same time, as I have said, in order to clear ourselves from the imputation that we are trying to hustle the House into this legislation, we have no objection to accepting Mr. Kamat's amendment.

Mr. Kamat's amendment that the Bill be referred to a Select Committee was put and carried.

Mr. President : Is the Honourable Member prepared to move the names of the Members of the Select Committee?

Mr. B. S. Kamat : I wish to have ten minutes' time to suggest the names.

Mr. President : If the Honourable Member will move the postponement of the motion, I am prepared to take it at the end of the business to-day.

Mr. B. S. Kamat : I move for the postponement of this motion until the end of the business for to-day. .

Mr. President : Is the Honourable Member not ready with the names?

Mr. B. S. Kamat : I just asked for a few minutes and I thought the ruling of the Chair was that the whole thing will be taken up when the agenda for to-day has been finished.

Mr. President : I assumed in the Honourable Member's favour that he had the names ready.....

Mr. B. S. Kamat : I have not consulted any of these Members I have got and I want to get their consent before suggesting their names.

Mr. E. L. Price : Surely the Honourable Member's amendment is not in order and is therefore null and void.

Mr. President : As regards the legality, no doubt the Honourable Member is right, but I am afraid I assumed that the Honourable Member was prepared to move the names and I did not ask him whether he had an assurance of the willingness of the Members who were desirous of serving on the Committee. I must ask the Honourable Member whether he has secured the assent of the Members whose names he is moving.

Mr. B. S. Kamat : My difficulty is that I have not obtained the consent of the names which I wish to propose. If the Chair would give me a few minutes' time I would suggest the names of the Members. I have had no opportunity of consulting them because I never thought that this motion would be carried.

Mr. President : Order, order. I gave a ruling last Session on this point and I must abide by that ruling. It is perfectly true that the matter at issue is not of great importance, but if I were to allow an Honourable Member to do what I thought he should not do, I should be reversing a good precedent and setting up a bad one in its place. Therefore I must take the point raised by Mr. Price and declare that the decision just taken by the House is out of order.

Mr. B. S. Das : I beg to move :

'That in item No. 4* in the place of the last three words, that is, "taken into consideration" the following be substituted :

"circulated to the Provincial Governments for eliciting opinion of the public and commercial bodies thereon before the end of December 1921".'

Mr. Harchandrai Vishindas : Sir, should not the Bill be passed first, the amendment having fallen through?

Mr. President : Order, order.

Mr. B. S. Das : Sir, If I remember aright, it was said by the Honourable Member in charge of the Bill the other day that lac is a monopoly of India, and in the absence of rivals in the field of cultivation I fail to understand how Research will improve the position and make the monopoly more firm and permanent. Let me not be misunderstood, Sir. I do not dispute that when we have the monopoly we should not strive to keep it, and keep it well in hand.

There are no clear indications in the Statement of Objects and Reasons as to which end the Association will devote their energies and the money placed at their disposal. It is doubtful if the establishment of lac factories in order to utilise the raw products of the country falls within their scope of work. There is a strong ever-growing feeling in the country that the country is being denuded of its raw products to be flooded by foreign finished goods at abnormally higher prices than the raw products themselves.

If I may venture to make a suggestion, I say, why not divert a good portion of the money to the establishment of lac industries in large lac growing centres and aid the Provincial Governments to that end?

It may be argued, Sir, that the paltry sum of a lakh of rupees as hinted by the Honourable Mover of the Bill, is too small to be diverted into so many channels. To this, I humbly suggest, that the growing price of lac within the last few years clearly proves that there is a great demand outside and that the industries consuming this material are assuredly making a great profit out of it. If I remember the Honourable Mover of the Bill aright, according to him the price of lac has gone up 300 to 350 per cent., that is, from Rs. 40 a maund to Rs. 130 or 135 a maund in the course of last four years. In view of this it would not be too much to raise the nominal duty of 4 annas and 2 annas a maund to one rupee and 8 annas. By this an income of four lakhs of rupees might fairly be anticipated. Making an allowance of a lakh of rupees in the direction of research, three lakhs could be kept in hand to effect agricultural and industrial improvements in that direction. Again the free and unrestricted export of lac from India, has ended in raising the price of lac fourfold in the course of four years and has caused great hardship to the small lac industries that are in the country. The bangle makers or *sankaries* as they are called in my part of the country have been the greatest sufferers. Next to them are the gold and silversmiths who use this material for embossing and other crafts. It would by no means be to the disadvantage of Industrial India to levy an export duty on lac, thus restricting its free export.

Turning to the industrial aspect of this question, I ask the Government to say what amount of sealing wax is consumed by them and the Provincial Governments in their offices. Surely not a very negligible sum or quantity. Again the stuff used there is surely not the crude Indian lac, but the finished

* Motion 'That the Bill to provide for the levy of customs duty on lac exported from British India be taken into consideration.'

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product of this stuff first sent to and then brought from Germany, the United States, Japan and any other industrial centre outside India. We cannot insist upon Government offices to consume Indian lac. The plea put forward will surely be that the stuff obtained in India does not burn or melt properly nor does it allow an imprint of a good impression and that there are no lac factories worthy of the name and when private enterprise rises to the level of establishing them and produces articles of superior or equal merit the Government of India may see their way to use them in their offices. But, Sir, many a private industry has found an untimely grave for want of a proper motherly nurse. It is the Central Government that can stand in the place of a motherly nurse and prolong the lives of these industries, or give birth to an industrial child, just as it gave birth to this infant of Lac Association on the 12th September last. It is needless to remind this Assembly how the Government of Japan has helped to bring the industries of their country to the forefront of the world, so much so that other civilised powers are jealous of her growing industry and commerce. Cannot, Sir, our reformed Government move likewise? Can we not instead of purchasing gramophone records and other lac products from other countries, find ways and means to have them produced within our own borders?

Sir, when a matter like this fraught with great industrial possibilities is before the Assembly it is no use hurrying over it. Let the Provincial Governments in consultation with the industrial and commercial people have their say in the matter. Let the Assembly have sufficient time to think over whether it would be wise and safe to entrust the money obtained from this duty, to a private Association or an Association under Government patronage, no matter however noble its composition and personnel might be, or it would be better if the money be retained by the Central Government under the scrutiny of this Assembly to be ear-marked and devoted to extension of cultivation, research and establishment of lac factories and industries or to aid the chief lac growing provinces for the objects mentioned above.

It is with this object that I ask the Government to defer their judgment till the close of December and to obtain the opinion of industrial and commercial India, distributed through all the Provinces, and the opinion of the Provincial Governments themselves, together with their Ministers for Industries who are responsible to the people.

It may be said, Sir, that the opinions of the commercial people have been obtained. But I say that the opinions of the consumers in India, those who really consume lac in their industries, have not been obtained as yet. So I think it is necessary that this piece of legislation should be forwarded to the Local Governments for obtaining the opinions of the public bodies as well as the commercial and industrial societies: and I commend this amendment to the consideration of the Assembly.

Mr. President : The question is :

'That the Bill to provide for the levy of customs duty on lac exported from British India be circulated for the purpose of eliciting opinions thereon.'

Mr. J. Chaudhuri : Sir, I am sorry that I have got to oppose this motion. Time is very essential in this matter. We have been reading about attempts that are being made for the manufacture of synthetic lac to replace the ordinary natural process of obtaining lac in India. It is very essential that researches for the preservation of our local lac industry should be carried on at once. Of course, I would not have opposed Mr. Kamat's motion for referring.

this Bill to a Select Committee, provided their opinion could be delivered upon the Bill during this Session so that the Bill might be passed before the close of it. While other nations are trying to oust us from this industry, which depends upon the natural resources of India, we should not be consulting all and sundry and cogitating and deliberating and taking up time in considering a simple Bill of this kind from Session to Session. By that time synthetic lac may come into the field as a formidable rival and oust us altogether. So I will not waste any more words but would appeal to the Assembly not to waste time over this Bill but to proceed to pass it into law at once.

Obaudhri Shahab-ud-Din : Sir, I also stand to oppose the amendment. By the levy of this cess, I think, the country will be developing the cultivation of lac considerably. At present, if I remember the figures aright, India produces altogether 7,30,000 cwts. of lac annually. About 20,000 cwts. which are produced in Assam might be added, and thus the total quantity produced by India now is about $\frac{3}{4}$ million cwts. India has practically a monopoly in this sense that Germany, Japan, America and other countries have tried to grow lac in their colonies, but they have failed. There is practically very little export of lac from outside India. Therefore, there is no harm in levying this cess and thus developing, by scientific research, the further cultivation and production of this commodity. For this reason, I, Sir, oppose the amendment, and strongly support the motion that the Bill be passed without any loss of further time.

The Honourable Mr. C. A. Innes : Sir, Mr. J. Chaudhuri and Chaudhri Shahab-ud-Din have already dealt faithfully with this amendment, and there is little more for me to say. The amendment proposes that the Bill should be circulated to Provincial Governments and to commercial bodies. Well, Sir, we have already consulted the Provincial Governments. We did not actually send them the Bill, but we sent them a letter at the beginning of August stating very clearly the lines on which we propose to legislate, and we asked them to let us know by the 25th August if they had any objection to the Bill. We have had replies from three of these Local Governments. The Government of Bengal agrees with the course of action proposed; also the Government of Burma, and the Government of the United Provinces takes no objection to the lines on which we propose to act. We have had no reply from the Governments of the Central Provinces and of Bihar and Orissa, which I may mention are the two Local Governments mainly concerned in the cultivation of lac, and having regard to the terms of our letter, we are entitled to assume that these Local Governments have no objection to the lines of the Bill. It has been suggested that we should refer it to commercial bodies. I see no reason at all, Sir, for accepting that suggestion. As I have tried to point out before, the lac trade is concentrated in Calcutta, and we have taken the most careful precautions to ascertain the feelings of the Calcutta section of the trade on this Bill. Another important centre of the lac trade is Mirzapur, where lac manufacture is mainly concentrated. Two members of the Mirzapur Association are on the Committee of the new Indian Association for research. We may assume, therefore, that Mirzapur, which is a centre of manufacture, is also in favour of the Bill.

The only other remark I have to make is that I think the Honourable Mover of this amendment is rather confounding two different things: he is confounding what we call an 'export cess' with an 'export duty'. An export cess, according to our terminology, is a cess which the trade places upon

[Mr. C. A. Innes.]

themselves and asks us to collect for them, and is purely a cess for the improvement of an industry in the way that the trade itself demands. An export duty, on the other hand, is a duty which goes to the Central Government for the Central Government's own purposes. The Honourable Mover suggested that in putting this Bill forward we had not consulted the consumer's interests. I presume he means that we ought to try and discourage the export of lac from India in order that lac industries may grow up in India. But that is not our intention in putting forward this Bill. Our intention is merely to give the lac trade a small amount of money—their own money, mind you—which will be collected by us in order that they expend it on scientific research and may guard against the danger which Mr. J. Chaudhuri has pointed out, namely, the danger of a synthetic substitute. The wisest course is to let the trade make a beginning in this way. I have no doubt that if their research is successful, it will encourage the development of lac industries in this country; and if they find that the cess works well, no doubt as time goes on, they may come forward and ask that the rate of cess may be increased. But for the moment I suggest that we proceed in the manner suggested by the trade itself. Sir, I oppose the amendment.

Mr. President : The question is :

‘That the Bill to provide for the levy of customs duty on lac exported from British India be circulated for the purpose of eliciting opinions thereon.’

The motion was **negatived**.

Mr. President : The question is :

‘That the Bill to provide for the levy of customs duty on lac exported from British India be taken into consideration.’

The Assembly divided as follows :

AYES—57.

Aiyer, Sir P. S. Sivaswamy.
Akram Hussain, Prince A. M. M.
Amjad Ali, Maulvi.
Asad Ali, Mir.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Barodawalla, Mr. S. K.
Bhargava, Pandit J. L.
Bradley-Birt, Mr. F. B.
Bryant, Mr. J. F.
Chaudhuri, Mr. J.
Clayton, Mr. H.
Cotelingam, Mr. J. P.
Crookshank, Sir Sydney.
Dalal, Sardar B. A.
Dentith, Mr. A. W.
Faridoonji, Mr. R.
Fell, Sir Godfrey.
Gajjan Singh, Sardar Bahadur.
Gidney, Lieutenant-Colonel H. A. J.
Ginwala, Mr. P. P.
Habibullah, Mr. Muhammad.
Hailey, the Honourable Mr. W. M.
Hussanally, Mr. W. M.
Ibrahim Ali Khan, Lieutenant Nawab.
Innes, Mr. C. A.
Iswar Saran, Munshi.
Jainnadas Dwarkadas, Mr.
Jejeebhoy, Sir Jamsetjee.

Joshi, Mr. N. M.
Kabraji, Mr. J. K. N.
Lyle, Mr. D. R.
McCarthy, Mr. F.
Muhammad Hussain, Mr. T.
Mukherjee, Mr. J. N.
Percival, Mr. P. E.
Price, Mr. E. L.
Ramayya Pantulu, Mr. J.
Rangachariar, Mr. T.
Rao, Mr. C. Krishnaswami.
Rhodes, Mr. C. W.
Sapru, the Honourable Dr. T. B.
Shahab-ud-Din, Chaudhri.
Shahani, Mr. S. C.
Sharp, Mr. H.
Sim, Mr. G. G.
Sinha, Beohar Raghubir.
Sohan Lal, Bakshi.
Spence, Mr. R. A.
Subrahmanayam, Mr. C. S.
Thackersey, Sir Vithaldas D.
Townsend, Mr. C. A. H.
Ujagar Singh, Baba Bedi.
Vincent, the Honourable Sir William.
Vishindas, Mr. H.
Waghorn, Colonel W. D.
Zahiruddin Ahmed, Mr.

NOES—34.

Abdullah, Mr. Saiyed Muhammad.
 Abul Kasem, Maulvi.
 Agnihotri, Mr. K. B. L.
 Ahmed, Mr. K.
 Ahsan Khan, Mr. M.
 Asjad-ul-lah, Maulvi Miyan.
 Bagde, Mr. K. G.
 Bajpai, Mr. S. P.
 Barua, Mr. D. C.
 Chaudhuri, Mr. N. N.
 Das, Babu B. S.
 Faiyaz Khan, Mr. M.
 Girdhardas, Mr. N.
 Gour, Dr. H. S.
 Ikramullah Khan, M. M.
 Jatkar, Mr. B. H. R.
 Kamat, Mr. B. S.

Lakshmi Narayan Lal, Mr.
 Majumdar, Mr. J. N.
 Manmohandas Ramji, Mr.
 Mitter, Mr. D. K.
 Muhammad Ismail, Mr. S.
 Nag, Mr. G. C.
 Neogy, Mr. K. C.
 Pyari Lal, Mr.
 Reddi, Mr. K.
 Sarfaraz Hussain Khan, Mr.
 Singh, Babu Ambika Prasad.
 Singh, Babu B. P.
 Sinha, Babu L. P.
 Sircar, Mr. N. C.
 Subzposh, Mr. S. M. Z. A.
 Venkatapatiraju, Mr. B.
 Yamin Khan, Mr. M.

The motion was adopted.

Clauses 1 to 6 were then put and carried.

Mr. K. B. L. Agnihotri: Sir, I rise to move an amendment to clause 7 of the Bill. My amendment is to delete the first proviso which runs thus :

‘Provided that the Governor General in Council may, on the recommendation of the Lac Association, declare by notification in the *Gazette of India*, that the said sections shall continue in force for any further period specified in such notification.’

Sir, I do not agree with my friend, Mr. Price, when he says that the powers of this Legislature should be delegated to the Lac Association or to the Governor General in Council. I agree so far that there may be emergent occasions when such powers may have to be delegated, but we cannot do that on all occasions and under all circumstances. Now this Bill will be in force for about 5 years. There will be a pretty long time before the Government to ask this Assembly for the continuation of the measure if they think it necessary. Why the Government should take the power from now to continue this Act after 1926, is beyond my comprehension. I therefore submit that this proviso should be deleted, and Section 7 should stand after the deletion of this provision. Another point is that, if we delete the first proviso, then it necessarily follows that the word ‘also’ in the second proviso should be deleted.

Mr. E. L. Price: Sir, it may remove any misconception of my view of things if I state plainly that I personally support this amendment. I am prepared, I admit, to hand over a series of technical experiments to a technical body for 5 years, but I do think it is a sound thing that at the end of that time the industry should come back to us and report progress for our approval.

The Honourable Mr. C. A. Innes: Sir, this proviso, like most of this Bill, is taken from the Indian Tea Cess Act, but I quite see the point raised by Mr. Agnihotri and confirmed by Mr. Price. I should like to point out, however, that Mr. Agnihotri’s point will be met by an amendment which I understand Mr. Rangachariar is going to move, that is to say, he proposes to insert the words ‘and with the previous approval of the Indian Legislature’ after the words ‘on the recommendation of the Lac Association.’ I think that amendment will meet the views of this House, and I propose to accept it. I suggest, Sir, that Mr. Agnihotri should withdraw his amendment on the understanding that Mr. Rangachariar moves his amendment.

Mr. K. B. L. Agnihotri : I withdraw my amendment, Sir.

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

Rao Bahadur T. Rangachariar : Sir, I move :

'That the words 'and with the previous consent of the Indian Legislature' be inserted between the words 'Association' and 'declare.''

The object has already been explained, and I need not add any words of my own.

Mr. President : The question is :

'That in the first proviso* after the word 'Association,' the following words be inserted :

'and with the previous consent of the Indian Legislature.'

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Clause 8 was added to the Bill.

The Preamble of the Bill was put and carried.

The Honourable Mr. C. A. Innes : I move, Sir, that the Bill as amended be passed.

The motion was adopted.

THE INDIAN INCOME-TAX BILL.

The Honourable Mr. W. M. Hailey : Sir, I beg to move for leave to introduce :

'A Bill to consolidate and amend the law relating to Income-tax and Super-tax.'

Sir, we are told that every family has a skeleton in its cupboard ; Governments are no doubt subject to the same provision of nature ; at all events I feel that I owe an apology to the House for bringing forward one of the skeletons of Government immediately after that feast of wisdom and flow of soul which we have just witnessed in regard to the Lac Cess Bill.

I have no doubt there are many people, Sir, who feel that they have heard enough of legislation about income-tax, and would be glad enough never to hear another word on the subject. But, Sir, that cannot be. It is not only that we are under an obligation to the general tax-payer to see that by no defect in our legislation should the income-tax-payer be enabled to escape the payment of his just dues. It is not only that—although the satisfaction of that duty, incumbent as it is upon Government, may not possibly add greatly to that widespread popularity which we know the Finance Department enjoys. (Laughter.) Sir, we have to go further than that. We have to secure the clearest definition in all clauses of our income-tax legislation, in order that we may secure only that the assessee should know exactly what obligations he has to perform, but also that we may not leave it in the power of the Collector himself to exact from that assessee one single pie more than the Legislature has intended. The utmost lucidity in expression, and the most careful adaptation and procedure is therefore necessary in order that the assessee may know both his obligations and his duties, and that is the reason why not only our Government but every Government from time to time finds it necessary to

* To clause 7 of the Bill.

bring its income-tax legislation up to date. Perhaps the income-tax, Sir, will never be very popular in this country or indeed in any country, but we have everything to gain from securing both certainty of assessment and ease of collection.

These are general remarks. Let me pass to the more precise purport of the Bill which I place before the House. Some time ago, Sir, we found that the Act required amendment in several respects. Let me take one case only. A High Court had ruled that the meaning of the word 'income,' in the existing Act must be held to be confined to money actually or constructively received. That ruling would of course have resulted in great embarrassment and inconvenience to those concerns which keep their accounts on a mercantile accounting basis, which goes far beyond the mere statement of receipt or payment of cash. For that reason alone, we should have to contemplate an early amendment of the Act. Then, again, last March the Assembly expressed a strong opinion in favour of withdrawing from the Income-tax Collector the discretion which he now enjoys whether he should make a reference to the High Court at the request of the assessee or not. That was another case in which we should have been obliged to amend the Act, for I gave an undertaking last March that we would, as far as possible, give an unrestricted right of reference to the High Courts. Then, again, the House will perhaps remember that some time ago the Indian representatives came to an agreement with the Home authorities on the vexed subject of the collection of double income-tax within the Empire. They agreed, that in respect of income-tax levied both in the United Kingdom and in India, there should be deducted from the appropriate rate of the United Kingdom income-tax the whole of the rate of Indian income-tax charged in respect of the same income-tax, subject to the limitation that the relief given by the United Kingdom should not exceed one half of the rate of the United Kingdom income-tax to which the individual taxpayer might be liable. Under this arrangement, any further relief necessary would have to be given by India, and it is necessary that we should put before the House legislation giving effect to that agreement. I may say that it is not contemplated that at present this concession will involve any loss to the revenues of this country. I have given these facts as typical instances of the circumstances which in any case would have forced us to propose a modification of our existing Act. But when we came to examine closely into the Act we found that the requirements of the case, as a matter of fact, proceeded much further. We have now, as the House is aware, a growing expert staff; we have indeed lately made great efforts to increase both the quantity and quality of that staff. They, as the result of their experience of the working of the 1918 Act, pointed out to us many ways in which the Act required amendment in the interests not only of the State but of the assessee himself. We, therefore, proceeded to a thorough revision of the Act, but in doing so did not confine ourselves to consulting our own experts. We appointed local committees in each of the major Provinces, to put forward suggestions for the amendment of the Act and to consider as far as possible what form the exact amendments should take. I want to pay here, a tribute of gratitude to the many gentlemen who gave us the benefit of their advice and their experience while serving on these committees. We then collected the recommendations of the local committees, and we asked each committee to send representatives to Simla to constitute a Central Committee further to consider the reports. It is as the result of the deliberations of that committee,

[Mr. W. M. Hailey.]

which I think owes much to the guidance and the industry of my friend, Mr. Sim, that we now place the Bill before you to-day.

Well, Sir, so much for the reasons which prompted us to put forward a somewhat complete revision to the Act and for the procedure which we have adopted. I have given the Assembly the benefit of a very full Statement of Objects and Reasons attached to the Bill. I need here, therefore, only refer to one or two of our major propositions. Take the first. We propose to do away with the existing system of adjustment. That system, which was introduced in 1918, is no doubt an ideal procedure. A provisional assessment is made on the basis of the income of the previous year, and an adjustment is subsequently made when the full income of that year has been ascertained. But, like many ideal systems, it is difficult to work in practice. I know that it still has many supporters, particularly among chartered accountants; but our experience is that the ordinary assesse, even if he understands the system—and there are not many of them who do understand it—nevertheless heartily dislikes it. We propose, therefore, to amend the Act in this respect, returning to the old system of assessment on the previous year's income without adjustment. The second proposal is to do away with the distinction between registered and unregistered firms. I am not going into the somewhat long history that lies behind that distinction. The reason why we have decided to do away with the distinction is the difficulty felt by firms who have to produce evidence of partnerships in order to get the benefit of the existing law relating to registered firms. The effect of doing away with the distinction will be even more apparent in dealing with super-tax, for in this respect we propose simply to tax each of the partners of a firm to super-tax instead of taxing the firm itself. I come to a third point. As the House knows, the maintenance of our growing income-tax departments has become almost entirely a charge on the central revenues, and we think it right that those departments should be given a statutory position both in regard to the Central Government and also of course by implication to this House which has provided funds for their maintenance. But the case goes somewhat further than this. At present the law provides that Local Governments shall frame rules under the Act, interpret, and administer the Act. We have found a very general feeling throughout India that the making of rules, the administration of the Act and interpretation of the rules should be kept in the hands of a central body. It is felt on many important points, and I might instance here the rules relating to the depreciation of buildings and machinery, that there should be an identical procedure throughout India. We have found distinct dissatisfaction with the fact that the law is at present interpreted by a large number of chief revenue authorities, who, well acquainted as they may be with revenue law, have not, in every case studied very exhaustively the practice and law relating to income-tax. We therefore propose now to centralise the administration of the income-tax law and to issue all rules thereunder from the Government of India itself. But I warn the Assembly that if we were to carry out this work effectively, it will be necessary to appoint some central income-tax authority of our own. It is impossible for us to administer this great and growing subject from the Secretariat. We need an officer who can not only advise on the work of the provincial departments, but also remain in close touch with commercial bodies and with the interests mainly affected by the tax. That can only be done by a whole-time officer who has opportunities of touring throughout the year.

These then are our main proposals ; I am not going to trouble the House with any further details except in one respect. I stated that it was necessary that we should have to amend our Act not only in the interests of the State but also in the interests of the assessee, and I shall merely give a short list of the points in which we believe that the Bill as now drafted by us will materially ease the burden of the assessee himself.

Mr. President : Order, order. If the list is really short, I can allow the Honourable Member to read it. The Honourable Member has had a certain allowance already over his time and I cannot allow very much more.

The Honourable Mr. W. M. Hailey : Then I do not propose to read the list. I regret that I did not observe the progress of time ; and, in any case, full details of what I was about to give the House will be found in the Statement of Objects and Reasons. But if you will allow me, Sir, I will only make one remark in conclusion in reference to the form of the Bill that we have put forward. It is a Bill which provides for procedure and definition only. It contains no schedule of rates, and in itself therefore it imposes no taxation. The result of that is that the rates will every year have to be imposed and any important substantial changes will have to be effected through the medium of a Finance Bill, as in England. I need not point out to the House (particularly to those who have studied the history of Taxation Bills as passed by representative Assemblies) the full constitutional effect of the change we now propose to introduce ; but I would ask the House to mark this aspect of the Bill because I think the recognition of its nature may perhaps influence their decision when I come at a subsequent stage to propose a reference to Select Committee. For the present I merely seek to introduce the Bill, undertaking at the same time that it shall be given a very wide circulation throughout the country in order that the House may have an opportunity of considering the criticisms put forward in the country when we take the Bill into consideration. This, I hope, we shall be enabled to do in the next Session.

The motion was adopted.

The Honourable Mr. W. M. Hailey : I now introduce the Bill.

THE INDIAN CONTRACT (AMENDMENT) BILL.

Dr. H. S. Gour : Sir, I rise to move for leave to introduce :

‘ A Bill further to amend the Indian Contract Act, 1872. ’

and, in doing so, I should like the Honourable Members to correct a typographical error which occurs in the copy of the Bill which has been supplied to them. The amendment should be :

‘ 30-A. An agreement whereby a person promises to give information or supply funds for the maintenance of litigation or actively to assist in the recovery of property in consideration of receiving a share of such property or of the proceeds of such litigation is void. ’

As I have stated in the Statement of Objects and Reasons appended to this Bill, it is primarily intended to prevent gamble in litigation. Honourable Members will easily remember cases after cases which have attracted the attention of the Courts in which persons other than *bona fide* litigants are arrayed on either side to maintain suits in which they have no real interest

[Dr. H. S. Gour.]

beyond sharing the spoil of the litigation. The ordinary instance that I may present to the House is a zemindar who dies leaving valuable property. Speculators on either side come on the scene. One aids and abets the claimant and another undertakes to provide for the defence, and these outsiders stipulate with their respective clients for a share, sometimes a considerable portion of the estate, as their price in case of success; the result being that this litigation is carried on, not by the *bona fide* claimants themselves but by persons hired for the purpose, and the price for which these persons lend themselves out is a portion of the valuable estate. The Courts find that this kind of litigation is an encouragement of perjury, fraud and fabrication of evidence and documents and the real issues are masked in this legal game of battledore and shuttlecock with the aiders and abettors of litigation carried on in Court. In England, this species of gambling in litigation is suppressed by the criminal law and is an indictable offence. In this country, an effort has been made to suppress this species of gambling by bringing it under the general Section 23 of the Indian Contract Act as an agreement opposed to public policy. But it has been recently laid down by the Privy Council in I. L. R. 35 Cal. 420 that the English law of champerty and maintenance is not the same as the Indian law of unlawful contracts as opposed to public policy, and this has induced me to draft this small Bill with the object of bringing the Indian Contract Act into line with the English law. The Honourable Members will see that I have inserted a proviso to except from the operation of the rule a *bona fide* purchase of property in suit. The intention is not that any estate which is in suit should not be the subject matter of transfer. The object is to keep out an intermeddler in the suit, a person who is not interested in the result of the litigation but purchases a portion of the property as a recompense either for the assistance that he renders or for the money which he supplies and in this way interesting himself in the result of the litigation. He suborns evidence, fabricates documents and renders the litigation as obscure to the real issue as possible. I shall not detain the House any longer and I hope that this salutary measure of legal reform will meet with the acceptance of the House.

Mr. C. S. Subrahmanayam : Sir, I oppose the motion. The English law should not apply to India, and I think that the doctrine that these technical provisions of English law should not be allowed to apply to Indian conditions is very sound. If we begin to introduce this technical law into India, it will only result in another oppressive and fresh crop of litigation. At present the Courts have ample discretion in finding for themselves whether a particular contract with a litigant is good or not, reasonable or unreasonable.

In any event even if this becomes law, the Courts certainly have a certain amount of discretion, and after all it is a question of the surrounding circumstances and the conditions of the parties entering into the contract that will always have to be considered in the exercise of the discretion of the Court. If you introduce such a law into this country, there will be obvious disadvantages for people who have great difficulty in establishing their rights to property to which they are rightly and legally entitled. Now without outside help of money and of all things which go to work up a case, it is difficult here to establish a claim. In England, there is a large body of lawyers who under the rules regulating costs can in a way support litigation, I mean attorneys and solicitors, but in India such a class does not exist. Whether it would be an

advantage for such a class to exist here is not my point now. But there are people, illiterate and ignorant and a large class of women, who have rights which they find it difficult to establish, and they must necessarily resort to and obtain outside help. Therefore, the introduction of such a law into India, while it cannot put down secret contracts, will only stimulate or create a further crop of suits and cases. There is a proviso, but the proviso practically eats up the clause. If it is an agreement to share, you go into the question of *bond fides*. There you have to submit the righteousness of that agreement to the decision of the Judge who tries it. There is a good deal of discretion and latitude allowed to the Judge : and, with the system of appeals, and in view of the exercise of discretion, it is quite enough. The existing law is quite sufficient to meet the evil which my Honourable friend says is reported to be notoriously rife. We have not got definite evidence that in particular provinces such cases have cropped up. There is no advice given to the Government of India in the shape of reports from Local Governments or the High Courts that such a law is necessary. If so, it is not proper that the Assembly should think of adding to the law. But is there evidence of such cases being rife in our personal experience as practising lawyers ? We have in many cases come across some very bad cases, but that will never justify our trying to enact a law on the basis of a case or two spread over a number of years and place it on the Statute Book. This would also direct the attention of active minded men to rush to courts, and would only stimulate litigation. Further, I think, we, as ordinary people, interested in seeing to the putting down of litigation, should not multiply illegalities ; that is what I say, statutory illegalities, and thereby give food for active-minded people to start litigation. On principle, I oppose the introduction of this Bill.

Mr. President : The question is :

‘ That leave be given to introduce a Bill further to amend the Indian Contracts Act 1872.’

The motion was adopted.

Dr. H. S. Gour : I now introduce the Bill.

MESSAGE FROM THE COUNCIL OF STATE.

Mr. President : A Message has been received from the Secretary of the Council of State, which the Secretary will now read.

Secretary of the Assembly : Sir, the Message runs as follows :

‘ I am directed to inform the Secretary of the Legislative Assembly that the following motion was carried in the Council of State at their meeting on the 19th September, and to request the concurrence of the Legislative Assembly in the recommendation contained therein, namely, that this Council do recommend to the Legislative Assembly that the Bill further to amend the Code of Criminal Procedure, 1898, and the Court Fees Act, 1870, be referred to a Joint Committee of this Council and of the Legislative Assembly, and that the Joint Committee do consist of 12 Members.’

Mr. President : The Message will be laid on the table. This House now stands adjourned to Tuesday, the 20th September at 10-30 A.M.