

5 September 1921

**THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)**

VOLUME II

SECOND SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1921



**SIMLA,
SUPERINTENDENT, GOVERNMENT CENTRAL PRESS
1921**

CONTENTS

	Page
THURSDAY, 1ST SEPTEMBER, 1921	1—6
Oath.	
President's Speech.	
SATURDAY, 3RD SEPTEMBER, 1921	7—17
Inauguration of the Second Session of the Council of State and Legislative Assembly.	
MONDAY, 5TH SEPTEMBER, 1921	19—155
Statements laid on the Table.	
Questions and Answers.	
Procedure in regard to Question and Answer.	
Motion for Adjustment to consider Moplah Outbreaks.	
Arrangement of business of the Assembly.	
Resolution <i>re</i> : Addressed of Welcome to H. R. H. the Prince of Wales.	
Resolution <i>re</i> : Welcome to H. E. Lord Reading.	
Demand for Supplementary Grant.	
The Indian Factories (Amendment) Bill.	
The Indian Electricity (Amendment) Bill.	
The Indian Penal Code (Amendment) Bill.	
The Maintenance Orders Enforcement Bill.	
The Code of Civil Procedure (Amendment) Bill.	
The Indian Emigration Bill.	
The Negotiable Instruments (Amendment) Bill.	
The Carriers (Amendment) Bill.	
The Indian Post Office (Amendment) Bill.	
The Indian Marine (Amendment) Bill.	
The Indian Works of Defence (Amendment) Bill.	
The Indian War Relief Trust Bill.	
The Moplah Outbreaks.	
TUESDAY, 10TH SEPTEMBER, 1921	157—243
Oath.	
Questions and Answers.	
Message from the Council of State.	
Point of Procedure.	
The Exclusion from Inheritance Bill.	
The adoption (Registration) Bill.	
Resolution <i>re</i> : Repeal of Workmen's Breach of Contract Act.	
Postponement of the Discussion on Mr. Samarth's Resolution.	
Procedure for taking Divisions.	
Legislative Business.	
LA	

LEGISLATIVE ASSEMBLY.

Monday, 5th September, 1921.

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

STATEMENTS LAID ON THE TABLE.

The Honourable Mr. W. M. Hailey : I lay on the table the information promised in reply to a Question by Mir Asad Ali, Khan Bahadur, on the 7th March, 1921, regarding the additional cost, charged to Central Revenues, of pensions, gratuities and allowances awarded to officers and men in the Civil Departments in India and in England.

Statement showing, for the last three years, the additional cost, charged to Central Revenues, of pensions, gratuities and allowances awarded to officers and men in the Civil Departments in India and in England.

	1918-19.	IN INDIA.		IN ENGLAND.
		1919-1920.	1920-1921.	The average additional cost per annum on pensions disbursed in England has been reported by the Secretary of State to be as follows :—
	Rs.	Rs.	Rs.	£
1. Increases of pension sanctioned for gazetted officers of certain civil services (other than military officers or members of the Indian Civil Service) on the recommendations of the Public Services Commission.	Nil	17,400*	19,100*	13,200
2. Increase of invalid annuities of Indian Civil Service officers sanctioned on the recommendations of the Public Services Commission.	Nil	Nil	Nil	550
3. Relief to existing pensioners on account of the high cost of living.	Nil	Nil	20,000* (4 months only).	27,850 (Bonar Law scheme).
Total ...	Nil	17,400	39,100	41,600

* These figures are approximate.

Mr. H. Sharp : I lay on the table the information promised in reply to a Question by Mr. Eardley Norton on the 15th March 1921, during the discussion on demand for grant for the Indian Students' Department, regarding the actual and estimated expenditure on scholarships, etc., and the Indian Students' Department.

Statement showing Actual Expenditure for the year to 31st March 1921, and Estimated Expenditure for the year to 31st March 1922, on Scholarships, etc., and the Indian Students' Department.

SCHOLARSHIPS.	ACTUALS.		ESTIMATES.	
	1st April, 1920 to 31st March, 1921.		1st April, 1921 to 31st March, 1922.	
	£	s. d.	£	s. d.
Allowances of Government of India Scholars, other than Technical ...	9,314	0 0	9,530	0 0
Do. do Technical Scholars ...	6,620	0 0	6,720	0 0
(a) Special Grants-in-Aid ...	423	0 0	750	0 0
Passages ...	351	0 0	400	0 0
Travelling expenses ...	412	0 0	200	0 0 (c)
Premiums, fees, etc. ...	1,755	0 0	900	0 0
TOTAL FOR SCHOLARSHIPS, etc. ...	18,555	0 0	18,500	0 0
INDIAN STUDENTS' DEPARTMENT.				
Salaries :-	£	s. d.	£	s. d.
Office Staff ...	5,157 16 10(c)		5,300	0 0(d)
Local Advisers at Manchester, Edinburgh and Glasgow ...	393 1 4		400	0 0
Engineering Adviser ...	172 18 3		250	0 0
Grant to Oxford University for expenses for Delegacy for Oriental Students	5,720 16 5		5,855	0 0
Grant to Cambridge University for expenses of Inter-Collegiate Indian Students' Committee.	325 0 0		400	0 0
	400 0 0		550	0 0

*Statement showing details of Budget of the House Managing Committee
at 21, Cromwell Road, 1921-22.*

RECEIPTS.

	£
Boarders	2,000
Meals	800
Northbrook Society—Rent...	270
National Indian Association—Rent	70
Grant for upkeep of the Law Library ...	20
Grant from Indian Revenues to meet difference between receipts and expenditure	1,500
	<hr/>
	4,660
	<hr/>

EXPENDITURE.

	£
Wages	780
Food	2,500
Heating and Lighting	500
Laundry	160
Maintenance	400
Law Library	20
Furnishing rooms vacated by Local Adviser, London	300
	<hr/>
	4,660
	<hr/>

OFFICE OF THE HIGH COMMISSIONER FOR INDIA,
42, Grosvenor Gardens,
London, S.W.-1.

May 1921.

Sir Godfrey Fell: I lay on the table the information promised in reply to a Question by Haji Wajih-ud-din on the 1st March 1921, regarding the receipts from house, water and conservancy taxes, and expenditure on sanitation, lighting and road watering, in the principal Cantonments in India.

Statement showing the Receipts from house, water and conservancy taxes, and Expenditure on sanitation, lighting and road watering, in the Principal Cantonnments in India, promised in reply to a Question asked by Haji Wajid-ud-din on the 1st March 1921, No. 323.

Principal Cantonnments by Districts.	Locality.	RECEIPTS FROM				EXPENDITURE ON				REMARKS.
		House tax.	Water tax.	Conser- vancy tax.	Total.	Sanita- tion.	Light- ing.	Road Water- ing.	Total.	
NORTHERN COM- MAND. <i>Peshawar District.</i>	...	...	...	...	...	...	...	...	...	...
	European Quarter	7,280	3,210	Nil	10,490	...	...	...	...	...
	Indian Quarter	6,300	4,565	350	11,215	...	...	...	...	...
	Outside Bazars Within Bazars	... ...	... ...	... ...	... ...	66,896 8,947	24,316 2,210	7,733 Nil	98,745 11,157	...
Nowshera ...	European Quarter	4,476	Nil	1,536	6,012	...	...	...	...	...
	Indian Quarter	8,961	Nil	7,186	16,147	...	...	...	...	...
	Outside Bazars	...	...	...	...	33,150	27,150	4,900	65,200	• Includes Rs. 35,000 for electrical installa- tion.
	Within Bazars	...	...	...	...	13,200	3,450	972	17,622	...
<i>Kohat District.</i>	European Quarter	Nil	1,225	838	2,063	...	...	...	...	...
	Indian Quarter	2,479	Nil	693	3,172	...	...	...	...	...
	Outside Bazars	...	...	...	...	...	...	...	...	...
	Within Bazars	...	...	...	...	17,887	6,245	962	25,094	No separate Bazar.
<i>Rawalpindi District.</i>	European Quarter	21,895	5,500	7,255	34,650	...	...	...	...	...
	Indian Quarter	21,004	4,187	Nil	25,191	...	...	...	...	...
	Outside Bazars	...	...	...	...	75,531	10,500	4,513	90,544	...
	Within Bazars	...	...	...	...	37,135	3,250	570	40,955	...

Principal Cantonments by Districts.	Locality.	RECEIPTS FROM				EXPENDITURE ON				REMARKS.
		House tax.	Water tax.	Conser- vancy tax.	Total.	Sanita- tion.	Light- ing.	Road Water- ing.	Total.	
Rawalpindi District— contd.										
Abbottabad	European Quarter	1,087	875	1,013	2,985	...	...	...	...	...
	Indian Quarter	380	398	1,363	2,141	5,000	945	151	6,096	...
	Outside Bazars	...	...	...	...	4,000	Nil	Nil	4,000	...
	Within Bazars	...	...	...	...	...	...	...	...	...
Sialkot	European Quarter	3,000	Nil	Nil	3,000	...	...	...	...	...
	Indian Quarter	1,600	Nil	Nil	1,600	34,000	3,000	3,200	40,200	...
	Outside Bazars	...	...	...	...	14,000	1,400	1,200	16,600	...
	Within Bazars	...	...	...	...	...	...	...	...	...
Jhelum	European Quarter	2,050	Nil	425	2,475	...	...	...	...	...
	Indian Quarter	380	Nil	318	643	4,910	3,622	1,168	9,700	...
	Outside Bazars	...	...	...	...	982	725	234	1,941	...
	Within Bazars	...	...	...	...	...	...	...	...	...
Lahore District.										
Lahore	European Quarter	3,413	1,553	4,845	9,811	...	...	...	...	...
	Indian Quarter	7,297	501	8,486	16,194	44,926	3,065	3,588	51,579	...
	Outside Bazars	...	...	...	...	27,379	2,477	197	30,053	...
	Within Bazars	...	...	...	...	...	...	...	...	...
Ferozepore	European Quarter	4,900	Nil	3,300	8,200	...	...	...	...	...
	Indian Quarter	12,000	Nil	8,900	20,900	26,880	11,200	10,580	48,660	...
	Outside Bazars	...	...	...	...	40,573	2,400	9,852	52,825	...
	Within Bazars	...	...	...	...	...	...	...	...	...
Ambala	European Quarter	6,524	4,649	528	11,701	...	...	...	...	...
	Indian Quarter	18,742	12,043	6,238	37,023	20,608	4,452	3,588	28,648	...
	Outside Bazars	...	...	...	...	37,150	1,092	Nil	38,242	...
	Within Bazars	...	...	...	...	...	...	...	...	...

Jullundur ...	European Quarter	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	900	4,310	900	4,310	...	...	2,355	472	Nil	1,826	22,405	9,114	...
Malta ...	European Quarter	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	900	4,310	900	4,310	...	...	2,355	472	Nil	1,826	22,405	9,114	...
	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	748	7,356	1,857	13,798	...	...	...	...	...	...	...	...	...
	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	Nil	7,356	13,798	1,857	13,798	...	...	...	...	...	...	...	...	...
WESTERN COM-MAND.																			
<i>Waziristan Force.</i>																			
Dera Ismail Khan ...	European Quarter	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	300	800	300	800	...	...	...	...	...	...	...	...	...
	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	300	800	300	800	...	...	...	...	...	...	...	...	...
	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	Nil	...	...	...	...	23,806	920	...	...	714	25,500	No separate Bazar.		
Bannu ...	European Quarter	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	550	1,590	550	1,590	...	...	...	...	...	...	...	...	...
	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	...	...	...	...	...	...	...	...	...	...	...	...	...
	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	Nil	...	...	...	...	14,000	3,000	...	...	3,000	20,000	No separate Bazar.		
<i>Baluchistan District.</i>																			
Quetta ...	European Quarter	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	16,031	7,394	23,365	16,031	...	...	...	...	...	...	...	...	...
	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	7,394	7,520	10,120	2,600	...	...	...	...	...	...	...	...	...
	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	Nil	...	...	...	...	1,19,333	20,495	...	...	875	1,40,703	No regular Bazar in Quetta Cantonment and separate figures are not available.		
Jubbulpore ...	European Quarter	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	2,455	2,450	4,905	2,455	...	...	...	...	...	...	...	...	...
	Indian Quarter	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	1,735	10,946	12,681	1,735	...	...	...	...	...	...	...	...	...
	Outside Bazaars	Within Bazaars	Nil	Nil	Nil	Nil	...	...	...	...	41,598	3,617*	...	...	4,136	65,719	* For Europeans as well as Indians. † Streets narrow, road-watering not possible.		

Principal Cantonments by Districts.	Locality.	RECEIPTS FROM				EXPENDITURE ON				REMARKS.
		House tax.	Water tax.	Conser- vancy tax.	Total.	Sanita- tion.	Light- ing.	Road Water- ing.	Total.	
<i>Baluchistan District— contd.</i>										
Jhansi ...	European Quarter ...	4,000	Nil	1,500	5,500	...	...	...	...	...
	Indian Quarter ...	3,800	Nil	5,000	8,800	17,912	2,880	Nil	20,792	...
	Outside Bazzars ...	...	...	...	...	15,602	960	Nil	16,562	...
	Within Bazzars ...	...	...	...	...	...	...	...	...	...
Nowgong ...	European Quarter ...	2,243	Nil	Nil	2,243	...	...	...	...	...
	Indian Quarter ...	2,827	Nil	Nil	2,827	5,210	819	117	6,146	...
	Outside Bazzars ...	...	...	...	...	6,181	1,289	117	7,587	...
	Within Bazzars ...	...	...	...	...	...	...	...	...	...
Neemuch ...	European Quarter ...	1,089	Nil	Nil	1,089	...	...	...	...	...
	Indian Quarter ...	3,966	Nil	Nil	3,966	6,680	2,400	2,000*	11,080	...
	Outside Bazzars ...	...	...	...	...	10,452	1,800	1,000	13,252	...
	Within Bazzars ...	...	...	...	...	...	...	...	...	...
Sangor ...	European Quarter ...	Nil	Nil	1,084	1,084	...	...	...	...	...
	Indian Quarter ...	Nil	Nil	2,335	2,335	11,804	5,223	602	17,529	...
	Outside Bazzars ...	...	...	...	...	12,200	1,741	Nil	13,941	...
	Within Bazzars ...	...	...	...	...	...	...	...	...	...
<i>Poona District.</i>										
Poona ...	European Quarter ...	18,143	Nil	10,645	28,788	...	...	...	...	...
	Indian Quarter ...	22,096	Nil	14,725	36,821	30,815	†	Nil	30,815	...
	Outside Bazzars ...	...	...	...	...	50,599	...	5,000	55,599	...
	Within Bazzars ...	...	...	...	...	...	...	...	...	...

* Maintenance and repairs of roads. † Figures not available.

* Maintenance and repairs of roads.

† Figures not available.

Manora ...	European Quarter Indian Quarter Outside Bazaars Within Bazaars	2,183 28 }	Nil Nil ...	1,827 36 ...	4,010 64 ...	2,082 ...	921 ...	Nil ...	3,003 ...	No separate Bazar.
Nasirabad ...	European Quarter Indian Quarter Outside Bazaars Within Bazaars	1,190 52	1,498 3,775	Nil Nil	2,618 3,927	9,228 20,998 ...	3,735 2,680 ...	360 Nil ...	13,323 23,678 ...	•
EASTERN COM- MAND.										
<i>Allahabad Brigade Area.</i>										
Allahabad ...	European Quarter Indian Quarter Outside Bazaars Within Bazaars	1,513 767	1,355 842	Nil Nil	2,868 1,609	18,040 11,671 ...	3,872 571 ...	1,318 Nil ...	23,230 12,242 ...	•
Benares ...	European Quarter Indian Quarter Outside Bazaars Within Bazaars	Nil Nil	Nil Nil	1,337 735	1,337 735	5,845 2,704 ...	1,978 410 ...	222 Nil ...	7,445 3,114 ...	
Cawnpore ...	European Quarter Indian Quarter Outside Bazaars Within Bazaars	Nil Nil	Nil Nil	1,740 9,096	1,740 9,096	16,379 32,758 ...	5,702 2,851 ...	10,134 1,617 ...	32,215 37,226 ...	
Fatehgarh	European Quarter Indian Quarter Outside Bazaars Within Bazaars	Nil Nil	Nil Nil	251 970	251 970	1,429 2,544 ...	269 117 ...	Nil Nil ...	1,698 2,661 ...	

Principal Cantonments by Districts.	Locality.	RECEIPTS FROM			EXPENDITURE ON				REMARKS.
		House tax.	Water tax.	Conser- vancy tax.	Total.	Sanita- tion.	Light- ing.	Road Water- ing.	Total.
<i>U. P. District.</i>	Agra ...	...	...	...	...	...	...	...	...
		2,125	9,965	2,400	13,890	...	...	...	...
		2,587	10,341	11,040	23,968	...	...	...	...
		...	...	...	...	35,000	5,326	6,000	46,326
Bareilly ...	European Quarter	...	...	...	...	...	...	...	...
	
	
	
Meerut ...	European Quarter	...	...	...	...	...	...	...	...
	
	
	
Dehra Dun	European Quarter	...	...	...	...	...	...	...	...
	
	
	

Details not available.

}

87,348

43,674

21,544

1,434

2,390

1,167

Nil

Nil

Nil

Nil

Nil

Nil

Nil

Nil

Locknow	...	European Quarter	7,593	6,701	1,620	15,914	...	...	...	...	...	...
	...	Indian Quarter	4,095	5,049	2,544	11,688	...	...	...	...	...	...
	...	Outside Bazaars	...	...	...	...	44,066	16,437	7,762	68,265	...	...
	...	Within Bazaars	...	...	...	...	13,952	2,038	675	16,665	...	...
<i>Presidency and Assam District.</i>												
Dinapore	...	European Quarter	3,790	Nil	2,144	5,934	...	...	...	...	...	...
	...	Indian Quarter	4,732	Nil	4,859	9,591	...	...	...	...	...	...
	...	Outside Bazaars	...	...	...	...	20,122	956	Nil	21,078	...	...
	...	Within Bazaars	...	...	...	...	19,612	1,144	Nil	20,756	...	...
Barrackpore	...	European Quarter	7,400	8,480	4,345	20,235	...	...	...	...	...	...
	...	Indian Quarter	4,500	5,200	4,500	14,200	...	...	...	...	...	...
	...	Outside Bazaars	...	...	...	...	11,996	2,760	1,608	16,364	...	...
	...	Within Bazaars	...	...	...	...	15,091	900	292	16,283	...	...
SOUTHERN COM-MAND.												
<i>Central Provinces District.</i>												
Mhow	...	European Quarter	10,667	8,871	Nil	19,538	...	...	...	...	...	...
	...	Indian Quarter	16,578	5,067	Nil	21,645	...	...	...	...	...	...
	...	Outside Bazaars	...	...	...	...	18,550	9,700	1,500	29,750	...	...
	...	Within Bazaars	...	...	...	...	37,854	4,100	500	42,454	...	...

Colonel Sir S. D'A. Crookshank: I lay on the table the information promised in reply to a Question by Lala Girdharilal Agarwala on the 28th March 1921, regarding housing of clerical establishment in Delhi and Simla.

Categorical Answers to items (b) and (c) of the Question No. 645 asked by Lala Girdharilal Agarwala in the Legislative Assembly on the 28th March 1921.

- Questions.**—(b) (i) Accommodation provided in each class of quarter.
(ii) Furniture provided in each class of quarter.
(iii) Approximate cost of each class of quarter.

DELHI.

Answers.— (i) Timarpur (Old Delhi).

Europeans—

Married Superintendents	...	...	Semi detached quarters containing 1 living room, 1 pantry, 2 bedrooms and bath-rooms.
Single Superintendents	...	...	Hostel with common drawing and dining room, and 12 suites of a bed and bath-room each.
Married Assistants	...	...	Semi detached quarter containing 1 living room, 1 bedroom and 1 bathroom.
Single Assistants	...	...	Hostel with common drawing and dining room and 12 suites of a bed and bath-room each.

Indians—

'A' Class (Type 'A')	...	...	Semi detached quarter containing sitting room, 3 bedrooms, godown, kitchen, servants' quarter, latrine and courtyard.
'B' Class (Type 'B')	...	...	Semi detached quarter containing sitting room, 2 bedrooms, godown, kitchen, servants' quarter, latrine and courtyard.

New Delhi.

Europeans—

Class I	...	...	Living room, dining room, pantry, 3 bed rooms, and 4 bathrooms.
Class II	...	...	Semi detached quarter containing drawing room, dining room, pantry, 2 bedrooms and 2 bathrooms. An alternative plan contains 3 bedrooms and no dining room.
Bachelors	...	...	Hostels with common dining and drawing room and 18 suites of a bed and bath-room each. (Two suites have dressing rooms as well.)

Indians—

Type 'B'	...	...	...	Semi detached quarter containing living room, 3 bedrooms, 3 bathrooms, lavatory, kitchen, 2 servants' quarters, latrine and courtyard.
Type 'C'	...	...	...	Semi detached quarter containing living room, 2 bedrooms, kitchen, stores, 2 bathrooms, 2 servants' quarters, latrine and courtyard.
Type 'D' (Independent)	...	...	...	Semi detached quarter containing living room, 2 bedrooms, bathroom, kitchen, servants' quarters, latrine and courtyard.
Type 'D' (with E.)	...	...	...	Sitting room, 2 bedrooms, servants' quarters, kitchen, bathroom, latrine and large courtyard.
Type 'E'	...	...	...	Sitting room, 2 bedrooms, servants' quarters, kitchen, bathroom, latrine and courtyard.

A complete set of the plans is attached.

(i) Lists of furniture are attached.

(ii) *Old Delhi*

Cost per unit of accommodation.

				Rs.	Rs.
<i>Europeans—</i>					
Married Superintendents	...	...	...	3,335	say 3,350
Single Superintendents	...	...	...	1,567	„ 1,600
Married Assistants	...	...	...	2,931	„ 2,950
Single Assistants	...	...	...	1,563	„ 1,600
<i>Indians—</i>					
'A' Class	...	...	...	3,888	„ 3,850
'B' Class	...	...	...	3,185	„ 3,200

New Delhi.

				Rs.	
<i>Europeans—</i>					
Class I	...	...	...	9,800	
Class II	...	...	...	7,300	
Bachelors	...	...	...	3,000	
<i>Indians—</i>					
Type 'B'	...	...	...	8,200	
Type 'C'	...	...	...	5,100	
Type 'D' (Independent)	}	...	...	3,800	average.
Type 'D' with E.		...	...
Type 'E'	...	...	...	2,400	

Scale of furniture for European Clerks' Quarters—Timarapur.

Name of articles.					Nos. (For married Superintendents).	Nos. (For married Assistants).	Nos. (For single Superintendents and single Assistants).
Dining table	...	...	...	...	1	1	...
Chairs	...	...	...	...	8	6	2
Dresser	...	...	...	...	1	1	...
Side table	...	...	...	...	1	1	...
Dining Almirah	...	...	...	...	1	...	...
Easy Chairs	...	...	...	...	3	3	1
Writing Tables	...	...	...	...	2	1	1
Hanging hooks	...	...	...	set	1	1	1
Beds	...	...	...	...	4	3	1
Mattresses	...	...	...	...	4	3	1
Almirahs	...	...	...	...	2	2	1
Chest of drawers	...	...	...	...	1	1	1
Dressing Table	...	...	...	...	1	1	...
Mirror	...	...	...	...	1	1	1
Teapots	...	...	...	...	2	2	1
Washstands	...	...	...	...	2	1	1
Commodors	...	...	...	...	2	2	1
Tubs	...	...	...	...	2	2	1
Bath Boards	...	...	...	...	2	2	1
Towel Horses	...	...	...	...	2	2	1
Toilet sets	...	...	...	...	2	1	1
Hot Case	...	...	...	...	1	1	...
Kitchen Table	...	...	...	...	1	1	...
Pantry Table	...	...	...	...	1	...	...
Mentashes	...	...	...	...	2	2	...
Kitchen Almirahs	...	...	...	...	1	1	...
Door Mat	...	...	...	...	1	1	1
Rubbish Bin	...	...	...	...	1	1	...
Table Lamp	...	...	...	...	1	1	...
Durrie	...	...	...	...	...	...	1

Scale of furniture for Indian Clerks' Quarters—Timarapur.

Name of articles.					Nos. (For Type A.)	Nos. (For Type B.)
Chairs	...	...	...	...	8	6
Tables	...	...	...	...	4	3
Almirahs	...	...	...	...	3	2
Bath Tub	...	...	...	...	1	1
Bookshelf	...	...	...	...	1	1
Hanging hooks	...	...	...	...	4	4
Bath Board	...	...	...	...	1	1
Beds or	...	...	...	...	6	4
Takhtposh and	...	...	...	...	1	1
Beds ...	...	...	...	...	4	2

Scale of furniture in Class I, European Quarters—New Delhi.

Name of articles.					No. of articles issued.
Dining Table	...	...	...	...	1
Chairs	...	...	...	...	8
Dresser	...	...	...	...	1
Side Table	...	...	...	...	1
Dining Almirah	...	...	...	...	1
Easy Chairs	...	...	...	...	3
Writing Table	...	...	...	...	1
Book Case	...	...	...	...	1
Hat Pegs	...	...	...	...	1
Beds	...	...	...	...	3
Mattresses	...	...	...	...	3
Almirahs	...	...	...	...	2
Chest of drawers	...	...	...	...	1
Dressing Table	...	...	...	...	1
Mirror	...	...	...	...	1
Teapots	...	...	...	...	2
Wash-hand Stand	...	...	...	...	2
Commodore	...	...	...	...	2
Bath Tubs	...	...	...	...	2
Bath Boards	...	...	...	...	2
Towel Horse	...	...	...	...	2
Set of Crockery complete	...	...	...	...	2
Hot Case	...	...	...	...	1
Kitchen Table	...	...	...	...	1
Pantry Table	...	...	...	...	1
Meat safes	...	...	...	...	2
Kitchen Almirah	...	...	...	...	1
Electric Switches	...	...	...	...	...
Electric Bulbs	...	...	...	...	...
Electric Shades	...	...	...	...	...
Electric Plugs	...	...	...	...	...
Durries	...	...	...	...	...

Or according to requirements.

List of furniture of Class II, European Quarters—New Delhi.

Dining Table	...	...	...	...	1
Chairs	...	...	...	...	7
Dresser	...	...	...	...	1
Side Table	...	...	...	...	1
Easy Chairs	...	...	...	...	3
Writing Table	...	...	...	...	1
Book Case	...	...	...	...	1
Hat Pegs	...	...	...	...	1
Beds	...	...	...	...	4
Mattresses	...	...	...	...	4
Almirahs	...	...	...	...	3
Chest of drawers	...	...	...	...	2
Dressing Tables	...	...	...	...	2
Mirror	...	...	...	...	1
Teapots	...	...	...	...	2
Wash stand	...	...	...	...	2
Commodore	...	...	...	...	2
Tubs	...	...	...	...	2
Towel rail	...	...	...	...	2
Set of Crockery	...	...	...	...	2

Or according to requirements

Name of articles.					No. of articles issued.
Kitchen Table	...	...	...	...	1
Meatsafes	...	...	...	...	2
Kitchen Almirah	...	...	...	...	1
Durries	...	...	...	...	4
Pantry Table	...	...	...	...	1
Door mats	...	...	...	...	2
Bath Boards	...	...	...	...	3

Scale of furniture in all Raisina Quarters for Indians "C" "D" & "E."

Beds	...	...	...	...	4
Tables	...	...	...	...	3
Bookshelf	...	...	...	...	1
Tub	...	...	...	...	1
Chamber	...	...	...	...	1
Chairs	...	...	...	...	6
Almirahs	...	...	...	...	2
Hanging Hooks	...	...	...	...	4
Bath Board	...	...	...	...	1
Electric Switches	...	...	...	...	...
Electric Bulbs	...	...	...	...	...
Electric Shades	...	...	...	...	...
Electric Plugs	...	...	...	...	...

List of extra furniture supplied to the Indian Clerks of the Government of India and Army Headquarters from time to time, when required by them on payment of 1½ per cent per mensem on the capital cost of furniture.

Easy Chairs.	Commodors.
Chairs, Armed.	Towel Horses.
Writing Tables.	Bath Boards.
Dressing Tables.	Wash Stands.
Newar Beds.	Sets Crockery.
Almirahs, Shelf.	Mirrors.
Teapots.	Meatsafes.
Bookshelf.	Chest of Drawers.
Tubs.	Lounge Chairs.

Question.—(i) Number of quarters of each class built.

(ii) Are they more or less than the number required.

*Delhi.**Answers.—(i) Timarpur (Old Delhi).*

	No. built.	Total.
<i>Europeans.</i>		
Married Superintendents' Quarters	14	14
Single Superintendents' Quarters	12	12
Married Assistants' Quarters... ..	32	32
Single Assistants' Quarters	60	60
<i>Indians.</i>		
'A' Class Quarters	10	10
'B' Class Quarters	156	156

New Delhi.

	No. already built.	No. to be built to complete the sanc- tioned scheme.	No. held in abeyance.	Total.
<i>Europeans.</i>				
Class I	44	...	3	47
Class II	46	1	5	52
Class III	Nil	65	7	72
Bachelors	72	5	23	100
<i>Indians.</i>				
Type 'B'	18	3	5	26
		(European style)		
Type 'C'	34	{ 2 European style 1 Indian style }	11	48
Type 'D' (Independent)	102	...	50	152
Type 'D' (combined with E.)	512	...	52	564

(ii) The total number of Superintendents, Assistants and Clerks who will move down to Delhi during the ensuing cold season is about 1,359. The number of quarters (1,112) already built will, therefore, provide for about 82 per cent. of the staff.

Questions (b) and (c).—Simla.

Statement showing the number and estimated cost of and the accommodation provided in each class of quarter constructed at Simla for clerks of the Government of India Secretariat.

Class of quarters.	Number.	Accommodation.	Capital cost per quarter.	Remarks.
Europeans.				
Family quarters— Bangalows of various sizes at Kaitha.	17 divided into 44 units.	Varying from 2 to 5 main rooms in each unit.	Rs. { 3,08,855 = 7,020 each qr. 1,02,856 = 10,285 each qr.	Furniture. —No fixed scale is provided for family quarters, but articles ordinarily required are stocked for issue on hire to tenants requiring them.
Bangalows of various sizes at Patuandi.	4 divided into 10 units.			
Bemloe 'C' type (for Superintendent).	12 units	Bedrooms 3, living rooms 2, kitchen 1, pantry 1, W.C. 1, bath room 1, store 1.	14,968 each	The bachelors' quarters are furnished with plain necessities, such as beds, tables, chairs and bathroom furniture.
Bemloe 'D' type (for Superintendent).	4 units	Bedrooms 2, living rooms 2, kitchen 1, W. C. 1, bath room 1, store 1.		
Summer Hill—Class I (for clerks).	45 units	Bedrooms 3, living room 1, kitchen 1, pantry 1, W. C. and bath 1.	9,334 each	Note. —(i).—Sufficient experience has not yet been gained to say definitely which of the various types are most in demand, but the number of quarters as a whole is short of the number required. More quarters are in course of construction at Summer Hill in connection with the scheme sanctioned by the Secretary of State, and steps are being taken to prepare a supplementary scheme for building more quarters for Indian clerks.
Class II (for clerks)	4 units	Bedrooms 2, remainder as for class I	6,556 each	
Class III	None yet constructed	Bedroom 1, remainder as for class I	5,332 each	
Bachelors' quarters— Summer Hill barracks	105	Bedroom, living rooms, etc., are common.	3,048 each	
Indians.				
Family quarters— Dhar 'A' type	18 units	4 rooms, 1 servants' room, 1 kitchen, 1 store, 1 bath and W.C.	7,179 each	Note (ii). —The cost of each quarter as shown in col. 4 is approximately correct. No comparison can be made owing to the different circumstances under which the various types of quarters have been constructed.
" 'B' "	54 units	3 rooms, remainder as in 'A' type	5,751 each	
" 'C' "	51 units	2 rooms, remainder as in 'A' type	4,803 each	
Bachelors' quarters— Barracks on Cart Road	88 units	1 room, 1 bath and 1 latrine (45 kitchen for all).	1,259 each	
Dhar	12 units	1 room, 1 kitchen, and servants' quarters, 1 bath and 1 W. C.	2,778 each	

QUESTIONS AND ANSWERS.

CIVIL AND POSTAL ACCOUNTS OFFICES.

1. **Mr. M. K. Reddi Garu:** Will the Government be pleased to state—

- (a) If it is a fact that the Secretary of State has sanctioned a time-scale for the clerical service of the Civil and Postal Accounts offices with a minimum of Rs. 40?
- (b) If it is a fact that the minimum pay of the time-scale as introduced in the Accounts offices, located in Madras, has been reduced to Rs. 35 in the case of non-graduate clerks?
- (c) If so, why has this discrimination been considered necessary in the case of Madras alone?
- (d) Whether they propose to consider favourably the question of raising the minimum to Rs. 40 with retrospective effect from the date of introduction of the time-scale?
- (e) If it is a fact that some 80 persons in the lower grades of the Postal Accounts office at Madras lost sums ranging from Rs. 5 to Rs. 15 as a result of the time-scale referred to above?
- (f) If so, will the Government be pleased to state why the concession of percentage increases granted to the Civil Accounts offices to remedy this anomaly has not been extended to the Postal Accounts office?
- (g) Whether they propose to consider favourably the extension of a similar concession with retrospective effect from the date of introduction of the time-scale?

The Honourable Mr. W. M. Hailey: (a) The minimum pay of the normal time-scale sanctioned by the Secretary of State for the clerical service is Rs. 40 per mensem for Civil Accounts offices as well as for the Upper Division clerks in the Post and Telegraphs Accounts offices; but for the Lower Division clerks in the latter offices the minimum is Rs. 30.

(b) Yes.

(c) In sanctioning the normal time-scale, the Secretary of State authorised the Government of India to settle the details of the scheme; and the minimum rates of pay in the case of the different offices were fixed with reference to the relative cost of living in the several provinces and also to the rates of pay prevailing in the local Secretariats at the time. A lower minimum rate of pay than that allowed elsewhere was considered sufficient for Madras where living was comparatively cheap. The rate of Rs. 35 for non-graduate clerks in Madras was fixed after considering the recommendations of the Salaries Committee which sat in 1919 for considering the general rates of pay of clerks employed under the Local Government.

(d) There is no intention of raising the minimum pay of Rs. 35 to Rs. 40 with retrospective effect from the date of introduction of the time-scale, but the question of revision of the scale of pay in all Accounts offices is now under the consideration of the Auditor General.

(e) There were some cases of loss. The losses were, in the majority of cases, due to the withdrawal of war allowances in consequence of the revision of pay sanctioned from the 4th November 1919. This has been remedied

by the recent decision of the Government of India that war allowances, wherever drawn immediately prior to revision, may also be taken into account in regulating the grant of personal allowances.

(f) Because the percentage increases were granted only for offices which, as a whole, had not adequately benefited by the revision.

(g) As stated above, the question of a revision of pay in Accounts offices is under consideration, but it is unlikely that any concessions will be given with retrospective effect from the date of introduction of the existing time-scale.

MESSRS. SYDENHAM AND SMITH, RAILWAY OFFICERS OF EGMORE.

2. **Mr. M. K. Reddi Garu :** Will the Government of India be pleased to state if the Railway Board has received numerous protests—

- (a) against the transfer of Mr. Sydenham from Egmore on the ground that as Enquiry Officer he proved a success ;
- (b) against the retention of Mr. Smith as Station Master at such an important station as Egmore on the ground that he is rendering himself unacceptable to the travelling Indian public ;

and if so, what action has been or is proposed to be taken thereon ?

Colonel W. D. Waghorn : The replies to the Questions are—

(a) The Railway Board have received one letter on the subject and a reply was sent. The letter received covered copies of other letters said to have been addressed to the Government Inspector of Railways, Madras, and to the Agent, South Indian Railway.

(b) No representation has been received, but some of the other letters mentioned in (a) above referred to the Station Master.

As it appears that representations have been made to the Agent of the South Indian Railway who is the final authority in such matters, the Government do not propose to take any action.

SUPPLY OF SALT TO THE FRENCH GOVERNMENT AT PONDICHERY.

3. **Mr. M. K. Reddi Garu :** Will the Government be pleased to state—

- (a) the quantity of salt which is annually supplied to the French Government at Pondicherry ;
- (b) why it is that the salt is supplied to the Pondicherry Government by measure and not by weight ;
- (c) what (if any) is the amount of loss to the Government of India by supplying a heavy kind of salt to the French Government instead of light salt ;
- (d) if it is true that a maund of *light* salt has more of salt by measure than a maund of *heavy* salt ;
- (e) if it is a fact that what is known as 'black salt'—an inferior kind—is a very light salt and that it has a very large sale in the Madras markets ;

- (f) if it is not a fact that many of the factories which manufacture white salt in the Madras Presidency are being closed, since the heavy white salt cannot compete in the market with the light salt?

Mr. A. C. Chatterjee : (a) The average quantity is 50,000 mds.

(b) Salt is supplied to the French Government at Pondicherry by measure in accordance with a decision arrived at in 1873 which is described in paragraphs 310 and 311 of the Report of the Madras Salt Commission of 1876.

(c) The loss cannot be accurately ascertained as wastage has also to be taken into consideration. In the case of Karambalam salt sent to Pondicherry, the wastage during recent years has varied between 7.4 to 8.7 per cent.

(d) Obviously.

(e) Yes.

(f) So far as our information goes, no factory has been closed for this reason.

IMPORT OF SALT INTO INDIA.

4. **Mr. M. K. Reddi Garu :** Will the Government be pleased to state—

- (a) what is the quantity of salt that is being imported from England, Aden and other foreign countries annually, for the last ten years ;
(b) if it is a fact, that from some of the foreign countries, the salt is being carried to India, free of steamer freight ;
(c) if so, why ?

Mr. A. C. Chatterjee : (a) The Honourable Member's attention is invited to the Statement laid on the table in answer to Question No. 348 asked by Babu Braja Sundar Das on the 5th March 1921. The figures for 1920-21 are not yet available.

(b) and (c). The Honourable Member's attention is invited to the reply given to Question No. 523 asked by Mr. Manmohandas Ramji on the 21st March 1921.

SALE OF SALT MANUFACTURED IN BOMBAY.

5. **Mr. M. K. Reddi Garu :** (a) Is it a fact that a very large quantity of salt, manufactured in the southern parts of Bombay, finds a sale in the Madras Presidency, in preference to the salt manufactured locally ?

(b) If so, will the Government be pleased to enlighten the Assembly on this question ?

(c) Is it not a fact, that what is known as Gova black light salt finds a large market even in the city of Madras ?

Mr. A. C. Chatterjee : (a) Bombay salt is consumed in the Madras Presidency chiefly in the districts of Salem, Coimbatore, South Kanara and Malabar. There has been no marked increase in the import of Bombay salt in recent years.

(b) The people in these localities have acquired a taste for Bombay salt and prefer it to the Madras salt.

(c) The answer is in the negative.

TUTICORIN SALT.

6. **Mr. M. K. Reddi Garu :** (a) Is it a fact that Tuticorin salt finds a sale in Salem and the South Arcot Districts in preference to the salt manufactured in Cheyyur, Chunampet and Merkanam factories, which are very near to Cuddalore? If so, what is the reason?

(b) Is it a fact that Tuticorin salt is given a concession in railway freight from Tuticorin to Cuddalore and other places where that salt finds a sale? If so, what is the kind of concession granted and why is it granted?

Mr. A. C. Chatterjee : (a) The cost of production at Tuticorin is lower than in the places mentioned as the soil and the climate at Tuticorin are more suitable for salt manufacture and the brine supply is better. Tuticorin salt is lighter than the salt manufactured under the accretion system in the Cheyyur, Chunampet and Merkanam factories.

(b) The answer is in the negative.

DIFFERENCE IN MADRAS MEASURES OF VARIOUS KINDS OF SALT.

7. **Mr. M. K. Reddi Garu :** (a) What is the difference, in *Madras measures*, with reference to a bag of salt weighing two maunds between the salts manufactured at Goa and the surrounding districts of Bombay, Tuticorin salt, Cheyyur, Chunampet salt, and Ennore salt which is manufactured by the Government itself?

(b) In view of the larger quantity contained in a bag of light salt, what is the extra price demanded of the consumers of this salt for a bag of two maunds as compared with a bag of heavier kind of salt?

(c) Is not the extra price charged to the consumers, in the nature of an additional tax on them, and do not the proceeds from it go to the Government?

(d) Do Government propose to *legislate*, in order to remove this irregularity in the sale of salt?

Mr. A. C. Chatterjee : (a) The average number of Madras measures in a two-maund bag is as below :

Bombay and Goa salt	...	60 measures.
Tuticorin salt		53 measures.
Cheyyur salt		47 measures.
Chunampet salt	...	46 measures.
Ennore salt	... ..	48 measures.

(b) and (c). It is difficult to frame an accurate estimate of the additional cost on the consumer. The question is discussed in para. 17, Chapter VII of the Report of the Indian Salt Committee of 1904.

(d) The objections to legislation, enforcing the retail sale of salt by weight were fully stated in the Report of the Indian Salt Committee of 1904. The Government of India have at present no reason to believe that the difficulties then pointed out have lost any of their force. The question is a local one and perhaps the inconveniences alleged to be suffered by consumers could best be ventilated in the Bombay and Madras Legislative Councils.

POLICY OF GOVERNMENT IN MAKING JUDICIAL APPOINTMENTS.

8. **Lala Girdharilal Agarwala :** (a) Are persons who are wanting in judicial patience or courtesy or both, ever entrusted with the duties of administering justice in any Court of Law ?

(b) Before the appointment, confirmation or promotion of officers exercising judicial powers, is the question as to whether they have judicial patience or temper taken into consideration ?

(c) What is the policy of the Government on the subject ?

The Honourable Sir William Vincent : (a) Government are not aware of any instance of the appointment of such a person.

(b) Most judicial appointments in India are made by authorities other than the Government of India, and Government have no information as to the factors taken into consideration. They would not themselves appoint to a judicial post one who was known to them to be lacking in judicial patience and temper.

(c) The policy of Government in making judicial appointments is to appoint the best man available having regard to all the circumstances of the case.

PERSONS AWAITING TRIAL.

9. **Lala Girdharilal Agarwala :** (a) Are persons who are under investigation, inquiry or trial for any criminal offence, inconvenienced, ill-treated or disgraced in any way before decision as to their guilt or innocence ?

(b) Is it a fact that under-trial Europeans even when in custody are provided with a chair in Court, but Indians under similar circumstances have to stand or sit on the bare ground ?

(c) Do the Government propose to make it clear that no person before he or she is found guilty of any offence, be inconvenienced, ill-treated or in any way disgraced during investigation, inquiry or trial ?

The Honourable Sir William Vincent : (a) and (c). It is inevitable that persons accused of criminal offences should suffer a certain amount of inconvenience. Elaborate rules are, however, in force, the object of which is to protect such persons from ill-treatment and any unnecessary harassment both during investigation and when under trial, and the Government do not consider that any further instructions are necessary.

(b) Government have no information on this point.

INDIAN PRIVY COUNCIL.

10. **Dr. H. S. Gour :** (1) Is it a fact that both the Government of India as well as the Secretary of State have recommended the creation of an Indian Privy Council as an item of Constitutional Reform in India ?

(2) If so, why has not such Privy Council been yet created ?

(3) Do the Government intend to give effect to its own recommendations ? If so, when ?

(4) If the answer to part (3) be in the affirmative, do the Government intend to take the Assembly into their confidence with a view to securing it sufficient representation ?

The Honourable Sir William Vincent: In paragraph 287 of the Montagu-Chelmsford Report, the institution of a Privy Council for India was recommended. Official opinion upon the proposal was lukewarm and non-official opinion mostly adverse. The proposal was, however, supported to the Secretary of State, somewhat hesitatingly, by the Government of India in paragraph 119 of their first despatch on Indian Constitutional Reforms. The recommendation is not embodied in the Government of India Act, as it would have been if the proposal was to be carried into effect, and no further action in this matter is now proposed.

As the Honourable Member is interested in this matter, he may perhaps like to refer to section 11 of the British North America Act, 1867, which provided for the establishment of His Majesty's Privy Council in Canada. Similar provisions have not been included in recent Acts governing the administration of other British Dominions, and Privy Councils have not been established therein.

Mr. N. M. Samarth: May I know if it is not a fact that the Joint Parliamentary Committee on the Government of India Bill rejected that proposal?

The Honourable Sir William Vincent: From the fact that no provisions on this point have been included in the Act, I should be inclined to think that the Honourable Member is correct.

COUNCIL SECRETARIES.

11. Dr. H. S. Gour: (a) Is the Government aware of the recommendation of the Joint Parliamentary Committee embodied in S. 43A of the Government of India Act favouring the appointment of Council Secretaries?

(b) Is it the intention of Government to recommend to the Governor General to appoint such Secretaries?

(c) If so, how many and when?

(d) Before doing so, do the Government propose to take the Assembly into its confidence?

The Honourable Sir William Vincent: (a) Yes.

(b) (c) and (d). The intention of the Joint Select Committee as regards this provision in the Act is indicated by its remarks on clause 29 in its Report on the Government of India Bill. The provision is entirely a permissive one, and the matter is left entirely to the discretion of His Excellency the Governor General. The Government of India have deferred making any recommendation to His Excellency on this question until further experience has been gained of the working of the new constitution.

KING'S COUNSEL IN INDIA.

12. Dr. H. S. Gour: (a) Is the Government aware of any proposal to create King's Counsel in India?

(b) If so, will the Government be pleased to state when such Counsel are to be created and how are members of the Bar to be selected for that purpose?

The Honourable Sir William Vincent: The question of appointing King's Counsel in India is under the consideration of Government.

The subject is, however, affected by the work which the proposed King's Counsel will be able to undertake, and as this question is raised by the proposal to constitute an Indian Bar upon which Local Governments and legal bodies have been consulted the decision of the question of appointing King's Counsel has been postponed, pending the consideration of the replies in that case.

ANSWERS TO QUESTIONS OF NON-OFFICIAL MEMBERS.

13. **Mr. K. Ahmed:** (i) Are the Government aware that Members in charge of the Government Departments reading Answers to Questions put by the Non-official Members of the House do not always give straightforward and accurate information?

(ii) Is it a fact that sometimes Members put Supplementary Questions and the Official Members in order to avoid properly answering them ask for notice of them?

(iii) Do Government propose to observe a popular principle of answering Questions giving straightforward and accurate information in the public interest?

(iv) Will the Official Member of each and every Department give complete and satisfactory Answers instead of asking for notice of Supplementary Questions put to them by the Non-official Members?

The Honourable Sir William Vincent: I am in some difficulty about this Question. I have received no information yet from the Secretary of the Assembly if it has been admitted by the President. At the same time, it is included in the Agenda Paper, and I can only presume that it has not been disallowed. In the circumstances, I am not quite clear what my position is with regard to the Question, and I shall be glad if the President will be good enough to explain it to me.

The Honourable the President: The Question has not been disallowed, and though, as Members will see, it might be the subject of disallowance, I have not disallowed it on the ground, that I thought that it dealt with matter on which decisions had better be taken from the Chair in public rather than by disallowance *sub silentio*. I, therefore, propose to say something regarding Question No. 13 at the end of the question hour.

NEW DELHI (COST OF AND DISPOSAL OF BUILDINGS).

14. **Mr. M. K. Reddi Garu:** (a) What is the total amount spent on the construction of the part of Delhi where the present Viceregal Lodge and the present Secretariat offices are located?

(b) In how many years was this part of Delhi completed?

(c) What is the cost of the present Secretariat office buildings?

(d) By whom were they designed and constructed, i.e., whether by the Public Works Department or by any established private firm of Engineers?

(e) In how many months were they completed?

(f) Will the Government be pleased to state how these buildings in this part of Delhi are to be utilized when all the Government of India offices are removed to Raisina or the Imperial City?

Colonel Sir S. D'A. Crookshank : (a) I am afraid the Question is not sufficiently precise to enable me to answer it exactly. The initial expenditure incurred up to the end of the year 1912-13 in connection with the provision of temporary accommodation for the Government of India at Delhi, pending the construction of the New Capital, was Rs. 51.33 lakhs. Since then, and up to 1920-21 inclusive, the total expenditure on Civil Works in the Delhi Province, excluding the Viceregal Estates on which a total of Rs. 14.83 lakhs has been spent since 1911, is approximately Rs. 153 lakhs which, however, includes the cost of maintenance and repairs and any additional works undertaken during that period.

(b) As indicated above, the main construction work was commenced and completed in 1912-13.

(c) The total cost of the temporary buildings now used as the Secretariat was about Rs. 14,75,000.

(d) They were designed and constructed by the Public Works Department.

(e) The original portion which contained less than half the present accommodation cost about Rs. 7,74,000 and took seven months to construct.

(f) No final decision has been arrived at yet, but it has been suggested that after making such portions of the buildings, as it is worth while, suitable for occupation throughout the year, the Postal Audit Staff, which numbers 500 and is now located in rented premises, should be accommodated in the buildings. It is also contemplated that the District and Sessions Court, now in a residential bungalow, and other local offices now housed in temporary structures should also be accommodated on the premises. Those portions of the buildings which are worth making suitable for use in the hot weather would be fully required in this manner and, one way and another, all portions will be utilized.

NEW DELHI (METHOD OF CONSTRUCTION).

15. **Mr. M. K. Reddi Garu :** (a) How is the construction of New Delhi carried on at present, i.e., is the construction carried on by the Government departmentally or by any private firm of contractors?

(b) If it is done by any private firm of contractors, are the works given to them by open tender or by any other procedure?

(c) How many contractors are there at present working at Raisina?

(d) If the construction were carried out by the Government itself departmentally, what would be the saving effected in the estimate, and if not, what would be the excess charged over the estimate?

(e) Is it not a fact, that the carrying on of works departmentally by the Public Works Department generally ends in excess over the estimate?

(f) Has this not been generally the rule even in the pre-war days?

Colonel Sir S. D'A. Crookshank : (a) The construction is almost entirely carried out by contractors under the supervision of the Public Works Department. The only exception in the case of a large work was in respect to

the Members' hostels at Raisina which were started departmentally and completed by contract when a suitable contractor was found to take up the work. Some petty works have also been carried out departmentally, but this method of executing work is not favoured and has seldom been adopted.

(b) It is the universal practice to call for open tenders for a work of any magnitude and the very few exceptions where this method has not been followed have been due to special circumstances which had arisen.

(c) From the commencement up to the present time, 260 contractors' names have been recorded. By no means all have been successful tenderers. Ignoring petty contractors, there are about 30 contractors carrying out works. The number varies from time to time.

(d) Owing to the ever changing conditions, it is not possible to give any precise figures of cost by adopting different methods of execution of work, but past experience goes to show, that no savings would be effected on the estimates if Government were to carry out the work departmentally, and, on the contrary, it is more than possible that considerable excesses would be incurred on account of departmental agency. The Government of India are fully assured that the arrangements in force are economical and satisfactory.

(e) and (f). It is presumed, that by carrying out works departmentally, the Honourable Member means the direct employment of labour by the Public Works Department. This method is seldom used in most provinces, except where reliable contractors are not forthcoming or are unwilling to undertake the work. The execution of works by contractors, working under the supervision of the Public Works Department, is a method almost exclusively employed. It cannot be said that either system definitely leads or has led to excesses over estimates since an excess would be due to a number of causes, such, for example, as alterations or fluctuations, delayed grants and other adverse circumstances, but departmental agency is troublesome and expensive, and is, therefore, not favoured.

CONSTRUCTION PRACTICE IN ENGLAND.

16. **Mr. M. K. Reddi Garu:** (a) What is the practice in England, as regards the construction of Government buildings?

(b) Is it true, that the construction of Government buildings is invariably entrusted to some established Firm of Contractors who employ certified Engineers and other subordinate staff for supervision?

(c) Is it true, that as a result of this practice, the Government in England does not run such a large costly staff of officers as we do here?

Colonel Sir S. D'A. Crookshank: (a) The construction of Government buildings in England, *i.e.*, those constructed for, and belonging to, the Crown, in contra-distinction to those carried out by, and belonging to, local authorities, is undertaken under the direction of His Majesty's Office of Works.

(b) Such Government buildings are generally provided, in accordance with plans prepared by the Office of Works, by contractors for a lump sum or in certain cases on a schedule of prices or both. In some cases, the works are carried out by direct administration, but this is usually when the work is a small one.

(c) The Office of Works itself employs a costly staff of architects, surveyors and experts who supervise the execution of the work as well as prepare the plans. Owing to the diversity of authorities who undertake works, which in India would be classed as Government works and executed by the Public Works Department, it is impossible to compare either the size or the cost of the staff employed in the two countries.

CONSTRUCTION AND SUPERVISION OF WORKS.

17. **Mr. M. K. Reddi Garu :** (a) Has there not been a move in India in the direction of placing all construction and supervision in the hands of established and recognised firms of Engineers, and thus of effecting retrenchment in the Public Works Department?

(b) Is it not true, that in connection with this scheme, it has been suggested, if possible, to remove the long chain of staff from the Executive Engineer downwards?

(c) If so, would not such a procedure effect a great saving in the construction of New Delhi?

Colonel Sir S. D'A. Crookshank : (a) The method of carrying out public works is mainly a matter for determination by Local Governments. In addressing Local Governments on the subject matter of the Public Works Department Re-organization Committee's Report, the Government of India concurred in the findings of this Committee for the further encouragement of private enterprise in respect to the construction of public works by established Engineering Firms, by a more extensive adoption of the system of lump sum contracts for complete works. The findings of the Committee, however, showed that the number of reliable contractors employing a qualified staff was extremely limited, and even when such contractors are available and willing to undertake work, it is by no means certain that savings would result, as higher rates than at present obtain would be demanded by firms to cover their own charges for establishment and tools and plant. The Committee did not contemplate any immediate retrenchment in the cost of the Public Works Department by the adoption of the proposal.

(b) One of the intentions of the Committee's recommendations was to relieve, as far as possible, the Government staff of certain executive duties in connection with the construction of buildings, but not of its essential duties of design and supervision for which, even under the methods proposed, it would be necessary to maintain a permanent staff of technical advisers and supervising engineers or surveyors corresponding to the executive officers of the Public Works Department—moreover, a large permanent staff of subordinates will always be required for the execution of small works, repairs and maintenance of roads and buildings which cannot satisfactorily be carried out by the methods contemplated.

(c) Far from any saving being effected in the construction of New Delhi by the adoption of the procedure suggested by the Honourable Member, even if it were possible of introduction, it is roughly computed, that the extra cost would have amounted to about 100 lakhs of rupees and the Government of India are satisfied that the most economical method of carrying out the work has been adopted.

STERLING LOAN.

18. **Mr. E. L. Price :** Will Government be pleased to state—

- (a) why the Secretary of State issued in April, 7½ millions sterling loan instead of the 5 millions proposed and approved in March in this Assembly ;
- (b) whether the terms of that loan were fixed in consultation with the Government of India or without such consultation ;
- (c) whether the Government of India approved the terms before the loan was announced ;
- (d) whether the rapidity with which the loan was over-applied for does not seem to indicate that the terms were more generous to the investing public in London and more costly to the taxpayer of India than the necessities of the situation required ?

The Honourable Mr. W. M. Hailey : (a) Under the powers given to the Legislative Assembly under the Government of India Act, expenditure from loan funds, like other expenditure, is (unless specially excepted) subject to the vote of the Assembly, but the actual raising of the capital resources required to meet the ways and means liabilities of the year is a matter for the discretion of the Executive Government. Having regard to the level of exchange prevailing at the time the loan was floated, it was considered desirable that as much as possible should be borrowed in sterling to meet the capital liabilities of the year falling due abroad for railway purposes, which amount to about £11 million in the current year.

(b) No. The circumstances in which the Government of India could not be consulted before hand about the terms of the loan is stated in the Finance Department letter No. 1529-F., dated 17th May 1921, to the Bombay Chamber of Commerce, a copy of which is laid on the table.

(c) This does not arise.

(d) That is a matter of opinion.

Letter to the Secretary, Bombay Chamber of Commerce, Bombay, No. 1592-F., dated the 17th May 1921.

I am directed to reply to your letter No. 926-159, dated the 5th May 1921, in which your Committee inquire whether the Government of India were consulted by the Secretary of State regarding the amount, date of issue and other details of the recent sterling loan. The answer to your Committee's question is in the negative. I am to enclose a copy of a letter, dated the 17th May, which has been addressed to the Indian Merchants' Chamber and Bureau, Bombay, in reply to a lengthy representation from that body regarding the sterling loan. Your Committee will obtain from that letter a general idea of the conditions which have existed recently in the London money market. Those conditions did not, on this occasion, admit of previous consultation with the Government of India, as the precise moment of issue and the final settlement of the terms had to be deferred until the exact moment

arrived when conditions appeared to make flotation possible, and it would have been very undesirable to let that favourable moment pass by, as might have been the case if the matter were delayed in order to make a reference to India. It is, however, the intention of the Secretary of State to consult the Government of India, so far as is practicable, before taking any final decision in such a matter; but similar obstacles to effective consultation are always liable to recur.

STATEMENTS OF REVENUE AND EXPENDITURE.

19. **Mr. E. L. Price:** Do Government propose to consider the advisability of issuing monthly or quarterly statements of Revenue and Expenditure, such returns being made on a basis comparative with the Budget Estimates?

The Honourable Mr. W. M. Hailey: A Statement showing the civil revenue and expenditure as well as the receipts and disbursements of the Central Government in India during and up to the end of the month is published in the *Gazette of India* about the third week of the following month. The Statement shows the budget estimate of the current year and compares the monthly and progressive figures with the corresponding actuals of the previous year. A copy of the Statement last published is being sent to the Honourable Member; it probably contains most of the information which he has in mind.

(Question No. 20 was withdrawn.)

DEBT OF HOME GOVERNMENT TO THE UNITED STATES OF AMERICA.

21. **Mr. E. L. Price:** Will Government be pleased to state whether the sum of 122,000,000 dollars referred to in the House of Commons on 29th April 1921, is a debt due to the Government of the United States of America for which the Government of India is directly or indirectly responsible?

The Honourable Mr. W. M. Hailey: I lay on the table the full text of Commander Hilton-Young's reply, to which the Honourable Member refers. He will see therefrom that the debt is one owed to the United States by the Home Government, India having already paid the latter in sterling.

HOUSE OF COMMONS.

Thursday, 28th April 1921.

SILVER DOLLARS (PURCHASE).

Mr. Gwynne asked the Secretary of State for India whether, under the terms of the sale of \$122,000,000 of silver by the United States Government, under the Pittman Act, the British Government have, in addition to paying interest on the value at 5 per cent. until repayment, to grant the Federal Banks an annual rupee credit not exceeding £7,000,000 at 48½ cents per rupee; whether the British or Indian Treasury is responsible for these repayments; and whether the loan was negotiated by Lord Reading, and if not, by whom?

Mr. Young: Payment for silver dollars, purchased from the United States Government by the British Government during the War for shipment to India, was made by the British Government out of the British Treasury Account in New York, the Indian Government repaying the British Treasury in sterling. To the extent of, approximately \$ 122,000,000, the money

required to effect the purchase was provided out of the proceeds of loans from the United States Government. Arrangements were made by the British Treasury in 1920 for repaying this sum of \$122,000,000 in instalments, terminating in 1924, together with 5 per cent. interest as part of the arrangement for repayment, and, pending complete repayment, the United States Government has been given, by arrangement with the Indian Government, an option, to be exercised through the Federal Reserve Bank of New York, to purchase rupee credits at 48½ cents per rupee, to amounts not exceeding 7 crores a year. The dollars received in payment for such rupee credits would be applied to reduction of the outstanding balance of the \$122,000,000. The British Treasury is responsible for the dollar payments and for repaying to the Indian Government the sterling equivalent of any dollars that may be received in payment for rupee credits.

Mr. E. L. Price: Can the Honourable Member say, why the name of India was introduced in this connection?

The Honourable Mr. W. M. Hailey: No, Sir, I have no information on that point.

EXPORT DUTIES ON HIDES AND SKINS.

22. Mr. E. L. Price: Will the Government be pleased to state, with reference to the Preferential Export Duties on Hides and Skins and Notifications Nos. 3084 and 3086 of 16th April, 1921:

- (a) whether it is realised that the amount of the export duties payable depends wholly on the schedule values declared by Government from time to time;
- (b) whether Government will undertake not arbitrarily to increase the amounts payable by raising the schedules without notice?
- (c) whether in the case of schedules being raised, Government will give shippers a period of grace for the shipment of outstanding contracts made and calculated on the basis of the then existing schedules?

Mr. C. A. Innes: (a) and (b). The answer is in the affirmative.

(c) It has been decided, that in future, the procedure that at present governs re-valuations for import duty will be followed in re-valuations of hides and skins. That is to say, the existing valuations will be re-examined by the Director-General of Commercial Intelligence in October each year and discussed with Customs authorities and Chambers of Commerce. The new valuations will be notified on the 1st of January and will hold good for twelve months from that date. This procedure will give practically the two months' notice asked for by the trade.

PAY OF THE LASCARS OF THE ORDNANCE DEPARTMENT.

23. Mr. Harchandrai Vishindas: (a) Has the attention of Government been directed to the inadequacy of the present pay of the Lascars of the Ordnance Department with reference to the present high prices of living, and the consequent discontent among them?

(b) Has the notice of Government been attracted to the fact that whilst in British services this class (falling within the category of storemen)

gets higher pay than men of fighting units, the reverse is the case in India where the latter get higher pay than the former?

(c) Has Government received any representation on the subject?

(d) If so, have Government taken any action in the matter?

(e) Do Government propose so to enhance the pay of the aforesaid lascars as to bring them into line with the men of fighting units and to compensate them for the heavier cost of living?

Sir Godfrey Fell: (a) Yes.

(b) The Government of India are aware of the facts stated. But there is no real anomaly, as the conditions of service of the two classes are different. The storeman in the British service is required to possess a good general knowledge of the equipment and stores dealt with by the Army Ordnance Department, and sufficiently high educational qualifications to fit him for his duties. The lascar, on the other hand, has not the same educational qualifications and he works under European supervision. Though classed as a combatant, he is not called upon to undergo the risks to which the fighting man is ordinarily exposed. At the same time, arsenal work nowadays requires better education than formerly, and the necessity of encouraging a better qualified class of men to join the department is recognised.

(c) Yes.

(d) The representations are still under consideration.

(e) The question of improving the rates of pay of the lascars of the Ordnance Department is under consideration.

ALLOWANCES OF THE MEMBERS OF THE STAFF SELECTION BOARD.

24. **Mr. M. K. Reddi Garu:** (a) Is it a fact that the Members of the Staff Selection Board receive about Rs. 30 each, as a sort of allowance for each day of the Board's Meeting?

(b) If so, to which item of expenditure in the Budget is the amount to be charged?

The Honourable Sir William Vincent: (a) The non-official Members of the Board receive an allowance of Rs. 32 a day for each day during which they are employed on the work of the Board. Official Members receive no such allowance.

(b) Owing to an oversight, no provision for the expenditure of the Board was included in the Budget Estimates. The matter was accordingly referred to the Standing Finance Committee at its first meeting in May of this year, and the Committee agreed to recommend a Supplementary Grant for this purpose. This demand will be placed before the Assembly during the present Session.

SELECTIONS BY THE STAFF SELECTION BOARD.

25. **Mr. M. K. Reddi Garu:** Will the Government be pleased to lay on the table information as to—

(a) how many candidates have till now been chosen by the Staff Selection Board;

- (b) how many have been chosen from each Province ;
 (c) how many of those selected, have till now been absorbed into the service (according to Provinces) ;
 (d) how many of those selected from the Madras Presidency and taken into the Imperial Service by the Selection Board are Brahmins and how many are non-Brahmins?

The Honourable Sir William Vincent : (a) 217 outside candidates and 457 Departmental candidates.

(b) Of the outside candidates, the number from each Province was as follows :

Bengal	...	...	...	...	33
Bombay	...	...	...	...	21
Delhi	...	...	...	...	41
Madras	...	...	...	...	25
Punjab	...	...	...	...	72
United Provinces	...	...	...	...	25
Total					217
(c) Bengal	...	...	...	...	8
Bombay	...	...	...	...	2
Delhi	...	...	...	...	18
Madras	...	...	...	...	5
Punjab	...	...	...	...	28
United Provinces	...	...	...	...	5
Total					66

These figures relate to outside candidates. 26 men have also refused appointments offered to them.

(d) Three were non-Brahmins and two were Brahmins.

ARTICLE IN 'NEW INDIA.'

26. **Mr. M. K. Reddi Garu :** Will the Government be pleased to state—

- (a) if their attention has been drawn to the article headed ' Professions and Practices ' which appeared in the 5th March issue of the *New India* ;
 (b) if it is a fact that the Imperial Bank of India have advertised for Bank Assistants in the *London Times* ?

The Honourable Mr. W. M. Hailey : (a) and (b). The answer is in the affirmative.

PAY OF GOVERNORS OF THE IMPERIAL BANK.

27. **Mr. M. K. Reddi Garu :** Will the Government be pleased to state if it is a fact that two of the Governors of the Imperial Bank are paid Rs. 10,000 a month each, with free quarters and other allowances ?

The Honourable Mr. W. M. Hailey: I understand that the salary of the Managing Governors has been fixed for the present at Rs. 8,000 per mensem free of income-tax, but that Sir Norcott Warren and Sir Robert Aitken have been given a personal allowance of Rs. 2,000 in addition. The Managing Governors are provided with a furnished house in Bombay and Calcutta, respectively, and are entitled to a house allowance of Rs. 1,000 per mensem when absent from the place in which they are given a house. I am not aware that they are drawing any other allowances.

INDIAN GOVERNORS OF THE IMPERIAL BANK OF INDIA.

Mr. M. K. Reddi Garu: Will the Government be pleased to state—

- (a) the object with which they have nominated Indians as Governors of the Imperial Bank ;
- (b) whether it is not their duty to look after the welfare of the Indian Mercantile Community ;
- (c) and if so, how far have they discharged their duties at present ?

The Honourable Mr. W. M. Hailey: (a) and (b). Those Governors of the Imperial Bank who are nominated by the Governor General in Council may be either European or Indian. The object of having nominated Governors is in order that they may safeguard the interests of the general taxpayer as a whole, and not those of any particular section of the community ; the Governor General in Council nominated those persons whom he thought most suitable to perform that duty.

- (c) Does not arise.

CHANGE OF PROVINCIAL CAPITAL.

29. **Lala Girdharilal Agarwala:** (a) With reference to the Reply* given on 28th March 1921, to my Question No. 630, will the Government state whether there is any precedent for the Provincial Government and Provincial Council to give up the Capital City to all intents and purposes without the approval of the Imperial Government ?

(b) Have the Government of India any control over the Provincial Government if the Provincial Government want to change or abandon the Capital City of the Province to all intents and purposes ?

(c) Will the Government kindly lay on the table the correspondence referred to in the Answer to my said Question No. 630 and the decision of the Government of India that though the Capital of the United Provinces should remain at Allahabad, the Local Government should reside in Lucknow for some portion of each year ?

The Honourable Sir William Vincent: (a) There is no precedent, so far as I am aware, for any change of the capital of a Province being made without a reference to the Government of India.

(b) The question has not yet definitely arisen. If it becomes necessary to decide it, the orders of the Governor General in Council will be taken under Devolution Rule 4.

* *Vide* Legislative Assembly Debates, Volume I, pages 1053-54.

(c) The correspondence dealt largely with questions not now in issue. So far as the present question is concerned, the point of the correspondence was sufficiently indicated in Mr. O'Donnell's Answer to which the Honourable Member refers. The correspondence is further confidential and I am unable to lay it on the table.

RAILWAY CONNECTION AT ETAH CITY.

30. **Lala Girdharilal Agarwala:** Are Jalesar Town and Etah City connected by rail? If not, do the Government propose to have them so connected by a State Railway or to encourage private enterprise for the purpose?

Colonel W. D. Waghorn: Jalesar Town and Etah City are not connected by rail. The scheme for such a connection has not been so far considered except as a part of the Kasganj Agra Railway project, and until the financial prospects of the portion between Jalesar Town and Etah City have been separately examined, Government are not in a position to decide on the question of its construction.

JUDGESHIPS AND OTHER JUDICIAL APPOINTMENTS.

31. **Lala Girdharilal Agarwala:** Will the Government be pleased to lay on the table a Statement showing, Province by Province, the number of Indians and Europeans filling the following posts permanently or temporarily :

- (a) Chief Justices of High Courts, Chief Judges of Chief Courts and Judicial Commissioners;
- (b) High Court Judges and Judges of the other highest Courts in India other than Chief Justices and Chief Judges;
- (c) District Judges;
- (d) Registrars of High Courts, or other highest Courts in India?

The Honourable Sir William Vincent: A Statement, compiled from the civil lists dated the 1st April 1921, is laid on the table; I would point out, that the information was all available in the civil lists and could have been readily compiled by the Honourable Member himself.

ARREARS OF WORK IN HIGH COURTS, ETC.

32. **Lala Girdharilal Agarwala:** (a) Will the Government be pleased to lay on the table a Statement showing the arrears of judicial work in the High Courts and other highest courts in India?

(b) Do the Government propose to employ additional Judges and staff to deal with the arrears?

(c) Do the Government propose to take early steps to equalize the number of Indians and Europeans holding the posts of (a) Chief Justices, Chief Judges, Judicial Commissioners, (b) Judges of the High Courts and other highest Courts, (c) District Judges, (d) Registrars of High Courts and other highest Courts?

The Honourable Sir William Vincent: (a) A Statement, showing the number of the pending cases on the 1st January 1921 in the Calcutta High Court, is laid on the table. As regards the other High Courts, the Government

of India are not primarily concerned, and information regarding them should be sought in the Legislative Council concerned.

(b) The Government of India have under consideration certain proposals for the appointment of additional Judges to deal with the arrears in the Calcutta and Punjab High Courts.

(c) The Governor General in Council is primarily concerned only with the appointment of acting and additional Judges of the Calcutta High Court, additional Judges of other High Courts, and Judges of the Chief Court of Lower Burma. For by far the greater number of the appointments referred to the policy as regards future appointments will be determined by Local Governments. It appears, however, from the Statement furnished in reply to Question No. 31 answered to-day that on the 1st April 1921 the number of Europeans actually on duty in high judicial appointments of the rank of District and Sessions Judge and above was as to the number of Indians as 154 : 106. The authorities responsible accordingly appear to be sufficiently determined to extend the employment of Indians in these posts.

Statement showing the number of the pending cases on the 1st January 1921 in the High Court, Calcutta, under certain heads.

APPELLATE SIDE.						ORIGINAL SIDE.			REMARKS.
CIVIL.			CRIMINAL.			—			
First appeals.	Second appeals.	Miscel- laneous.	Appeals.	Refer- ences.	Revi- sion.	Original suits.	Insolvent cases.	Miscel- laneous.	
523	4,050	1,204	62	9	118	4,530	1,046	220	

Rao Bahadur T. Rangachariar: May I draw your attention to the latter portion of the first Answer saying that information should be sought for from the Provincial Governments? That is a matter for the President, I thought.

The Honourable the President: If an Honourable Member points out that the Question refers to a matter which is not directly the concern of the Governor General in Council, it is the business of the President to rule it out of order. But, in this case, I understood from the Honourable the Home Member, that only one part, and that a comparatively small part, was not within the province of the Government of India and, therefore, the Government of India was called upon to answer the Question.

LANGUAGE EMPLOYED IN COURTS.

33. Lala Girdharilal Agarwala: (a) In how many High Courts and other highest Courts in India is court business transacted in the language of the people?

(b) How much money was spent throughout India in the various High Courts and other highest Courts in translation and printing during the last five years?

(c) What is the average duration of a first appeal in which papers are translated and printed in each Court?

(d) How many Chief Justices, Chief Judges, and other Judges of the highest courts in India in each Province are able to understand the language of the people?

(e) Is it not possible to constitute Benches in High Courts and other highest courts with at least one Indian in every court?

The Honourable Sir William Vincent : (a) The Government of India believe that English is the court language of all the High Courts, the Lower Burma Chief Court and the Judicial Commissioners' Courts.

As regards parts (b) to (e) of the Question, the Government of India are only directly concerned with the Calcutta High Court, information in regard to which, so far as available, is given below.

(b) The exact figures for the years in question cannot be given without unreasonable expenditure and delay. The figures given below are based on averages and relate to all classes of Civil Suits in, and Appeals to, the Calcutta High Court during the last five years without reference to individual cases and must be regarded as approximate amounts.

The approximate amounts spent during the last five years on account of translation and printing are as follows :

	Appellate Side.		Original Side.
	Rs.		Rs.
Translation and Interpretation ...	2,44,000	...	2,15,000
Printing ...	3,92,000	...	1,88,000

No figures are available as regards criminal cases.

(c) The average duration (i.e., from filing until disposal) of First Appeals on the Appellate Side in 1920, was 656 days in the case of First Appeals from Decrees and 260 days in the case of First Appeals from Orders. As regards appeals from a Judge on the Original Side for the same period, the average duration was 174 days.

(d) Nine Judges of the Calcutta High Court are able to understand some of the languages of the people.

(e) The constitution of the various Benches in the Calcutta High Court is entirely within the discretion of the Honourable the Chief Justice, who has to take into consideration the state of the Lists and the requirements of the Court.

BOARDS OF REVENUE.

34. Lala Girdharilal Agarwala : (a) Do the Government propose to abolish the Boards of Revenue at an early date and transfer the executive functions of the Boards to Provincial Governments and its judicial functions to the High Courts or other highest civil courts?

(b) Will the Government be pleased to lay on the table the correspondence and opinions on the subject referred to in the Answer* given to my Question No. 629 on 28th March 1921, with further correspondence and the decision of the Government of India, if any?

The Honourable Sir William Vincent: (a) It is assumed that the Honourable Member refers to the Board of Revenue in the United Provinces.

The question of transferring the Board's executive functions is the subject of correspondence with the Secretary of State, and Government are not in a position to make a statement on the subject.

The question of transferring its judicial functions is not at the moment before the Government of India. It is understood that the Government of the United Provinces is consulting representative opinion in those provinces on the matter.

(b) The correspondence referred to in Mr. O'Donnell's Answer of the 28th March was the letter from the Government of the United Provinces recommending the transfer of the Board's executive functions. As the matter is under the consideration of the Secretary of State, it is not now possible to publish it or the despatch of the Government of India on the subject, or to state the decision of the Government of India.

The opinions on the transfer of the Board's judicial functions have not been received by the Government of India.

MILITARY TRAINING OF INDIANS.

35. Lala Girdharilal Agarwala: What practical steps have been taken in India for giving military training to Indian subjects as is given to Europeans in Self-governing countries as promised by the Government on 17th February 1921, in answer to my Question No. 125?

Sir Godfrey Fell: As the Honourable Member is aware, the object of the Indian Territorial Force Act, which was passed in September 1920, is to provide an organisation in which persons, other than European British subjects, can be enrolled and can undergo periodical military training. The draft rules framed under this Act were published for criticism in March last. They have now been revised in the light of the criticisms and suggestions received, and were published in the Gazette of India, dated the 5th August 1921. Notifications have been issued constituting the following units:

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 in each of the following provinces:—United Provinces, Madras, Bengal, Bombay and Burma and two Territorial Battalions in the Punjab.

The creation of this Force affords opportunities to Indians, other than those who wish to enlist in the regular army, to receive military training which will fit them to share in the military burden of the Empire and in particular, the defence of India.

GRAZING FEE IN CANTONMENTS.

36. Lala Girdharilal Agarwala: Will the Government please lay on the table a Statement showing :

- (i) (a) The grazing fee per cattle fixed by every Cantonment in the beginning, and
- (b) In what year in each Cantonment was it first imposed?
- (c) What was the number of cattle *then* in every Cantonment?
- (d) What was the area of land in acres, reserved for grazing purposes in each Cantonment then?
- (e) How much total fees were *then* realised?
- (f) What was the civil population of every Cantonment in the year the fee was first imposed?
- (ii) (a) How much total fees are realised *now* in each Cantonment?
- (b) What is the area of land in acres reserved for grazing *now* in every Cantonment?
- (c) What is the number of cattle *now* in every Cantonment?
- (d) What is the civil population of every Cantonment *now*?
- (e) Is the grazing fee per cattle the same as originally fixed or has it been lowered or enhanced in different Cantonments since its introduction?

Sir Godfrey Fell: Sir, I find myself in the same difficulty with regard to this Question as the Honourable Home Member found with regard to Question No. 18. I have received no intimation yet from the Secretary of the Assembly that this Question has been admitted by the President. At the same time, it is included in the Question Paper, and I can only presume that it has not been disallowed. I should be glad if you, Sir, could afford me some guidance as to what I should do.

The Honourable the President: The Question has not been disallowed. I will deal with the matter at the end of the question hour.

TRANSPORT CHARGES OF SALT.

37. Mr. M. K. Reddi Garu: Will the Government be pleased to lay on the table the correspondence (if any) between the Government of India and the Board of Revenue, Madras, on the question of reducing the transport charges of salt from one part of the country to another?

Mr. A. C. Chatterjee: There has been no correspondence between the Government of India and the Board of Revenue, Madras, on the question of reducing the transport charges of salt from one part of the country to another. In November 1919, the Government of Madras raised the question of a reduction of the railway freight of salt with a view to facilitate the transport of salt from Madras to Calcutta. In view of the large difference that then existed between the prices of Madras salt and foreign imported salt, the Madras Government agreed to drop the question until a more opportune moment.

PRODUCTION AND ISSUE OF SALT.

38. Mr. M. K. Reddi Garu: Will the Government be pleased to state the declared object of the Government, when they started (i) the Monopoly System of producing salt along with the Excise System of manufacture, and (ii) the credit system of issuing salt from the factories to the traders?

Mr. A. C. Chatterjee : (i) The excise system of manufacturing salt in Madras was introduced as a result of the findings of the Madras Salt Commission of 1876. In 1888, the manufacture of salt was controlled by a combination of capitalists with the result that the price of salt was forced up. It was accordingly decided to establish factories for the direct manufacture of salt by Government along with the excise system of manufacture in order that prices might be controlled.

(ii) The object of issuing salt from factories to traders on a credit system is to facilitate the distribution of salt and reduce the price to the consumer owing to the fact that the trader can turn over his capital several times within the period of credit. The Honourable Member is referred to paragraph 112 of the Madras Salt Manual.

CONSUMPTION AND PRICE OF SALT.

39. Mr. M. K. Reddi Garu : Will the Government kindly state, if the statement 'that the consumption of salt varies inversely with the price of salt' is true to experience and facts?

Mr. A. C. Chatterjee : A Statement is laid on the table showing the consumption of salt and the average price for the years 1914 to 1920 in the main consuming areas in India. It would be apparent from the figures that during these years the consumption did not vary inversely with the price. On the other hand, the price in Northern India rose from Rs. 2.05 per maund in 1914-15 to Rs. 3.43 per maund in 1918-19, but the consumption rose, though very slightly. Similarly, in the other principal areas also, the price rose between those years, but the consumption also increased.

Statement showing the consumption and average annual price of salt in certain provinces in India for the years 1914-15 to 1919-20.

(The consumption figures represent the balance of issues and import over exports.)

Year.	NORTHERN INDIA.		MADRAS AND MYSORE.		BOMBAY.		BENGAL AND ASSAM.	
	Con- sumption in thous- ands of maunds.	Price per maund.	Con- sumption in thous- ands of maunds.	Price per maund.	Con- sumption in thous- ands of maunds.	Price per maund.	Con- sumption in thous- ands of maunds.	Price per maund.
		Rs.		Rs.		Rs.		Rs.
1914-15 ...	20,343	2.05	12,125	2.20	3,793	1.92	6,710	2.35
1915-16 ...	18,424	2.33	11,400	2.16	3,635	1.90	10,545	2.93
1916-17 ...	21,568	2.90	12,307	2.47	3,613	2.20	7,872	3.21
1917-18 ...	16,754	3.41	11,201	2.96	3,889	2.72	8,270	4.45
1918-19 ...	20,535	3.43	12,746	3.74	4,729	3.61	9,464	4.62
1919-20 ...	19,671	3.28	12,430	3.23	4,037	2.87	9,114	3.85

N. B.—The price figures are for calendar years.

EMPLOYMENT OF MR. SASTRI ON COMMITTEES.

40. **Mr. M. K. Reddi Garu** : Will the Government be pleased to lay on the table a Statement showing :

- (i) the names of the different Committees appointed by the Government or the Secretary of State to which the Right Honourable Mr. V. S. Srinivasa Sastri was nominated during the last four years, and
- (ii) the total amount of allowances, if any, drawn by the Honourable Member for his services in each one of those Committees and as a representative in the late Imperial Legislative Council and in the Council of State from the time he was sworn in as a Member of the late Legislative Council up-to-date?

The Honourable Sir William Vincent : I lay on the table a Statement giving such information as is available. It is not possible, for reasons which are explained in the Statement, to give a definite reply to part (ii) of the Question. The Statement includes a reference to Mr. Sastri's emoluments as a member of the Central Advisory Education Board and as a representative of India at the meeting of the Imperial Cabinet this year, though these items do not, strictly speaking, refer to Committees.

Statement.

A. Franchise Committee.—The allowances drawn by Mr. Sastri for the period of his employment (7th November 1918 to 22nd February 1919) aggregated Rs. 5,747-7-2, *viz.*, honoraria at the rate of Rs. 1,500 a month and travelling allowance amounting to Rs. 368-14-0.

B. Indian Railway Committee.—The terms of Mr. Sastri's employment were :

(a) In India, an honorarium of Rs. 50 a day ; for railway journeys, a first class compartment *plus* one first class fare, or travelling allowance under ordinary rules ; and daily allowance of Rs. 10 for days of halt only.

(b) In England, an honorarium of £100 a month and subsistence allowance at the rate of £100 a month from the date of departure for England until return ; free first class passage to England and back. The subsistence allowance is not payable for the period during which he was, as a Member of the Imperial Cabinet, a guest of His Majesty's Government.

The total allowances drawn by Mr. Sastri as a Member of this Committee cannot be calculated as the date of dissolution of the Committee is not known.

C. Central Advisory Education Board (which meets once in three months).—The tenure of Mr. Sastri's office on this Board is three years. He attended the first meetings held on the 17th and 18th February 1921, but has not yet applied for the remuneration due to him, *viz.*, daily allowance of Rs. 10 for two days and travelling allowance at double first class rates.

D. Imperial Cabinet meeting held in London during the current year.—The terms are :

- (i) Outfit allowance of Rs. 2,000,
- (ii) Actual travelling expenses by rail and steamer.

- (iii) An honorarium at the rate of Rs. 2,000 a month from the date (on or about the 5th April 1921) on which he took up his duties at Delhi to the day preceding his embarkation at Bombay.
- (iv) An allowance of £100 a month outside India. This allowance will not be admissible for the period during which he receives the same allowance as a Member of the Railway Committee.

No information is available at present as to the total amount drawn by Mr. Sastri up to date on this account.

2. As a Member of the late Imperial Legislative Council since 1917, and of the Council of State, Mr. Sastri received Rs. 10,288-9-0 in all, representing daily and travelling allowances. This figure does not include his emoluments as a Member of the Imperial Legislative Council in 1916 as the bills for that year have been destroyed.

SELECTION OF DEWAN BAHADUR M. RAMACHANDRA RAO TO THE STUDENTS' ADVISORY COMMITTEE.

41. **Mr. M. K. Reddi Garu :** (a) Will the Government be pleased to state what were the qualifications which led to the selection of Dewan Bahadur M. Ramachandra Rao to the Students' Advisory Committee in England?

(b) Are the Government aware that Mr. Rao has never studied at any of the English Universities nor served in the Local Students' Advisory Committee?

(c) Will the Government be pleased to state whether they were guided by any principle in rejecting the names of such well-known Non-Brahmin Educationists with experience of Western Universities as Professor Raman Menon, M.A. (Cantab.), Professor Paul Appalaswami, M.A., LL.B., Bar-at-Law (Cantab.), Professor C. R. Reddy, M.A. (Cantab.) and Dr. K. Pandalai, M.A., LL.D., (Bar-at-Law), and Professor Madhava Nair, M.A., Bar-at-Law, every one of whom has been associated with the Local Students' Advisory Committee for years?

Mr. H. Sharp : (a) Certain names of possible Members of the Committee including one name suggested by the Secretary of State for India, were placed before the Government of Madras, who replied that Dewan Bahadur M. Ramachandra Rao Pantulu Garu, who was one of those mentioned, was willing to serve on the Committee.

(b) The Government of India have not inquired whether Mr. Rao has studied at an English University or served on the Local Students' Advisory Committee, as they do not consider such qualifications indispensable in the case of a Member of Lord Lytton's Committee.

(c) The Government of India, in suggesting names to the Government of Madras, were in no way actuated by any considerations of race or caste. Their selection of certain persons for mention was actuated solely by the consideration whether they would form useful Members of this Committee.

Mr. M. K. Reddi Garu : Who would take up the duties of a member of the Students' Committee?

Mr. H. Sharp : I must have notice of that question.

PAY OF PERMANENT AND TEMPORARY LIEUTENANTS AND CAPTAINS IN THE
INDIAN MEDICAL SERVICE.

42. **Mr. S. C. Shohani:** (a) Is it a fact that permanent Lieutenants and Captains of the Indian Medical Service draw pay at the following rates from 1st January 1920:

Lieutenant	...	...	Rs. 650 per mensem.
Captain	...	...	{ 800 per mensem for 3 years. 950 per mensem for 3 years. 1,050 per mensem for 3 years?

(b) Is it a fact that temporary officers of the Indian Medical Service who were recruited under the Military Service Acts of the United Kingdom receive pay at the rates admissible to permanent officers of the Indian Medical Service, if promoted to higher rank than that of Lieutenant together with gratuity under the terms applicable to officers of the Indian Army Reserve of Officers?

(c) Is it a fact that temporary officers of the Indian Medical Service other than those referred to in part (b) receive pay as under:

General Service officers	...	...	...	Rs. 550 per mensem.
Local Service officers	...	...	...	450 per mensem?

(d) If the answers to parts (a), (b) and (c) are in the affirmative, will Government be pleased to state why this distinction is made between permanent officers of the Indian Medical Service and temporary officers of the Indian Medical Service referred to in part (b) on the one hand and the temporary Indian Medical Service officers referred to in part (c) on the other?

Sir Godfrey Fell: (a) Yes, but these rates are inclusive of overseas allowance, as shown below:

				Pay.	Overseas allowance.	Total.
				Rs.	Rs.	Rs.
Lieutenant	...	...	...	300	150	650
Captain	{ During the first 3 years' service as such			650	150	800
	{ With more than 3 and up to 6 years' service as such.			750	200	950
	{ With more than 6 years' service as such			850	200	1,050

(b) Yes.

(c) These were the rates in force until the 1st September 1921, but those who were engaged for general service were also given a gratuity of £60 per annum or Rs. 75 per mensem on completion of each term of 12 months' service or portion thereof.

(d) As it was found impossible to obtain in England candidates for permanent commissions in the Indian Medical Service and as officers were urgently needed to meet military requirements, temporary officers of the class referred to in part (b) of this Question, were engaged by the Right Honourable the Secretary of State for India on such terms as the circumstances required. Only two

officers were engaged in this manner, and both were Indians. No difficulty, however, was experienced in securing officers in India on the terms offered by the Government of India, as many of these officers were newly qualified graduates or civil assistant surgeons in receipt of lower rates of pay than those they afterwards received in service. The terms offered were, therefore, considered adequate.

PAY OF TEMPORARY OFFICERS OF THE ROYAL ARMY MEDICAL CORPS.

43. **Mr. S. C. Shahani :** (a) Is it a fact that temporary officers of the Royal Army Medical Corps serving under the Government of India receive pay as under :

	Rs.
Lieutenants	650 per mensem.
Captains	750 per mensem.
Captains re-engaging for one year	800 per mensem ?

(b) Is it a fact that temporary officers of the Indian Medical Service start with Rs. 450 or 550 per mensem (as the case may be) and receive no increment whatever afterwards though some of them have seven years' service to their credit?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government be pleased to state why this distinction is made between temporary Royal Army Medical Corps and temporary Indian Medical Service officers?

Sir Godfrey Fell : (a) The terms applicable are correctly stated in the Question, but there are no temporary officers of the Royal Army Medical Corps now serving in India.

(b) Yes. These were the conditions in force until the 1st September 1921.

(c) Temporary officers of the Royal Army Medical Corps were originally engaged on sterling rates of pay. Owing to the fall in the value of sterling currency, their incomes declined considerably and they were unwilling to renew their contracts. As the retention of their services was essential in order to meet requirements on the North-West Frontier in 1919, revised rates of pay were sanctioned. No army-of-occupation bonus or gratuity was admissible in addition to those rates of pay.

ALLOWANCES IN STATION HOSPITALS.

44. **Mr. S. C. Shahani :** Is it a fact that command and second-in-command allowances of Station Hospitals are admissible to permanent officers of the Indian Medical Service and temporary officers of the Indian Medical Service recruited under Military Service Acts of the United Kingdom and all Royal Army Medical Corps officers, whether permanent or temporary, but are not admissible to the ordinary temporary Indian Medical Service officers? If so, why?

Sir Godfrey Fell : Command and second-in-command allowances for Indian Station Hospitals are admissible to permanent officers of the Indian Medical Service. Permanent officers of the Royal Army Medical Corps when

appointed to command, or to act as second-in-command, of Indian station hospitals, receive the charge or second-in-command allowances authorised for permanent officers of the Indian Medical Service.

Temporary officers of the Royal Army Medical Corps were, in similar circumstances, allowed the charge or second-in-command allowance admissible to a permanent Lieutenant of the Indian Medical Service, or 24 shillings a day, whichever was greater.

Temporary officers of the Indian Medical Service have hitherto been ineligible for charge or second-in-command allowance, as they were engaged, from the beginning, on contract rates of pay, on terms which were considered suitable, irrespective of the duties on which they were employed. The grant of these allowances has since been sanctioned.

EMOLUMENTS OF OFFICERS OF THE INDIAN MEDICAL SERVICE.

45. **Mr. S. C. Shahani :** Is it a fact that as far back as August 1920, while announcing increased rates of pay for permanent officers of the Indian Medical Service, Government notified that special orders regarding the emoluments of officers of the Indian Medical Service holding temporary commissions would be issued separately and that nothing has been done up to now? If so, when do Government propose to issue such orders?

Sir Godfrey Fell : The scale of pay for temporary officers of the Indian Medical Service has recently been revised. A press communiqué has been issued on the subject.

CIVIL SUB-ASSISTANT SURGEONS IN THE MILITARY DEPARTMENT.

46. **Mr. S. C. Shahani :** (a) Is it a fact that the service in the Military Department of Civil Sub-Assistant Surgeons who volunteered for general service is being counted as double for purposes of pension, promotion and increment of pay?

(b) Is it a fact that the temporary service of temporary Indian Medical Service officers counts towards pension and promotion in the permanent cadre when they are given permanent commissions either by examination or selection?

(c) If answers to parts (a) and (b) are in the affirmative, will Government be pleased to state whether it is intended to count the military service put in as temporary Indian Medical Service officers by temporary Civil Assistant Surgeons towards increment of pay and also promotion and pension on confirmation in their own cadre? If not, will Government be pleased to state why this distinction is being made in the case of this particular class of medical men who volunteered for military service?

Sir Godfrey Fell : (a) Every year of approved service in military employment rendered by civil sub-assistant surgeons who undertook liability for general service counts as two for the purpose of grade promotion, but not for pension.

(b) Yes.

(c) This is a matter for Provincial Governments.

CHIEF JUSTICES AND JUDGES OF HIGH COURTS.

47. **Lala Girdharilal Agarwala :** (a) How many Chief Justices or Judges for the High Courts (or other high officers) in India have been appointed within the last 20 years in England who were not at the time of their appointment acquainted and familiar with the language, laws and customs of Indians ?

(b) Did such persons receive any training in Indian languages, laws and customs before taking charge of their duties ?

(c) Are any of them still in India ? If so, who are they and have they by this time removed all their deficiencies in this respect fully ?

(d) Will Government state the total expenditure of translation and printing throughout India including the pay of translators in Judge's Courts, High Courts and other courts and offices giving such details as are possible ?

The Honourable Sir William Vincent : (a) Under Section 101, subsection (2) of the Government of India Act all permanent Chief Justices and Puisne Judges of High Courts in India are appointed in England, as they are appointed by His Majesty. It is presumed, therefore, that the Honourable Member is referring to the appointment of Chief Justices and Judges of High Courts who were not resident in India at the time of their appointment. So far as the Calcutta High Court is concerned, the number of such Chief Justices and Judges who have been appointed since the 1st January 1901 is 7. Government has no information as to the extent of the acquaintance of these officers, when appointed, with the languages, laws and customs of India.

For information regarding other High Courts, the Honourable Member should approach the Local Governments concerned.

(b) No.

(c) Of the officers referred to in the answer to clause (a), the following are still in service in India :

(1) Sanderson, C. J.

(2) Greaves, J.

(3) Rankin, J.

(d) If the Honourable Member will indicate the period for which the information asked for is required, Government will obtain the necessary statistics so far as the Calcutta High Court is concerned from the High Court, if available. As regards the other Courts referred to, the Honourable Member should address the Local Governments concerned.

DUTIES, EMOLUMENTS AND PERSONNEL OF THE GOVERNMENT OF INDIA AND PROVINCIAL GOVERNMENTS.

48. **Lala Girdharilal Agarwala :** (a) Will the Government be pleased to lay on the table a comparative Statement showing the personnel, duties and the emoluments of the Government of India and the Provincial Governments with details of departments including Secretaries, Under-Secretaries, etc., before 1918 and at present, showing clearly any increase or decrease as the case may be in the personnel, duties and emoluments with brief reasons for such variations ?

(b) How far have reductions been made on account of the appointment of Ministers and entrusting them with the transferred subjects and also on account of the creation of Executive Councils where none existed before ?

The Honourable Sir William Vincent : The information has been obtained and will be supplied to the Honourable Member in the course of the present Session. The Statement will be a bulky one and has not yet been completely prepared. I can assure the Honourable Member, however, that he shall have it before the end of the current Session.

INDIA AND THE COVENANT OF THE LEAGUE OF NATIONS.

49. **Mr. E. L. Price :** Will Government be pleased to state :

- (a) to what extent India is limited in her right to make or accept a Declaration of War by the Covenant of the League of Nations ;
- (b) to what extent her methods of warfare are limited by the said Covenant, particularly as to the use of poison-gas ;
- (c) whether such limitations (a) and (b), if any, apply to India only in relation with a co-Member of the League of Nations, or generally ?

The Honourable Dr. T. B. Sapru : A Statement is laid on the table which gives the replies to the Honourable Member's Questions.

Statement.

(a) India is a part of the British Empire and regarding the whole Empire the right to declare war is vested in the Crown except in the limited circumstances referred to in Section 14 of the Government of India Act.

The Crown is bound by the following general principles of the Covenant of the League of Nations concerning the avoidance of war :

- (1) According to Article 11, any war or threat of war, whether immediately affecting any of the Members of the League or not, is a matter of concern to the whole League, and the League is to take any action that may be deemed wise and effectual to safeguard the peace of nations. It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.
- (2) According to Article 12, a Member of the League must submit any dispute likely to lead to a rupture either to arbitration or to inquiry by the Council and must in no case resort to war until three months after the award by the arbitrators or the report by the Council.
- (3) According to paragraph 4 of Article 13 and paragraph 6 of Article 15, a Member may not resort to war against such other Member as complies with the award of the arbitrators or with the unanimous recommendations of all Members of the Council other than those representing one or more parties to the dispute.

- (4) If the Council does not come to a unanimous decision, it may, according to paragraph 4 of Article 15, by a majority vote, make and publish a report containing the statement of facts of the dispute and the recommendations which are deemed just and proper. Likewise, any Member represented on the Council may make public a statement of the facts of the dispute and of its conclusions according to paragraph 5 of Article 15. And, in this case of failure to arrive at a unanimous decision, the Members of the League reserve to themselves by paragraph 7 of Article 15 the right to take such action as they shall consider necessary for the maintenance of right and justice. The Council may in any case refer the dispute to the Assembly. If reference is thus made, all the provisions of Articles 12 and 15 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the representatives of the parties of dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.
- (5) By Article 16 penalties of an economic and commercial nature are provided in the event of any Member of the League resorting to war in disregard of its covenants.
- (6) According to Article 17, in the event of a dispute between a Member of the League and a State which is not a Member of the League or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of Membership in the League for the purposes of such dispute. If such invitation is accepted, the provisions of Articles 12 to 16 inclusive shall be applied with such modifications as may be deemed necessary by the Council. If a State, so invited, shall refuse to accept the obligations of Membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action. If both parties to the dispute when so invited refuse to accept the obligations of Membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

(b) The Covenant gives no other power to the League of Nations to limit methods of warfare than that of advice. The firm establishment of the understandings of international law (*i.e.*, existing international law) is referred to in the preamble as one of the subsidiary objects of the Covenant and both the Council (if unanimous) and the Assembly (if unanimous) may deal with any matter affecting this. The only Article bearing upon changes in International Law is 19 in which it is laid down that the Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable. But for this purpose also the Assembly must be

unanimous and thus India which is represented on it can prevent the advice being given. The British Empire is already restricted in its methods of warfare by the Hague Conventions of 1899 and 1907 (Laws and Customs of War on Land) and the three Hague Declarations of 1899 and 1907. Article 22 of the Laws and Customs of War on land declares 'The right of belligerents to adopt means of injuring the enemy is not unlimited.' Article 23 says 'Besides the prohibitions provided by special conventions it is especially forbidden :

(a) to employ poison or poisoned arms.

(c) to employ arms, projectiles or material of a nature to cause superfluous injury.'

Article 171 of the Treaty of Versailles binds the British Empire to the view that 'the use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices' is prohibited and the Council of the League of Nations has recognised by a unanimous Resolution that this prohibition is part of international law and has decided to propose to Government the consideration of the penalties to be imposed, if necessity arises, upon nations who take the first step in infringing in this respect the rules of humanity. The Council thus recognizes that the prohibitions only bind reciprocally.

(c) The Reply has been given in the replies to (a) and (b).

AFGHANISTAN AND THE LEAGUE OF NATIONS.

50. **Mr. E. L. Price** : Will Government be pleased to state whether any information is available to show that Afghanistan intends, or does not intend, to seek admission to the League of Nations?

The Honourable Dr. T. P. Saprū (on behalf of the Honourable Mr. Denys Bray) : As far as the Government of India are aware, Afghanistan has no present intention of seeking admission to the League of Nations.

RS. 50 AND RS. 10 CURRENCY NOTES.

51. **Dr. H. S. Gour** : (a) Is the Government aware that there is no difference in the colour and design of the Rs. 50 and Rs. 10 currency notes and that one is apt to be mistaken for the other?

(b) Do the Government propose to alter the colour and design of either of the two notes so as to make the one clearly distinguishable from the other?

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

(b) As I informed the House last Session, it has been decided to improve the form of our currency notes. The new designs will ensure that currency notes of different denominations will be more easily distinguished from one another than at present. The new ten-rupee note will, I hope, be in circulation (early) next year.

ARTICLES IN THE 'PIONEER.'

52. **Dr. H. S. Gour** : (i) Has the attention of Government been drawn to a series of articles appearing in the *Pioneer* (the second one appearing in its issue dated 25th May 1921) under the heading 'The Reforms and Defence'

in which the writer, a military correspondent, points out that the North-Western Frontier comprises a rectangular area between the Indus and the Durand line (*i.e.*, the Afghan frontier) measuring only 100 x 350 miles of utterly desolate and unproductive hilly tract?

(ii) Is it a fact as therein pointed out that:

- (a) its civil administration costs over three times the revenue that it yields and perhaps more;
- (b) its military cost is enormous;
- (c) it engages the services of about 27 per cent. of the soldiers of the Indian Army;
- (d) its cost to date in active operations alone cannot be much below 100 crores and may exceed that figure;
- (e) its wastage in military casualties per annum exceeds that of any one of the large Commands, and may equal that of any two Commands?

(iii) What is its real military cost including pensions and non-effective charges?

(iv) What is the cost of tribal allowances paid, the pay of the militia, trading with friendlies and other secret service and political disbursements?

Sir Godfrey Fell: (i) Yes—The writer of the articles in question is, however, incorrect in thinking that the frontier which has to be protected comprises merely a rectangular area measuring 100 x 250 miles of desolate and unproductive hilly tract. From the point of view of defence, the North-West Frontier extends from Chitral in the north to the Persian border in the south, a distance of over 1,000 miles. Portions of British India lying along this border line are by no means unproductive.

(ii) a). The civil administration does cost nearly three times the revenue.

(b) and (iii). The cost of that portion of the Army which is usually maintained on the whole of the North-West Frontier of India is approximately 10 crores a year. This cannot be said to be excessive, having regard to the length of the frontier which has to be safeguarded, and the fact that behind the border are many turbulent and predatory tribes, who make a practice of raiding the rich districts on our side of the border. The Honourable Member will doubtless bear in mind that the money is spent not only on the defence of the North-West Frontier Province but on the defence of India. Pensions and other non-effective charges in connection with this portion of the Army are estimated to amount to approximately 80 lakhs a year. The figure 10 crores just given excludes abnormal expenditure resulting from active operations such as are at present being conducted in Waziristan.

(c) It is contrary to the public interest to disclose what percentage of the Army in India is allocated to any particular duty.

(d) The answer is in the negative. The Honourable Member is referred to the Statement laid on the table in reply to Rai Bahadur J. N. Majumdar's Question No. 34 on the 15th February 1921.

(e) The Question is not understood. It would be useless to compare the wastage in military casualties per annum on the North-West Frontier with that in any one of the large Commands where peace conditions prevail. The number of casualties depends upon whether active operations are or are not

being undertaken. If active operations are not in progress, there is no reason why the wastage should be any higher amongst the troops on the North-West Frontier than it is in other portions of India.

(jr) The cost of tribal allowances last year was Rs. 4,31,000; the pay of militias was rather less than 20 lakhs; other political disbursements, about 10 lakhs. It is not understood what is meant by the term 'trading with friendlies.' It is not in the public interest to disclose how much money is spent on secret service.

Sir Jamsetjee Jejeebhoy : Is it a fact that the writer of these articles is an officer who was compelled to retire from the service, and are his opinions on Frontier questions considered by Government to be those of an expert whose advice should be taken in preference to that of distinguished soldiers like His Excellency Lord Rawlinson, the Commander-in-Chief?

Sir Godfrey Fell : Government have no information as to the identity of the military correspondent who contributed these articles to the *Pioneer*. Government must leave it to Honourable Members after studying the articles in question, to form their own conclusions as to the importance to be attached to them and as to the mental capacity of the writer.

I think that the House will hardly consider it necessary for me to answer the last part of the Honourable Member's Question, as to the relative value which the Government of India place on the opinions of this anonymous correspondent and on those of His Excellency the Commander-in-Chief.

ARTICLE IN THE 'VAKIL.'

53. **Mr. M. Faiyaz Khan :** (a) Has the attention of the Government been drawn to the statement headed 'Adalat aliya ka aik faisla Lord Reading kay liay' published in the *Vakil* of Amritsar, dated 7th May 1921, page 4, column 2, in which it is stated that two European accused were sentenced to three years' imprisonment for having murdered an Indian at Camalpoore?

(b) Will the Government be pleased to state :

- (i) the number of Europeans and Anglo-Indians hanged for murdering Indians in India during the last 150 years of the British Raj in India;
- (ii) the number of Europeans and Anglo-Indians imprisoned for murdering Indians in India during the last 150 years of the British Raj in India;
- (iii) the number of Indians hanged for murdering Europeans and Anglo-Indians in India during the last 150 years of the British Raj in India;
- (iv) the number of Indians imprisoned for murdering Europeans and Anglo-Indians in India during the last 150 years of the British Raj in India?

The Honourable Sir William Vincent : (a) Government have seen the statement. It is obviously incorrect on the face of it, inasmuch as the minimum penalty prescribed by the Indian Penal Code for murder is transportation for life. Actually the men in question were convicted under Section

304, Indian Penal Code, of the offence of culpable homicide not amounting to murder.

(b) The figures asked for by the Honourable Member are not available, nor is there material from which to obtain them.

STATEMENT IN THE 'ZAMINDAR.'

54. **Mr. M. Faiyaz Khan:** (a) With reference to Question No. 680* put by Mr. Syed Nabi Hadi in the Legislative Assembly on March 28th, has the attention of the Government been drawn to the statement headed 'Wakai hails Najaf ki tasdiq' published in the *Zamindar* of 22nd May 1921, front page?

(b) Are the statements of Hujatul Islam Hazrat Aquah Shariat Asphani published in paper mentioned above, correct, that for 10 days Najaf Ashraf was bombarded and shells and bullets were freely used in killing women and children and wrecking the mosques by the British troops?

The Honourable Dr. T. B. Sapru (on behalf of the Honourable Mr. Denys Bray): (a) Yes.

(b) No. The statements are utterly false. There has been no bombardment of Najaf-i-Ashraf.

STATEMENT IN THE 'FATEH OF DELHI.'

55. **Mr. M. Faiyaz Khan:** Has the attention of the Government been drawn to the statement headed 'Intiyaz' published in the *Fateh of Delhi*, dated 12th May 1921, page 2, in which it is stated that an Indian ayah was convicted for having stolen Rs. 21 belonging to her European master and was sentenced to one year's rigorous imprisonment, while a European was convicted for having stolen Government currency notes of the value of Rs. 65 and was fined Rs. 250 and sentenced to one day's simple imprisonment?

The Honourable Sir William Vincent: Government have seen the statement in the issue of the *Fateh* referred to by the Honourable Member. It purports to reproduce information called from the *Bombay Chronicle* and Government have also traced the reference in the latter paper. The statements made by the Honourable Member as to the punishments inflicted are incorrect. According to these newspaper reports, the ayah in question was sentenced to one month's rigorous imprisonment and not to one year's rigorous imprisonment as stated by the Honourable Member. The fine inflicted on the European also was Rs. 125 and not Rs. 250. The sentence on the Indian ayah was imposed by an Indian Magistrate and that on the European by a European Magistrate.

ISSUE OF LICENCES UNDER THE ARMS ACT.

56. **Mr. M. Faiyaz Khan:** (a) Will the Government be pleased to state if it is true that some District Magistrates refused to renew or issue licences under the present Arms Act to those people who confessed to be non-co-operationists?

* *Vide Legislative Assembly Debates, Volume I, page 1675.*

(b) If it is true, will the Government be pleased to state under what section of the Arms Act a District Magistrate has power to refuse to renew or issue a licence to such people?

The Honourable Sir William Vincent : Government have no information regarding any such refusal.

UNLICENSED POSSESSION OF REVOLVER AND SWORD.

57. **Mr. M. Faiyaz Khan :** Will the Government be pleased to state if it is true that one H. J. Greenfield, an Anglo-Indian at Calcutta, charged with being in unlawful possession of a 5-chambered revolver and some cartridges without a licence was fined Rs. 20 and the revolver and cartridges were ordered to be confiscated (*vide Statesman* of 23rd January 1921, page 5, column 4, paragraph 5) and that one Bachittar Singh at Amritsar was charged with being in unlawful possession of a sword without a licence and was sentenced to six months' imprisonment (*vide Independent* of 19th May 1921, page 4, column 3, headed 'Bachittar Singh's Case')?

The Honourable Sir William Vincent : Government have seen the newspaper reports referred to and have no reason to doubt their accuracy. They understand, however, that the circumstances of the two cases were entirely different.

STATEMENTS IN THE 'BANDAY MATARAM.'

58. **Mr. M. Faiyaz Khan :** (i) Will the Government be pleased to state if the following statements as contained in the news published in the *Banday Mataram*, dated the 19th May 1921, page 3, column 3, are true :

- (a) that an English Military Officer, a Major, along with his wife entered a railway compartment at midnight at Sialkot and expelled four respectable Indian passengers from the compartment who were already occupying their seats, one of the four Indian passengers being an Indian lady ;
- (b) that three berths in the compartment were already reserved by those Indian passengers ;
- (c) that the luggage belonging to those Indian passengers was thrown out of the compartment by the said officer ;
- (d) that on protest by the Indian passengers the officer used abusive language ;
- (e) that at Wazirabad railway station, three of the Indian passengers went and reported the matter to the Station Master, and the Anglo-Indian police sergeant, who instead of helping those Indian passengers only recorded their statements, and took the name of the said officer ?

(ii) If the above statements are true, what punishment legally and departmentally does the Government contemplate to mete out to this English Military Officer ?

Sir Godfrey Fell : (i) (a) The officer in question was charged before the District Magistrate of Sialkot with an offence under the Railway Act. From the record of the case, it appears that the officer intimidated four Indian passengers into leaving the compartment.

(b) Yes.

(c) and (d). No. The evidence shows that the luggage was handed out through the window of the carriage and that the officer did not use abusive language.

(e) The matter was reported to the Assistant Station Master at Wazirabad, who referred the complainants to a sergeant of the Railway Police. This officer took down their statements and, after ascertaining the name of the officer concerned, forwarded the complaint to his superior officer.

(f) As the Honourable Member is probably aware, the District Magistrate, who tried the case, fined the officer Rs. 30. The officer has since been severely censured by His Excellency the Commander-in-Chief. He has been reverted to regimental employ; he has been debarred from holding any officiating appointment in his unit for 12 months, and his leave has been stopped for the same period except on medical certificate.

STATEMENT PUBLISHED IN THE 'INDEPENDENT.'

59. **Mr. M. Faiyaz Khan:** (i) Will the Government be pleased to state if the following statements as contained in a letter headed 'Significant Railway Incident' published in the *Independent*, dated 17th May 1921, page 2, column 2, are true that :

- (a) An English Military Officer (Lieutenant) asked the railway guard in the train to shift two Indian passengers from the 1st class compartment where he was sitting, because he did not like to sit in a compartment where there are Indians;
- (b) the said officer pushed one of the Indian passengers on to the platform when the train was just in motion;
- (c) at the next stopping station, Raja-ki-mandi, the said officer drew out his revolver and threatened to shoot both those two Indian passengers if they did not vacate that compartment;
- (d) both those Indian passengers went and reported to the guard and the station master, and when they came back along with the guard and the station master near their compartment they saw their luggage thrown on the platform by the said officer;
- (e) in spite of protest and remonstrance, the officer remained obdurate and insolent as before and refused to give his name even?

(f) What punishment have the Government proposed legally and departmentally to mete out to this officer?

Sir Godfrey Fell: (i) The incident in question has since formed the subject of a criminal case. The facts, as they appear in the District Magistrate's judgment, are as follows: A British officer who was travelling from Bombay to Delhi got down at Agra for dinner. On his return, he found two Indian Passengers in his compartment. They had not 1st class tickets, but, with the permission of the guard of the train, had put their luggage into the 1st class compartment in which this officer was travelling. Just as the train was about to start, the officer protested to the guard, apparently with no effect. After a slight scuffle, all three got into the compartment. The officer asked the two Indian passengers if they had first class tickets and, on discovering that they had not, the officer requested them to leave the compartment at

the next station. Though he took an unloaded revolver out of his portmanteau, he did not threaten to shoot them if they did not leave the compartment, nor did he point it at them. There is no allegation that the officer used insulting language to the two Indian gentlemen.

At the next station the Indian passengers alighted, and thinking that they had decided to leave the compartment, the officer had their luggage taken out and placed on the platform. The luggage was removed carefully and not thrown out.

(ii) The District Magistrate, who tried the case, fined the officer in question Rs. 400. In his opinion, the officer was not guilty of any actual violence. The Government of India do not propose to take any further action in the matter.

Mr. J. Chaudhuri: May I ask Questions (Nos. 60 and 61), Sir, on behalf of the Honourable Member who is not present?

The Honourable the President: Has the Honourable Member the authority of the other Honourable Member to ask it?

Mr. J. Chaudhuri: No express authority.

RAILWAY WAGONS MANUFACTURED IN INDIA.

60. **Mr. K. C. Neogy:** Will Government be pleased to state the number of Railway wagons manufactured in India, since 1919, in the different Railway workshops and by different private firms, and place on the table a copy of the usual terms of contract with private firms in this behalf?

Colonel W. D. Waghorn: Railway workshops usually undertake the erection of wagons received by sea and repairs and alterations, but do not manufacture wagons. Orders have been placed since 1919 with private firms in India for 2,272 wagons and, as a special case, for the erection including alterations of 5,000 wagons received from America. Of these latter, about 30 per cent. have been delivered. Further orders may have been placed by lines not under Government control, but such orders, if any, would be of comparatively very small value.

The contract terms vary with conditions. A copy of the tender form with contract conditions and specifications used in connection with the Railway Board's call for tenders for this year is placed on the table.

PURCHASE OF AMERICAN RAILWAY WAGONS.

61. **Mr. K. C. Neogy:** (i) Is it a fact:

- (a) that about 5,000 Railway wagons originally manufactured in America for the Russian Government, were purchased by the Secretary of State for India in 1919; and
- (b) that since their delivery in India, these wagons have been entrusted to Messrs. Burn & Co., of Calcutta, for being fitted up and so altered as to suit the Indian gauge?

(ii) If the Answer to the preceding Question be in the affirmative, will Government make a detailed statement in regard to this transaction with particular reference to the following points:

- (a) whether the Secretary of State gave any directions as to where and on what terms the wagons were to be fitted up;

- (b) the date on which the Railway Board was first apprised of the said purchase, and whether the Board made sufficient inquiries thereafter as to the capacity of the different Railway workshops for fitting up the wagons, and if so, what reports were received on such inquiries ;
- (c) the date on which the Railway Board first communicated with Messrs. Burn & Co. on the subject, and whether and when the Board made similar communications with any other private firm in India ;
- (d) the terms on which Messrs. Burn & Co. agreed to execute the work, and how these compare with the terms which may have been quoted by any other firm ;
- (e) the total payment to be made to Messrs. Burn & Co. as actual costs and profits, respectively ; and the probable total cost of carrying out the work, if it could be undertaken by the Railway workshops ;
- (f) whether Messrs. Burn & Co. include in the costs charged, the cost of installing additional machinery for carrying out the work ;
- (g) whether the original terms of contract have been varied in any way at any time ; and
- (h) what materials are supplied by the Railway authorities, and what fittings, etc., are supplied by Messrs. Burn & Co. ?

Colonel W. D. Waghorn : (i) (a). 5,000 wagons manufactured in America were ordered by the Secretary of State in 1918 before the Armistice, and

(b) their erection including certain alterations necessary to fit them for the traffic for which they are required has been entrusted to Messrs. Burn and Company. They were altered to the 5' 6" gauge in America.

(ii) (a). The Secretary of State gave no directions as to where or on what terms the wagons were to be fitted up.

(b) The Railway Board was advised of the purchase in November 1918 ; they considered the possibility of erecting these wagons in railway workshops, but the heavy arrears in wagon repair work and the deficiency in repair facilities made it impossible for this work to be undertaken in the railway workshops.

(c) After receiving details of the wagons, the Railway Board in September 1919 referred the matter of the distribution of the wagons, alterations necessary and agency of the work of erection and alteration, to a committee of the leading Railway authorities in Calcutta and, on the recommendation of this Committee, entrusted the work of erection and alteration to Messrs. Burn and Company, the only firm that was considered capable of dealing with it adequately.

(d) The general terms of the Contract were that Messrs. Burn and Company should receive the actual cost *plus* 10 per cent. ; no other firm was in a position to undertake a work of such magnitude.

(e) The total payment to Messrs. Burn and Company is estimated at Rs. 100 lakhs including Rs. 9 lakhs as profit. As already stated, the work could not be undertaken in railway workshops ; but if it had been possible, the total cost would not have been less than the cost of construction by Messrs. Burn and Company ; to this would have to be added the overhead charges which would hardly have been less than the 10 per cent. allowed to Messrs. Burn and Company as profit.

(f) Messrs. Burn and Company are allowed only the actual cost plus the 10 per cent; the cost of installing additional machinery would not be admitted.

(g) The terms of contract have not been altered.

(h) Government supplied the whole of the material covered by the order on America. Messrs. Burn and Company supplied any additional material required to effect the alterations required.

RAILWAY BOARD.

Notice.

WAGONS FOR INDIAN RAILWAYS.

Tenders are invited for the construction in India and delivery during the year ending 31st March 1922 of the wagons detailed below :

5' 6" gauge—covered goods.	Metre gauge—covered goods.
1,200 of type A ¹ length 21' 0".	100 of type MA ¹ length 18' 0".
800 " A ² " 24' 6".	100 " MA ² " 20' 0".
200 " A ³ " 27' 7".	100 " MA ³ " 21' 6".
5' 6" gauge—open.	Metre gauge—open.
50 of type C ¹ length 19' 6".	50 of type MC ¹ length 18' 0".
200 " C ² " 23' 0".	50 " MC ² " 20' 0".
50 " C ³ " 26' 0".	50 " MC ³ " 18' 0".
	50 " MC ⁴ " 20' 0".

The types quoted are those of the I. R. C. A. standard designs.

Copies of the form of tender and specification can be obtained on application to the Secretary, Railway Board, Simla; also copies of the drawings on payment of Re. one per sheet which will not be refunded whether the tenderer is successful or not.

Tenders must be enclosed in sealed covers superscribed—'Tender for wagons' and should reach the Secretary, Railway Board, Delhi, on or before the 7th December 1920.

The Railway Board do not bind themselves to accept the lowest or any tender or to assign any reason for non-acceptance of any tender.

FORM OF TENDER.

From

To

THE SECRETARY,
RAILWAY BOARD,
SIMLA.

DEAR SIR,

With reference to your advertisement calling for tenders from firms in India for wagons for Indian Railways, we beg to submit our quotations below in accordance with the instruction to Tenderers and subject to the Conditions of Tender attached hereto.

INSTRUCTIONS TO TENDERERS.

1. Tenders should be for wagons complete in every respect as described in the attached specification including the fitting of the wheels and axles but excluding the supply of the wheels and axles which the Buyer will deliver to the Seller.
2. Tenders should quote separately for each type of wagon giving the price per completed unit delivered free on rail, and the place, time and rate of delivery.
3. Tenderers should specify in detail the materials they propose to import and, for the purpose of the variation of price clause, the price of each item and the total price for the imported materials converted into rupees at two shillings to the rupee.

CONDITIONS OF TENDERS.

1. The goods agreed to be supplied shall in all respects comply with the annexed Specification as regards materials used and workmanship.
2. In case of strikes, accidents, or other causes affecting production or delivery, the Contract may be suspended during their continuance, but such suspension shall not invalidate the completion of the Contract. Buyers and Sellers both to be entitled to the benefit of this clause.
3. The goods agreed to be supplied shall be inspected at Sellers' Works during manufacture by Inspecting Officers approved by the Buyers and before delivery thereof.
4. In case such goods are faulty on delivery through causes not discoverable on inspection, provided complaints be made in writing to Sellers within 5 days from receipt of goods they will at their option repair same at their expense or supply others of a like description, but no allowance will be made to Buyers for any work put upon them or for any consequential damages.
5. If between the date of tender and the date of receipt in India of the imported material the actual cost to the Seller of such imported material be increased in respect to a certified increase in the cost *f. o. b.*, sea freight and rate of exchange above the prices quoted in the tender, the Seller shall be entitled on completion of the contract to claim an additional sum equal to the actual extra cost incurred by him, provided that,
 - (a) No such sum shall be paid in respect of any item of the contract delivered to the Buyer after the date fixed in the contract for delivery to the Buyer, or if no date has been named in the contract for delivery, unless the Seller shall prove to the satisfaction of the Buyer that the delay was due to causes not within the Sellers' control.
 - (b) That the amount claimed shall be in respect to the actual increase in cost incurred by the Seller on the Imported material only and shall not include any additional sum for profit.

If on the other hand a decrease should occur during the same period in the cost *f. o. b.* sea freight and rate of exchange below the prices fixed in the tender a corresponding reduction shall be made in the contract price but the amount allowed for profit in the accepted tender shall not be reduced in consequence thereof.

In any case, whether the contract price be varied or not, the Contractor's claims for payment must be supported by a certificate from a Chartered or Incorporated Accountant, to be named by the Contractor and approved by the Buyer, stating that the amount claimed is correct in accordance with the provision of this clause. The Contractor shall also, if required to do so, furnish in support of his claim any further information which the Buyer may require.

---RAILWAY.

CARRIAGE AND WAGON DEPARTMENT.

SPECIFICATION.

For Standard four-wheeler ^{covered}/_{open} Goods Wagons type (except wheels and axles).

5 feet 6 inches
Metre Gauge.

1. Drawings for ^{covered}/_{open} Goods wagons.....type. A complete set of drawings as noted below will be supplied by the Company, these drawings shall be the contract drawings and shall be accurately worked to, except where modified in red when the modifications shall be worked to :—

5 feet 6 inches Gauge.

Four-wheelers.

Type.	Length.	Code.	Drawing Numbers.
Covered Goods ...	... 21'—0"	A. 1	S. 1-19.
" " ...	... 24'—6"	A. 2	S. 2-4, S. 7-19, S. 23-25.
" " ...	... 27'—7"	A. 3	S. 2-4, S. 9-19, S. 28-32.
Open " ...	... 19'—6"	C. 1	S. 2, S. 4, S. 7-22.
" " ...	... 23'—0"	C. 2	S. 2, S. 4, S. 7-19, S. 21, S. 26-27.
" " ...	... 26'—0"	C. 3	S. 2, S. 4, S. 9-19, S. 31-36.

Metre Gauge.

Four-wheelers.

Type.	Length.	Code.	Drawing Numbers.
Covered Wagon ...	... 18'—0"	M. A. 1	S. 2, S. 3, M. 1-14.
" " ...	... 20'—0"	M. A. 2	S. 2-3, M. 3, M. 6-18.
" " ...	... 21'—6"	M. A. 3	S. 2-3, M. 3, M. 6-14, M. 19-22.
High-sided Open Wagon ...	... 18'—0"	M. C. 1	S. 2, M. 3, M. 6-14, M. 23-26.
" " " ...	... 20'—0"	M. C. 2	S. 2, M. 3, M. 29-31, M. 6-14, M. 26.
Low-sided Open Wagon ...	... 18'—0"	M. C. 3	S. 2, M. 3, M. 6-14, M. 24, M. 26-28.
" " " ...	... 20'—0"	M. C. 4	S. 2, M. 3, M. 6-14, M. 26, M. 30, M. 32-33.

Norm.—All types other than the one required to be penned through.

Detailed List of Drawings.

<i>Standard Gauge.</i>			<i>Metre Gauge.</i>			<i>Title.</i>
S. 1	...	...	M. 1			
S. 23	...	...	M. 15			
S. 23	...	...	M. 19			
S. 20	...	...	M. 23	...	General arrangement.	
S. 26	...	...	M. 29			
S. 33	...	...	M. 27			
			M. 32			
S. 2	...	...	S. 2	...	Door Fasteners, etc.	
S. 3	...	...	S. 3			
S. 21	...	...	M. 26	...	Door and details.	
S. 34						
S. 36	...	...		...	End door and details.	
S. 4	...	...	M. 6	...	Door Arrester.	
S. 5	...	...	M. 4			
S. 24	...	...	M. 17	...	Roof and Body plates.	
S. 29	...	...	M. 21			
S. 6						
S. 25	...	...	...	...	Body Ironwork and floor plates.	
S. 30						
S. 22						
S. 27	...	...	...	...	Body Ironwork and plates.	
S. 36						
			M. 5			
			M. 18	...	Body Ironwork.	
			M. 22			
			M. 25			
			M. 31	...	Body Ironwork and body plates.	
			M. 28			
			M. 33			
S. 7	...	...	M. 3	...	Solebars and headstocks.	
S. 31						
S. 8	...	...	...		Details of 19'-6" and 23'-0" under frame.	
S. 32	...	...	...		Detail of 26'-0" underframe.	
			M. 2	...		
			M. 16	...		
			M. 20	...	Underframe details and floor plates.	
			M. 24	...		
			M. 30	...		
S. 9	...	...	...		Axleguard, Scroll irons, etc.	
			M. 10	...	Bearing Spring, Axleguard, Scroll iron, etc.	
S. 10	...	...	...		Drawgear and details.	
S. 11	...	...	...		Screw Coupling and Safety Chains.	

Detailed List of Drawings—contd.

<i>Standard Gauge.</i>		<i>Metre Gauge.</i>		<i>Title.</i>
S. 12	M. 14	Buffers.
S. 13	Springs.
S. 14	M. 7	Wheels and axles.
S. 15	M. 8	Axle box.
S. 16	M. 9	Axle box Details.
S. 17	M. 11	Arrangement of Brakework.
S. 18	M. 12	Details of Brakework.
S. 19	M. 13	Details of Brakework.

NOTE:—All Drawing numbers other than those for the type chosen, to be peened through.

PARTICULAR SPECIFICATION.

2. The work required under this specification consists of the construction, supply and delivery on rail at... station in perfect running order
General description and quantity, of.....

Iron ^{Covered}/_{Open} Goods wagons type, comprising steel and ironwork and fittings complete with Vacuum Brakework in accordance with the schedule of quantities given in the drawings supplied, with all fastenings, bolts and nuts, washers, rivets, split pins and wooden packings which are required for securing all the iron work and fittings to the bodies and underframes.

3. The wheels and axles will not form part of the contract, and will be supplied to the Contractors at their works by the Railway Company.
Exceptions.

4. The General dimensions of the ^{Covered}/_{Open} wagon are as follows:—

<i>Dimensions.</i>				
Length of underframe	...	...	...	...
Length of body, inside	...	...	...	...
Width of underframe	...	...	...	...
" of body, inside	...	...	...	...
Height of side, above floor	...	...	...	...
" of centre "	...	...	...	...
Length over buffers	...	...	...	...
Diameter of wheels on tread	...	...	...	...
Size of axle journal	...	...	...	...
Wheel base	...	...	...	...

5. (a) The wagons are to be made as shown on general arrangement drawing No.....
General particulars, ... except where modified in red on it and the particular drawings of the details.

(Any special modifications required, to be noted below):—

6. Besides the modifications noted above, should any further modification be subsequently desired by the Carriage and Wagon Superintendent or his Deputy, such modification must be made by the Contractors without claim for extension of time or increase in price, except as hereinafter set forth. Whenever the specification differs from the drawings, the specification is to be followed, unless the Carriage and Wagon Superintendent or his Deputy shall otherwise direct.

GENERAL SPECIFICATION.

7. The following General Specification covers the construction, supply and delivery at of the Goods vehicles specified in the foregoing Particulars Specification.

8. (a) Wheels and Axles. The Contract does not include wheels and axles, these will be supplied to the Contractors.

(b) The words 'Carriage and Wagon Superintendent' or his 'Deputy' refer to the persons who will take over the work in India from the Contractors. The word 'Contractors' refers to the person, firm or Company with whom the contract for the supply of the work, etc., may be placed. The word 'Sub-Contractor' denotes any person, firm, or company from whom the Contractors may obtain any materials or fittings to be used in the construction and manufacture of the wagons.

(c) The cost of all painting, marking and lettering, and delivery, must be included in the Contract price. The cost of all tests and analysis of materials of any kind must be borne by the Contractors, who must also bear costs of all Royalties and Rights.

9. No additional sum for extras of any nature whatever will be admitted unless submitted to, and approved by, the Carriage and Wagon Superintendent, in writing before the execution of such extra work.

10. (a) The Drawings supplied and any other drawings which may subsequently be supplied to the Contractors, are not guaranteed to be free from inaccuracies. They must be modified where necessary in order to suit the requirements of this specification, or as may subsequently be desired by the Carriage and Wagon Superintendent without claim by the Contractors for extension of time or increase of price. When the drawings differ from this Specification, the specification is to be followed unless the Carriage and Wagon Superintendent shall otherwise direct.

(b) The wagons must conform strictly to the rules of the Government of India, as regards moving dimensions, weight, wheel-base, buffer height, and every other particular, and if they do not conform to these rules they will be liable to be rejected.

(c) The Contractors must make, free of any charge, any modifications which may be found necessary to attain this result, and these modifications must be approved by the Carriage and Wagon Superintendent.

(d) A diagram of the moving dimensions may be obtained by the Contractors on application to the Carriage and Wagon Superintendent.

ORDERING AND TESTING OF MATERIAL.

11. (a) The whole of the materials required for the construction of the wagons shall be of British or Indian manufacture, and must be subject to the approval of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures and must comply with British Standard requirements and to satisfy himself on this point the Carriage and Wagon Superintendent will submit samples cut from same to such chemical and mechanical tests as the British Standard Specifications require. If any sample fails to meet the required tests, the whole of the material represented by such sample will be rejected.

(b) Names of Makers to be submitted and approved.—Before any material is ordered from Britain, it is specially required that the names of the makers from whom it is proposed to obtain any kind of material, or any of the fittings for the work under the contracts shall be submitted to the Carriage and Wagon Superintendent and the Superintendent of Local Manufactures, and that the names shall be approved by them before the orders for such materials or fittings are arranged. After approval, two copies of all orders to Sub-Contractors are to be sent to the Carriage and Wagon Superintendent and the Superintendent of Local Manufactures. These are also required in the case of replacement orders.

(c) All orders to Sub-Contractors for steel plates which required to be flanged or worked locally are to be ordered of best 'flanging quality.'

(d) Should the Contractors proceed with any part of the work before receiving from the Carriage and Wagon Superintendent and the Superintendent of Local Manufactures the approval of the names of the makers, and the class and quality of the material proposed to be used for the execution of the Contract, and should the material be subsequently found, in the opinion of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures, to fall short of the tests or other requirements of this specification, or to have been obtained from other than the approved makers, the whole of the work thus manufactured will be rejected.

(e) The test of the materials will, as far as possible, be carried out at the works of the maker of the materials in order to facilitate the progress of the Contract, but notwithstanding that the Contractors shall have

obtained the materials from makers approved by the Carriage and Wagon Superintendent and the Superintendent of Local Manufactures and that such materials shall have complied with the specified chemical and mechanical test to the satisfaction of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures, the Contractors' responsibility for their efficiency in every way shall remain the same as if the materials had been manufactured and tested by themselves, the intention of the contract being that all materials used shall be of the highest quality, and the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures shall have power to adopt any means they may think advisable in order to satisfy themselves that the kinds of materials specified are actually used throughout the contract.

(f) The test of finished fittings, such as axle boxes, springs, buffers, etc., will be made and carried out at the works of the maker of such fittings by the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures and only such finished fittings as have been approved by them must be used in the construction of the wagons.

(g) Should any of the materials or articles be found defective or fail to comply with the tests, analysis or other requirements of this specification, they will be rejected.

(h) The Contractors must provide, without extra charge, all tools and labour required by the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures for the inspection and testing of all the work under the Contract and they must make provision in their orders to their Sub-Contractors for the inspecting and testing of articles at their works when required by the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures.

(i) The materials of which any part of the wagon is to be made are stated in the particular clause in the specification dealing with any such part, but for convenience of reference the main requirements are also here given below in tabular form.

NOTE.—Generally steel is to be used in the construction of details, unless Yorkshire iron selected scrap iron, or other materials, are specified for certain parts, but parts which require to be welded must only be made of steel with the express permission of the Carriage and Wagon Superintendent in writing, otherwise the parts which are to be welded must be of Yorkshire iron or other wrought iron as may be specified.

(j) Materials for which British Standard specifications are to be used.

Name of Details.	Class letter named in British Standard specification showing class of material required.	Number of British Standard specification.	Form of British Standard Test piece to be used.
STEEL.			
Laminated springs ...		Report No. 24, 1911. Specification.	
Volute and Helical springs ...		No. 6	
Ordinary forgings ...	B	No. 7	D
Suspension eyebolts, nuts and washers ...	C	No. 8	D
Specially important parts, such as screw couplings, nuts, shackle pins, spring shackle pins.	D	No. 8	D
Brake Gear pins ...	D	No. 8	D
Castings ...	According to classification.	No. 10	C or D
Plates, sections, bars and rivet bars used in the construction of the wagon.		No. 18	A and B
WROUGHT IRON.			
Best Yorkshire iron for drawbars, shackles, screw couplings, side chains and other details where specified.	Best Yorkshire	Report No. 51	A and B
Brake rigging, and any other parts where wrought iron is specified, except plates.	Grade A	Report No. 51	A and B
Plates, other than Yorkshire iron plates.	Grade C	Report No. 51	A and B

(k) Materials for which no British Standard specification is yet available :—

Gun-metal.

Name of Detail.	Copper.	Tin.	Zinc.	Lead.
	Per cent.	Per cent.	Per cent.	Per cent.
Axle-box bearings, lined with white-metal ...	77.0	8.0	Nil.	15.0

White-metal.

Name of detail.	Copper.	Tin.	Antimony.	Lead.
	Per cent.	Per cent.	Per cent.	Per cent.
Axle-box bearings	5.5	81.5	10.5	2.5

For axle-boxes and any other parts, the materials for which are not mentioned in the above tables, see the special clauses dealing with these parts in this specification.

(l) The whole of the materials must comply, except where modified by this Additional requirements and specification, with the tests and other requirements of the British Standard specifications named above for the class of material concerned, and they must fulfil such further requirements as are stated in the specification.

(m) With regard to the analyses which the Contractors are liable to be called upon to supply under the terms of the several British Standard specifications abovenamed, together with other analyses which may be required by the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures, of other materials or articles not covered by such specifications, it is to be understood that, should the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures so decide, any or all of the analyses must be made by a metallurgist selected by themselves, and from these analyses there will be no appeal.

(n) In addition to the tensile and bending tests, etc., required by the British Standard specifications named above, for the materials to which they relate, the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures will take mechanical tests from wrought and cast-iron articles, etc., and such other materials as are not provided for in the British Standard specifications, in such number as they may consider to fairly represent the lot of articles from which the test samples are taken.

(o) The Contractors or a representative nominated by the Contractors, must arrange with the Inspector, before the work is commenced, for the provision of such additional articles as may be required to enable a selection to be made by the Inspector from the bulk for testing purposes, or failing that for extra piece to be left on each forging and casting, if required, which will be broken off or cut off in the presence of the Inspector for testing purposes.

(p) Should any of the materials or articles be found to be defective or fail to comply with the tests, analyses, or other requirements of this specification, they will be rejected.

(q) No electric or oxy-acetylene welding is to be done on any of the work unless the part for which this process is proposed has been shown to the Carriage and Wagon Superintendent and his permission for welding obtained in writing. The welding must only be done under his supervision.

(r) The Contractors will not be paid for any excess of weight due to the iron or steel having been rolled or forged thicker than specified or shown on the drawings, but should the weights supplied fall below an estimate made from the contract dimensions, the iron or steel will be accepted or rejected at the option of the Carriage and Wagon Superintendent.

(e) The Contractors are to be entirely responsible for the efficiency of the wagons in all respects, notwithstanding any approval which the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures may have given of the detail drawings supplied to the Contractors, or of the manufacturers of the materials or parts employed by the Contractors, or of the tests carried out either by themselves or by the Contractors.

CONSTRUCTION AND MANUFACTURE OF THE VEHICLES.

Underframes.

12. (a) The whole of the plates, channels, angles, bars and rivets, bolts, pins, etc., used in the construction of the underframe are to be made of steel, in accordance with British Standard Specification No. 18, Report 24, 1911, except such parts as may require to be welded, which must be made of wrought iron. The wrought iron is to be made in accordance with British Standard Specification No. 51, bars to grade A, plates to grade C, and must comply with the tests given in that Specification.

Materials for Underframes.

(b) Steel forgings of all kinds must comply with British Standard Specification No. 8. For class, see table of materials, Clause 11 (g).

Steel Forgings.

(c) The steel castings are to be made in accordance with British Standard Specification No. 10, Report No. 24, 1911, and must comply with the tests and requirements of that Specification. In addition, the Superintendent of Local Manufactures has power to select castings at his discretion for destruction tests.

Steel Castings.

(d) All channel and angle bars must be made perfectly straight and square over the flanges by pressure, and not by hammering before being used for the underframes. The ends of all channel bars must be finished by machinery and not by punching or shearing, to the exact shape and dimensions shown on the drawings. The ends of all channel bars must be carefully fitted, care being taken to ensure that the web of the one bar fits against and into the flanges of the bar it meets. The plates forming the end frame covering-plates, all cover and gusset plates of all underframes must be perfectly flat and free from buckles.

Channel and Angle Bars, Girders and Plates.

(e) All holes in the pieces of iron and steel which form the underframes must be drilled, except those in the cover gusset and headstock plates of all underframes, which may be punched, provided that all the holes in each plate are punched simultaneously, or through a metal template clamped and fixed to the plate which contains all the holes required in the plate; if one or other of these systems of punching be not adopted, all holes must be drilled.

Punching and Drilling.

(f) The knees for connecting the channel bars, forming the underframe must be made out of steel angle bars but the edges of the angles must be neatly dressed off and the holes through them drilled. Great care must be taken that these knees are so fitted that the whole breadth of each side will bear against the parts which they connect.

Knees.

(g) All rivets must be made to the correct length before rivetting, so as not to require cutting afterwards, and the ends must be perfectly square.

Rivets and Rivetting.

Every rivet must properly fill the holes, which must be perfectly fair with each other, and in no case must the diameter of the rivet under the head be more than $\frac{1}{16}$ inch smaller than the diameter of the hole it is intended to fill. Great care must be taken that the rivets are not overheated, that they are thoroughly cleaned, and that the edges of the plates are brought well together before the rivets are put in. Machine rivetting is to be employed wherever practicable, and care must be taken that the cup does not injure the plates. All rivets rivetted by hand must be made of the best Yorkshire iron. All rivets that are loose, having cracked or ill-shaped heads, or that are in any other way defective, must be cut out and replaced by sound rivets.

(h) Whitworth's standard gauges must be used in forging or finishing all bolt-heads and nuts and all bolts and nuts must be screwed to Whitworth's standard pitch, the bolts to a length of three diameters, unless otherwise shown on the drawings. All heads of bolts and nuts must be hexagonal.

Bolts and Nuts.

- (i) All surfaces of adjoining parts must, while thoroughly dry and clean, and just before being finally put together for rivetting, receive one good coat of paint made of freshly ground pure red lead and pure raw linseed oil. All burrs must be removed before the parts are put together and the surface must be brought into close contact while still wet.

FITTINGS AND DETAILS FOR THE UNDERFRAME.

18. (a) The axle-guards must be of wrought iron, in accordance with British Standard Specification No. 51, Grade A. They must be of the strongest and most suitable design for their purpose, and are to be firmly secured to the underframe in an approved manner and fitted with bridges. Care must be taken that sufficient clearance is left both above and below the axle-boxes. The guards are fitted with a special Tee steel section check block made of B class steel in accordance with British Standard Specification No. 8, Report No. 24, 1911.

(b) Scroll irons may be forged out of the solid of wrought iron, British Standard Specification No. 51, Grade A.

Pins for scroll irons and shackle plates are to be made of D class steel, British Standard Specification No. 8. All pins are to be turned and the holes for them in the scroll irons and shackle plates drilled.

- (c) The hook for hanging couplings, draw-bar plates, and other small forgings not otherwise specified, are to be made of wrought iron or mild steel as specified above for the axle-guards; they must be forged out of the solid and all the holes in them are to be drilled and the pins turned.

(d) The hand brake gear is to be made of wrought iron of mild steel of the quality specified above for the axle-guards, except the pins, which are to be made of D class steel as specified for the spring pins. The brake spindle, brake spindle hangers, brackets for brake blocks, suspending links, brake block suspending links, brake thrust rod ends and brake lever ends, are to be forged out of the solid and all holes in them are to be drilled and the pins turned.

(e) The vacuum brake is to be fitted to the underframe and is to comprise a vacuum cylinder complete with ball valve, reducing tee, dummies and carriers, hose and coupling, cylinder hose pipes and train piping, with all clips, bolts and nuts, fittings, connections, and brake rigging complete. The cylinder is to be ^{18 inches for Standard Gauge} _{16 inches for Metro Gauge} diameter, is to be galvanized and is to be fitted with the internal ball valve. The piston rod is to be satisfactorily rustproofed.

(f) The brake rigging is to be made of wrought iron or steel as specified above for the hand brake gear.

(g) The brake shafts, ends of brake block thrust rods, ends of pull and connecting rods and vacuum cylinder brackets must be forged out of the solid, all holes are to be drilled and the pins turned. The bearings of the brake beams are to be forged out of the solid, and the bearing part turned. The brake block suspending links are to be of wrought iron and eyes case hardened at both ends. The holes in the vertical lever brackets and vertical levers are to be bushed with hard steel bushes. The India-rubber pipes for the vacuum brake are to be of very best quality and suitable for use in tropical climates. The vacuum train pipe is to be fixed 8 inches out of the centre line of the wagon for 5 feet 6 inches and metre gauge on the left hand side of a person looking at the headstock of the wagon.

(h) The brake rigging is to be so arranged that there shall be an equal pressure on each block, and that the total pressure shall be 90 per cent. of the tare weight of the vehicle, with a vacuum of 20 inches in brake cylinder.

(i) The pins of all brake work, whether hand or vacuum, are to be of D class steel. The suspending link brackets are to be made of wrought iron or cast steel as may be decided by the Carriage and Wagon Superintendent and are to be forged or cast in one piece. The brake rigging is to be so arranged, and the necessary parts are to be provided, for working the brake blocks by hand, as well as by the automatic vacuum system. The castings for the brake gear are to sound sharp, perfectly

clean on the surface, and free from honeycomb. All the working parts of the brake gear must be planed, bored, or turned so as to make good machine work.

DRAW GEAR AND BUFFERS.

(For 5'-6" Gauge Wagons only.)

14. (a) The draw-bar hooks, spindles for draw springs, shackles, and side chains and

Draw Bars and Side Chains.

hooks (if required) are to be made of nickel chrome or steel having an ultimate tensile strength of 65-75 tons per square inch, with an elongation of 15 per cent. on 2' and Yield Point 80 per cent.; the nuts and cotters, wearing angles, and trimmers, and knees, are to be made of mild steel, British Standard Specification C class; the hooks must be made to the dimensions shown on the drawings, and must be forged by drawing the steel down at one end, then bending round, so that the grain of the iron may be in the same direction as the curves of the hook; the other end of the draw hook must be drawn down square so as to form the shank. The draw hooks, side chain hooks, and eye-bolts are to be drop stamped and then properly annealed, special care must be taken that the forgings are not overheated before they are drop stamped. The holes in the side chain hooks for the chains, and in the draw hooks for the shackle pin, are to be drilled and not punched. The spindles of draw springs when they pass through the springs must be turned.

- (b) Each side chain complete with hooks, links, nuts and eye-bolts must be fixed as nearly as possible as if in actual practice, and the nuts screwed up to their proper place. After this has been done every side

Testing Side Chains.

chain must be so arranged that a load of 20 tons may be applied throughout the chains, hooks, links and eye-bolts, and any part showing damage under this test will be rejected. Also one side chain in 100 must be tested to destruction, and must not break with less than a dead load of 12 tons; should any part of the side chain, hook or eye-bolts selected break with less than a dead load of 12 tons the whole of the work thus represented will be rejected.

(N. B. - If side chains are not required the above paragraph to be passed through.)

- (c) The buffers are to be made of wrought iron or mild steel. The wrought iron for the

Buffers, Plunger type.

washers is to be in accordance with British Standard Specification No. 51, grade A, and the steel for buffers to be to British Standard Specification No. 8, Report No. 24 of 1911, B class. The buffer heads must be forged solid on the rods, and not welded on to them. The buffer faces must be turned to a perfectly spherical surface, as shown on the drawings and the edges, and backs of the flanges on the plungers must be faced up true. The buffer head is to be secured to the buffer plunger by counter-sunk rivets as shown. The buffer rods must be drawn down under a steam hammer true to the form shown, and turned. The buffer plungers must be turned, and the inside of the plunger bored out if necessary, to ensure the plunger clearing the base of the springs when the buffer is driven right home. The buffer ends are to be bored out so as to be a proper sliding fit. The buffer washers must be dressed perfectly true to the form shown. The parts of the buffer rods which pass through the springs must be turned.

- (d) The screw, trunnion nuts, links, shackles and pins of the screw couplings are to be

Screw Couplings and Shackles.

made of nickel chrome steel, properly heat treated, having an ultimate tensile strength of 65-75 tons per square inch, with an elastic limit of 55 tons per square inch and an elongation of 15 per cent. on 2 inches; Yield Point 80 per cent. The weight lever rivets and washers for the couplings are to be of mild steel, having a tensile strength of 27 to 32 tons per square inch with an elongation of 28 to 32 per cent. The draw-bar shackles, the screw couplings, shackle weight lever for screw couplings, and screw coupling nuts, are to be forged out of the solid, and all holes in them must be drilled. The coupling nuts are to be turned and faced up at the ends, sufficient metal being left on the ends of the pins of the nuts for cold rivetting; the washers which are attached to the nuts are to be counter-sunk on the outer side. The lug on the screw for attaching the weight lever to the screw must be forged solid with the screw and not welded on. The bottom end of the lever must be flattened out or split, to prevent the cast-iron weight from working loose or dropping off. Great care is to be taken to cut the threads of screw couplings accurately to the dimensions given on the drawing and generally to finish them in the best and most accurate manner.

- (e) Each of the screw couplings must be fixed as nearly as possible as if in actual

Testing Screw Couplings.

practice and screwed both in and out to the full length of the travel. After this has been done, every coupling must be so arranged that a load of 40 tons may be applied throughout the coupling, and any coupling,

showing damage under this test will be rejected. In addition to the above one per cent. of the couplings are to be subjected to a direct pull through the shackles, and the couplings must show no sign of distortion with a load of 80 tons, the breaking load thus applied to be not less than 100 tons. Should the coupling selection for test fail to withstand the specified test, the entire batch represented by the test will be liable to rejection.

(For Metre Gauge Wagons only.)

14-A. (a) The hook and coupling buffers are to be made of cast steel as specified in British Standard Specification No. 10, Report No. 24 of 1911. The coupling hooks to be steel forgings made of D class steel. The hooks are to be forged out of the solid; the hooks must be made to the dimensions shown on the drawing, and must be forged by drawing the steel down at one end and then bending round, so that the grain may be in the same direction as the curves of the hook. The hooks are to be drop stamped and thus annealed, special care being taken that the forgings are not overheated before they are drop stamped.

The holes in the hooks, for the pin, are to be drilled and not punched.

(b) The hook—and coupling—buffer spindles are to be turned throughout their length.

The buffers are to be machined perfectly flat on the face, and at right angles with the spindles.

(c) The coupling screw, connecting link, yoke and lever are to be forged from the solid of D class steel and must be made to the dimensions shown on the drawing and all holes in them must be drilled, and all the pins and joints must be an easy and good fit.

Great care must be taken to cut the threads of the screws accurately to the dimensions given on the drawing, and generally to finish them in the best and most accurate manner.

(d) The trunnion nuts, spindle nut, and all pins must be of D class steel, special care being taken to accurately machine the threads in the nuts.

(e) The sleeve washer, spring sleeve, outside and inside spring cups are to be made of cast steel according to British Standard Specification No. 10, Report No. 24 of 1911. They must be accurately machined where required to the dimensions shown on the drawing.

(f) Each buffer must be fixed as nearly as possible as in actual practice and the screw must be screwed both in and out to the full length of its travel. After this has been done, every buffer must be so arranged that a load of 15 tons may be applied throughout the buffers, and any buffer showing damage under this test will be rejected.

Testing Buffers.

Axle-Boxes.

15. (a) The axle-box castings may be of either (a) malleable cast-iron, i.e., castings made from iron and rendered malleable by annealing in hematite ore or other similar process, or (b) cast steel, i.e., castings made direct from Siemens, Martin or Bessemer steel, or other approved process.

The malleable iron and steel castings are to be of the best quality and thoroughly well annealed. One box out of every 100 cast will be selected for testing in the following manner:—

The box selected will be placed on its side on a solid metal foundation, and a weight of 2 cwts. will be allowed to fall freely on it, at least twice, from a height of 12 feet, after which the box must be broken for the examination of the material, and the thickness of the metal. Should the box selected, fail under the drop test, or the material appear unduly reduced, the boxes represented by the tested sample will be rejected.

(b) The axle-box covers must be made of the same material as the boxes as approved by the Carriage and Wagon Superintendent.

Axle-box Covers.

(c) The gun metal bearings are to be lined with white metal. The gun metal is to be composed of 77 per cent. of copper, 8 per cent. of tin, and 15 per cent. of lead. It must be cast into ingots of about 80 lbs. weight, and re-melted before being run into the moulds. White metal for use as lining for

Gun Metal and White Metal.

the bearings is to be composed of 5.5 per cent. of copper, 81.5 per cent. of tin, 2.5 per cent. of lead, and 10.5 per cent. of antimony. The Superintendent of Local Manufactures or the Carriage and Wagon Superintendent will have one bearing out of each one thousand of the total number required under this contract tested by a metallurgist selected by themselves.

If the gun metal or white metal be found to differ from this Specification, or to show the presence of more than one per cent. in all other metals or impurities, the bearings will be rejected.

The slipper or slide must be of cast iron with two W. I. projections at one end for drawing it out, it must be perfectly flat and even so as to bed accurately between the top of the bearing and the box.

- (d) The wooden dust shields must be lined with thoroughly good tanned leather, well cured and kept in place by the dust shield cover plate of mild steel. The shields and cover plates must be made to the

dimensions shown on the drawing.

- (e) The whole of the fitting is to be carried out in the best possible manner.

The spring seat and the top and side seats for the gun metal bearing must be carefully cleaned out and made perfectly flat and true. The axle-guard guides must be made accurately to the size shown, clean and smooth on back and sides, and must be at right angles to the spring seat. The axle-guard guides must be made as hard as possible to resist wear, and of the exact size shown on the drawing. Great care must be taken that the thickness of the metal in the working parts of the box is not reduced. The cover and face for the cover must be machined perfectly true. The holes in each cover and box must be drilled out of the solid, and through templates made to the satisfaction of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures, so that any part of one axle-box will fit accurately in any other axle-box.

(f) The bearings must be bored $\frac{1}{16}$ inch larger in diameter of the journal to which they are to be fitted, the bored surface being finished up bright. They must also be machined up true on top and sides and well fitted into the axle-boxes, so that when in place they have no shake, and are perfectly square with the spring seat and axle-guard guides.

(g) The contractors must arrange with their Sub-Contractors to provide an axle-journal to the size shown on the drawing, finished bright and fitted into a cast iron box frame of suitable construction, to gauge all parts of the axle-boxes and bearings as a whole. Other gauges suitable to test the work in detail are to be made of steel. These gauges are to be made in accordance with the drawings and must be approved by the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures before the work is commenced. The whole of the gauges are to be the property of the Railway Company, and are to be in the custody of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures, during the execution of the contract.

All gauges or parts of gauges must be renewed at the Contractors' expense as often as the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures may think necessary. Any of the axle-boxes which are not made to fit the gauges accurately will be rejected.

(h) One axle-box complete with gun metal bearing, slipper, dust shield and cover plate must be finished and fitted complete, and approved by the Carriage and Wagon Superintendent, before the remainder of the work is proceeded with. This axle-box will be kept as a sample, and the whole of the work must be fully equal to the approved sample in quality and finish. Should the Carriage and Wagon Superintendent wish to make any alterations in the sample submitted, these alterations must be made without extra charge.

(i) The initials of the Railway, the maker's name, the Contractors' name and the year of manufacture, are to be cast or stamped on every cover and cast on each bearing, also on each side or top of every axle-box, and in addition the size of the journals must be cast on the box and cast or stamped on the cover, and each box and bearing must be stamped by the Inspector with his stamp.

LAMINATED SPRINGS.

16. (a) The springs are to be made in accordance with the British Standard Specification No. 6 (with analysis), Report No. 24 of 1911, for laminated bearing springs and spring steel, subject to the following requirements:

Material and Testing.

Acid steel is to be used as specified, but with the written permission of the Carriage and Wagon Superintendent the steel may be made in a basic lined furnace, on condition that during the process no carbon except that in the ferro-manganese is added to the steel.

Sample of the spring steel will be selected from one top plate, and one of the other plates out of each kind of springs under the contract after tempering out of each batch of springs, if the batch be less than 300, or one sample piece in every 300 springs if there be more than that number. These samples will be subjected to a complete analysis by a metallurgist selected by the Carriage and Wagon Superintendent. Should the analysis prove unsatisfactory, the springs will be rejected.

The carrying power of the spring is to be equal to that given on the drawing.

The Superintendent of Local Manufactures shall have power to mark in some easily distinguishable manner every rejected spring, but not in such a manner as to render them unsaleable to other parties.

- (b) The ends of the top plate must be bent round to the correct radius as shown on the drawing to engage with the shackle pin.

Every plate must be properly fitted, nibbed and tempered. The nibbing of the top plate is to be done while it is red hot. Great care must be taken that the nibs and the slots are exactly in the position shown on the drawings.

Each plate must be completely coated with red lead paint before being put into a spring.

Buckles are to be forged out of one piece of iron the full width of the buckle. The two ends are to be drawn down, lapped well over one another, and soundly welded at the top or bottom as the case may be. The angles of the buckles both inside and outside must be perfectly square and solid, and the whole buckle to gauge and square to the exact form and dimensions shown on the drawing. The underside of the seating must be dressed perfectly flat and true to the plans of the spring. The buckle must be tightly shrunk on to the plates, the plates being further secured in place by means of a washer plate and set screw.

The whole of the inside of the spring buckle must be slotted out exactly to gauge and the width of the steel used for the springs must be uniform and correspond exactly with this gauge. Great care must be taken to bed the plates thoroughly well together. The buckle must be made a dark red heat, and the plates pressed tightly home so as to ensure a thoroughly good tight fit.

- (c) Every plate of each laminated spring must be legibly stamped with the initials of the Railway, the Contractors' name, the maker's name, and the year of manufacture. The top plate must be stamped on one eye at the extreme end, all other plates on the underside at one end.

HELICAL AND VOLUTE SPRINGS.

17. The springs are to be made in accordance with the British Standard Specification for Volute and Helical Springs, No. 7 (with analysis) Report No. 24, 1911, except as modified by the following additional requirements which are also to be observed :

(a) Acid steel is to be used as specified, but with the written permission of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures the steel may be made in a basic lined furnace, on condition that during the process no carbon except that in the ferro-manganese is added to the steel.

- (b) The material required for analysis will be taken in the following manner :—

The Carriage and Wagon Superintendent or the Superintendent of Local Manufactures will take a sample piece of steel, after tempering, from each kind of springs under the contract. The sample piece will then be subjected to complete analysis by a metallurgist selected by the Carriage and Wagon Superintendent. Should this analysis prove unsatisfactory, the springs represented by the sample will be rejected.

The carrying power of the spring should be equal to that given on the drawing.

Each end of every spring must be ground exactly at right angles to the centre line of the spring, and the coils of all springs must be true and square with the base.

- (c) Every spring must be legibly stamped when hot with the initial letters of the Railway, the Contractors' name, the maker's name, and the year of manufacture.

Marking.

WAGON BODY IRON-WORK, ROOFING AND FITTINGS.

18. (a) The standard roof sheets weigh 2.5 lbs. per square foot. The roofing sheets to be curved accurately to the radius given in the list of parts or shown on the drawings. They are to be delivered with the adjoining edges of each sheet perfectly square to each other, and exactly true to the dimensions given. The end of each sheet must be perfectly square with the sides. It is to be in the power of the Carriage and Wagon Superintendent or the Superintendent of Local Manufactures to adopt such means as they may think necessary to test whether any of these sheets fall short of the requirements of this Specification.

(b) The sheets, bars and angles for the wagon bodies are to be made of steel, in accordance with British Standard Specification No. 18, Report No. 24, 1911, except such parts as may require to

be welded, which should be made of wrought iron in accordance with British Standard Specification No. 51, grade A, and must comply with the tests given in that Specification.

(c) The side, end, shutter, door and floor sheets for the wagons may be punched, provided that all the holes in each plate are punched simultaneously, or through a metal template clamped and fixed

to the sheet which contains all the holes required in the sheet. The bars and angles connected with the sheets, which are not part of the underframes and the door frames may be punched provided that the holes in each piece are punched simultaneously, or through a template as above described, or they may be punched in the usual manner, provided every piece is gauged, at the Contractors' expense, with the metal stud template made to the satisfaction of the Carriage and Wagon Superintendent and is correct when so gauged; if one or other of these systems of punching and gauging the holes in the sheets, bars and angles be not adopted, all holes must be drilled. Any sheet, bar or angle in which the holes are not accurately in their proper position will be rejected. The sheets must be rolled carefully to the weights and thickness given. The side, end, and door sheets must be carefully flattened by planishing under the hammer or stretched in a machine so as to be without buckle or wave. The edges of the floor plates may be sheared if the work is so done as to make a close joint when they are rivetted to the underframe.

(d) The door and door top frames are to be made as shown on the drawing; they are to be neatly welded up at the corner. All holes for rivets and bolts are to be made in the frames after they are welded up.

The hinges for the doors are to be carried across them, so as to be rivetted to the frames, as shown in the drawings. Great care must be taken to make a perfect fit between the door frames and the bars against which they are shut. The special sections of iron and steel must be supplied to the exact sections shown on the drawing.

(e) The door of the wagons, and the parts at the top of the doors are to be rivetted up and finished complete in every respect, and these, as well as every detail, must be tested by metal gauges at each stage of their manufacture, and be to the satisfaction of the Carriage and Wagon Superintendent.

(f) The edges of the side sheets at the doors of the wagon and the closing bar at the top of the doors are to be pressed to the form shown on the drawing so as to prevent water getting into the wagon through the doors. The edges of the door plates, and the centre cover strips are to be carefully pressed to the form and dimensions shown on the drawings. The bent edges of all plates are to be perfectly true and square with each other and with the body of the plate. Any plate showing cracks, laminations, or any other defects, will be rejected. All holes in the pressed plates are to be drilled in them after they are pressed. The plates and doors when finished must be perfectly flat and free from all buckle and wave.

(g) Door brackets, door stays, eye-bolts, door fastenings, bolts guides, pins for door fastenings, division hinges, staples, and hinge feet are to be

forged out of the solid and all holes in them are to be drilled. The eyes of all iron hinges are to be forged out of the solid and welded on to the arms not less than 6 inches from the centre of the eye, and the eyes of the hinges and hinge feet must be faced on both sides in a machine. All holes of every kind in them are to be drilled, and the pins turned and when finished must be perfectly flat and free from all buckle and wave.

GENERAL.

19. (a) All parts where thought necessary by the Carriage and Wagon Superintendent or his Deputy are to be bored, turned, or planed, and finished up smooth and bright whetted

mentioned in this Specification or not, and all pieces of iron or steel not so bored, turned, or planed must be thoroughly cleaned and dressed up and finished off in the best style of wagon work. All nuts are to be hexagonal and must fit so tightly on their bolts that they cannot easily be turned by hand. Whitworth's standard gauges must be used in forging or finishing all bolt heads and nuts, all bolts and nuts must be screwed to his standard pitch, and the bolts to a length to three diameters. All rivetting is to be done in the best possible manner. All rivets that are rivetted up which are found to be loose, or have cracked heads, or to be in any other way defective, must be cut out and replaced by others. All workmanship and material must be of the very best of their respective kinds.

(b) A pattern of every article required under this Specification which will be made in India must be made and finished complete, and approved by the Carriage and Wagon Superintendent or his Deputy before any similar part of the rest of the work under this contract is proceeded with. Should an examination of any of these patterns lead the Carriage and Wagon Superintendent or his Deputy to order any alteration in the designs of any of the parts they are to be at liberty to do, without claim on the part of the Contractors for loss on any of the parts which they may have made prior to the approval to the patterns, or for any extra payment, except in regard to weight, at such prices as may be approved by the Carriage and Wagon Superintendent or his Deputy.

(c) The intention of this Contract is that every piece of steel or iron shall be manufactured with such accuracy that any piece may be used, without dressing of any kind, in the place for which it is designed in any of the vehicles. To ensure this, every piece must be made from a carefully prepared metal template or gauge, and all holes in it, except where specially mentioned to the contrary, must be drilled through the holes in the template, so that the corresponding parts in the different vehicles may, without doubt, be exact duplicates of each other. All templates and gauges must be provided by the Contractors at their own expense. The template must be steel bushed, of such material, made in such a manner and be renewed as often as the Superintendent of Local Manufactures or the Carriage and Wagon Superintendent shall desire. All dimensions for template and gauges to be taken from the upper side of channels, angles, etc.

(d) The various fittings will be checked and gauged by the Superintendent of Local Manufactures, the Carriage and Wagon Superintendent or his Deputy in such convenient places as may be arranged, and it is desired, that every facility shall be made for this purpose by laying out the pieces which go to make up a definite number of vehicles at one time, which number shall be agreed upon from time to time, during the Contract.

ERECTION.

20. (a) One wagon is to be erected, the underframe and body to be rivetted up complete.

The wagon is to be fitted with bearing spring, buffers, brake gear, etc., all steel and iron work complete and erected on its wheels and axles as a pattern and approved and passed by the Carriage and Wagon Superintendent or his Deputy before the rest of the work is proceeded with.

(b) The pattern wagon and pattern of every article having been approved, the remaining wagons are to be erected complete and delivered in perfect running order. The whole of the work must be equal in every respect to the approved patterns. Every detail must be tested by metal gauges at each stage of its manufacture. Care must be taken that the underframe templates are all worked off the top and ends of channel bars, and that the width and depth of the underframe sections are checked from time to time as received from the rolling mills, as inaccuracy of rolling may lead to difficulty in securing exact duplication.

(c) The pattern wagon after examination and inspection by the Superintendent of Local Manufactures, the Carriage and Wagon Superintendent or his Deputy shall be tested in the following manner:—

Loading Test.

After taking the deflection of bearing springs, the floor and buffer heights, the wagon will be gradually loaded with ballast or pig iron until the load of the wagon is tons per axle, and a record taken of the deflection of the springs, solebars and sides. For the latter purpose loaded wire shall be strung on pulleys and run the length of the underframe and side. The wagon shall then be unloaded and readings taken again and the result recorded by the Carriage and Wagon Superintendent.

INSPECTION.

21. (a) No article is to be painted before it has been inspected and approved by the Superintendent of Local Manufactures or the Carriage and Wagon Superintendent. Any

article which is found to be in any way defective or which is not in accordance with the tests or other requirements of this Specification, will be rejected. The Contractors must provide, free of charge, all tools, labour, and gauges required by the Superintendent of Local Manufactures or Carriage and Wagon Superintendent for the inspection, and for such testing of the work as may be carried out on the Contractors' premises, or at their Sub-Contractors' works as stated in Clause 11 (A) of this Specification.

(b) It is to be clearly understood that a sample of every kind of fitting which is sublet is to be submitted to the Inspector at the Sub-Contractors' Samples of Fittings. works, and checked over by him and compared with the drawing before the bulk of the fittings are proceeded with and arrangements should be made for marking and keeping them for ready reference during the Contract.

MARKING AND PAINTING.

Painting and marking Finished Wagons. 22. Every completely erected wagon is to be finished off in the following manner :—

The body sides and ends (outside) are to be painted with two coats of standard colour to the approval of the Carriage and Wagon Superintendent. Sufficient time must be allowed to let the first coat thoroughly dry before applying the second coat.

The paint is to be obtained from an approved Paint and Varnish Works Company and must be to the Railway standard quality and shade.

The underframe, underframe iron work, buffer cases, brake rigging, and axles are to be painted.

The underframe members, cross and longitudinal bars and floor of the wagon underneath are to be painted with two coats of red oxide.

The axle-guards, axle-boxes, bearing springs and wheels are to be painted black.

The inside of the wagon and the floor is to be painted with two coats of red-oxide, and the marking for the inside is to be done carefully in white paint as shown on drawing No.

The outside of the wagon is then to be carefully lettered and marked as shown on drawing No.

TRACINGS AND PHOTOGRAPHS.

23. (a) The Contractors must furnish tracings and photographs as follows :—

Two complete sets of tracings showing the wagons and brake gear (general arrangements and details).

Six photographs of the pattern wagon taken from two points of view.

(b) The tracings are to be made on tracing cloth ; they are to be well executed, hand-made, general and detail tracings of the general arrangements of the bodies and underframes, and of the underframed body steel

and iron work, wheels and axles, axle-boxes and springs of the vehicles exactly as made. The Contractors are to show the wheels and axles, axle-boxes, springs and other fittings in detail and in position on the general tracings of the vehicles, the numbers of the drawings which refer to these fittings are to be given on the general tracings of the vehicles, the particulars of the weight of the vehicles, and the weights and dimensions mentioned in Clause 20 of this Specification should be given on these general tracings.

(c) These tracings must be made to a scale approved by the Carriage and Wagon Superintendent. It is the intention of this Contract that the General drawings of the vehicles should be complete in every respect. A diagram sketch (scale $\frac{1}{4}$ inch to the foot) of the vehicles is to be given showing the principal dimensions. This tracing is to be cut the same size as the other tracings in the set, and is to bear the first serial number of the set. Each tracing must be marked with the words '..... Railway Covered Open

Goods Wagons, 5' 6" gauge type, the No. of the Contract and the Contractors' name. The tracings are all to be made of the same size, double elephant, 40 inches long by 27 inches wide, and they are to be delivered rolled up on a wooden roller, and

not folded in any way. The contract is to include in the set of 'As made' tracings a sheet giving lists of all details, bolts, nuts, rivets, and all fittings, with the quantities. Before the tracings are sent to the Carriage and Wagon Superintendent each tracing must be signed by the Inspector, who has charge of the contract at the works.

(d) Six photographs, three showing the side view and three showing the end view of the pattern wagon completely erected, are to be supplied. One pair of photographs (one of each view) for each set of tracings are to be mounted on one sheet of drawing paper backed with cloth, which should be cut the same size as the tracings. This sheet is to bear the last serial number of the set. The remaining pair of photographs are to be supplied unmounted.

PAY AND EMOLUMENTS OF ASSISTANT SUPERINTENDENTS OF THE RAILWAY MAIL SERVICE.

62. **Rai Bahadur Bakshi Sohan Lal :** (i) Will Government be pleased to state whether it is a fact or not :

- (a) that since the creation of the appointment of Assistant Superintendent, Railway Mail Service, some forty years ago, no increase in their pay and emoluments has been made ;
- (b) that the Postal Committee which sat at Simla in 1920, to raise the scales of the pay of Post Office and Railway Mail Service Officials has ignored altogether the case of the Assistant Superintendents, Railway Mail Service, and instead of bettering their prospects has degraded them to the subordinate posts of Inspector and that this action of the Committee has had the effect of making, in some cases, the superior officer, that is Assistant Superintendent, Railway Mail Service, draw less salary than his subordinate Inspector ;
- (c) that all the European and Anglo-Indian Assistant Superintendents, who were on the list of Assistant Superintendents, were provided with higher appointments in the Department without passing the Departmental examination, while all the Indian Assistant Superintendents, some of whom were senior to the European and Anglo-Indian Assistant Superintendents, were degraded to the subordinate rank of Inspector and the post of Assistant Superintendent was thus abolished altogether ;
- (d) that representations were made by the Indian Assistant Superintendents, Railway Mail Service, to the Director-General, Posts and Telegraphs, and to other authorities for redressing their grievances and for improving their prospects of future advancement ?

(ii) If so, will Government be pleased to state what steps, if any, they have taken or intend to take to redress the grievances of Assistant Superintendents, Railway Mail Service ?

(This Answer was, by leave of the Chair, placed on the table.)

Colonel Sir S. D'A. Crookshank : (i) (a) It is necessary to explain at some length why there has seemingly been no increase of pay in the appointment of Assistant Superintendent. The position is as follows : An appointment of Assistant Superintendent on Rs. 200 was first created in 1878. After that and until 1882, the sanctioned grades of Assistant Superintendents were Rs. 200 (one), Rs. 150, Rs. 125, Rs. 120 and Rs. 110. In 1883 the designation of ten Inspectors on Rs. 100 was changed to Assistant Superintendent. In

1891, the one appointment on Rs. 200 was absorbed in the next lower grade and three grades of pay were sanctioned, *viz.*, Rs. 150, Rs. 125 and Rs. 100. With effect from the 1st December 1919, the appointments of Assistant Superintendents were merged in those of Inspectors of Sorting on a time-scale of Rs. 100—5—175. The maximum of the new time-scale is Rs. 175 against Rs. 150, the maximum of the previous graded scale.

(b) These appointments were abolished on the recommendation of the Postal Enquiry Committee, 1920, and merged in those of Inspectors of Sorting corresponding to Inspectors of Post Offices. The reasons are stated in the report of the Postal Enquiry Committee, 1920. In a number of cases, the revision has, no doubt, affected the *ex*-Assistant Superintendents adversely and in some instances they are drawing less pay than the former Inspectors of Sorting, but such cases are receiving the special consideration of the Director-General.

(c) On the 1st December 1919, the date on which the changes had effect, there were altogether 42 officials holding substantive appointments in the three grades of Assistant Superintendents, Railway Mail Service, as shown below :

1st grade pay Rs. 150 (15).

13—Indians.

2—Non-Indians.

2nd grade pay Rs. 125 (8).

8—Indians.

3rd grade pay Rs. 100 (19).

17—Indians.

2—Non-Indians.

The two Non-Indians in the 1st grade, one of whom headed the list, had already been officiating as Superintendents, Railway Mail Service, on Rs. 200 in acting vacancies in their own Circles as they were recommended for these appointments by the head of the Circle. The senior man while so officiating retired in May 1920 and the other man was confirmed as a Superintendent on the minimum pay (Rs. 250) of the time-scale about the same time, as he had rendered a continuous acting service for over 2 years and was also specially qualified on account of his experience of Railway Mail Service work in the Bombay Presidency. He was 49 years of age at the time of his confirmation and had accordingly to be exempted from passing the departmental test, which is intended for departmental subordinates not exceeding 31 years of age. The other two Non-Indians in the 3rd grade became Inspectors along with the others.

Of the 13 Indians in the 1st grade, 1 has retired, 9 have already been promoted to appointments in the selection grade of Rs. 175—225 from the 1st December 1919 or subsequent dates, according as vacancies were available, and one among them who had passed the Superintendents' test is acting as Superintendent of Post Offices on Rs. 250 ; 6 out of 8 Indians in the 2nd grade and 4 out of 17 Indians in the 3rd grade have similarly been given promotion to the selection grade posts on Rs. 175—225 or Rs. 145—170 ; 3 other qualified passed Indians—1 of the 1st grade and 2 of the 3rd grade—are already

acting as Superintendents on Rs. 250. . Thus only 4 Indians—2 of the 1st grade and 2 of the 2nd grade who are now Inspectors on Rs. 100—5—17½ and who are not qualified for a Superintendentship are adversely affected by the change but they are eligible for promotion to the selection posts on Rs. 175—225. 11 Indians and 2 Non-Indians in the 3rd grade who became Inspectors cannot be said to be adversely affected, as their pay was changed from Rs. 100 to Rs. 100—5—17½, with the prospect of promotion to the newly created selection posts on Rs. 175—225 or Rs. 145—170. Moreover, the question of regulating the pay on the time-scale on its introduction on the 1st December 1919 by a special concession in respect of the Assistant Superintendents adversely affected, who are either at present in the cadre of Inspectors, Railway Mail Service, or who received promotion to other posts from a date subsequent to the 1st December 1919, is already under consideration. It will thus be seen that no preferential treatment has been or is being accorded to Non-Indian Assistant Superintendents.

(d) Representations have been received and they are being considered as stated above.

(ii) With the exception of the 4 cases referred to in (i) (c), Government do not consider that the former Assistant Superintendents have any legitimate grievance.

VACANCIES AMONG FOREST RESEARCH OFFICERS AT DEHRA DUN.

63. **Mr. Pyari Lal:** (a) Will the Government be pleased to place on the table a statement showing how temporary vacancies occasioned by the absence on leave or otherwise of Research Officers at the Forest Research Institute, Dehra Dun, have been filled during the last five years, stating the qualifications for special research work of the temporary incumbents?

(b) Is it a fact that in the past these vacancies have been filled by officers without any regard to their technical qualifications for the special branch of research of which they were placed in charge, e.g., an officer whose duties are more or less clerical being made to officiate as Forest Zoologist and also officers holding no special qualifications for chemical research being made to officiate as Forest Chemist, in preference to the respective qualified assistants?

(c) Is there any reason why the procedure obtaining at Pusa and other Research Institutes under the Government of India of allowing assistants to officiate and thus increasing their efficiency should not be followed at the Forest Research Institute?

1. **Mr. J. Hullah:** (a) The statement asked for is placed on the table.

(b) The Research officers at the Forest Research Institute are selected officers with special qualifications in their own subjects and in most cases it has been impossible to replace them by officers of similar qualifications when they have proceeded on leave. Special research work has therefore had to be suspended during their absence and all that it has been possible to do has been to keep the administrative work of the branch running as efficiently as possible. In only two cases were the Assistants considered capable of carrying on the work.

(c) At the Agricultural Research Institute at Pusa second or supernumerary officers are ordinarily available and, when they are not, officers can be obtained from the provinces to officiate in the leave vacancy of the head of a section. Only short leave vacancies, and those also in sections where there are no second or supernumerary officers, are filled by the appointment of Assistants to hold

charge of the current duties of the section. This procedure is not ordinarily practicable at Dehra Dun.

In the beginning of this year one of the Assistants to the Forest Chemist was allowed to officiate for part of the time during which the head of this branch was on leave but the period was too short to form a definite conclusion as to his fitness. Whenever an Assistant is considered fit to do so he will be allowed to carry on the duties of the head of his branch in the latter's absence provided a fully qualified officer is not forthcoming.

Statement showing how temporary vacancies occasioned by absence on leave or otherwise of Research Institute officers have been filled during the last 5 years.

Serial No.	Name of Research Officer who proceeded on leave.	Name of officer who held charge of the duties of the officer on leave.	Periods.
1	Mr. C. F. C. Beeson, Forest Zoologist.	Mr. N. C. Chatterji, Asstt. F. Zoologist O C in addition. Mr. B. B. Osmaston, President O/C in addition. Mr. J. E. Macpherson, P. A. to President F. R. I. and College O/C in addition. Mr. F. M. Howlett, Impl. Pathological Entomologist of Pusa O/C in addition.	5-5-1916 to 18-5-1916. 19-5-1916 to 2-7-1917. 26-11-1919 to 6-2-1920. 7-2-1920 to 8-7-1920.
2	Mr. Puran Singh, Chemical Adviser.	Mr. C. E. C. Cox, Asstt. F. Economist O/C in addition.	4-4-1918 to 1-6-1919.
3	Dr. J. L. Simonsen, Forest Chemist.	Mr. A. J. Gibson, F. Economist O/C in addition. Mr. C. F. C. Beeson, F. Zoologist O/C in addition. Mr. Gopal Rao, Asstt. to F. Chemist, Offg. F. Chemist.	15-11-1919 to 7-3-1920. 19-9-1920 to 24-1-1921. 25-1-1921 to 20-3-1921.
4	Mr. R. S. Pearson, Forest Economist.	Mr. C. E. C. Cox, Asstt. F. Economist Mr. A. J. Gibson, D.C.F. Mr. C. E. C. Cox, Asstt. F. Economist Mr. R. C. Milward, President O/C in addition.	27-8-1919 to 6-11-1919. 7-11-1919 to 11-3-1920. 12-3-1920 to 3-7-1920. 4-7-1920 to 26-8-1920.
5	Mr. R. E. Marsden, Sylviculturist.	Mr. R. S. Troup, D.C.F., and previously Sylviculturist. Mr. W. F. Perree, President O/C in addition.	2-2-1919 to 5-4-1919. 6-4-1919 to 20-10-1919.
6	Mr. R. S. Hole, Forest Botanist.	Mr. W. F. Perree, President O/C in addition. Mr. C. F. C. Beeson, Forest Zoologist O/C in addition. Mr. S. H. Howard, Sylviculturist O/C in addition.	5-5-1919 to 25-6-1919. 26-6-1919 to 25-11-1919. 26-11-1919 to 28-12-1920.

PROCEDURE IN REGARD TO QUESTION AND ANSWER.

The Honourable the President: Before the Assembly proceeds to business, I have a statement to make regarding the procedure of Question and Answer. The right of questioning Government is one of the most valuable rights which parliaments possess. The practice of it varies in different countries and, in the evolution of Indian procedure, we have not yet reached finality. Nor would it appear, that apart from the form of procedure, the true scope of the parliamentary question is fully understood.

A question is a demand for information. It may sometimes be used for a purpose beyond that simple request; but, if it is so used, it must be with care: for, it is obvious that a point soon arrives where the cross-examination of a Minister becomes debate and thus passes beyond the bounds of order.

The line which divides cross-examination from debate has been crossed several times by questions of which notice has been given for the present Session of the Assembly. I will give but one instance.

A Member asked :

'Will the Government be pleased to state the exact present position and policy of the Government with regard to the following matters :

- (a) Afghanistan ;
- (b) Khilafat ;
- (c) Punjab wrongs ;
- (d) Non-co-operation in its double aspect of :
 - (1) violent ;
 - (2) non-violent ;
- (e) Attainment of Swaraj within the year ;
- (f) Amendment of the Reform Act ;
- (g) Dissolution of the present Council.'

This is not a 'question,' in the sense in which the word is used in the Rules and Standing Orders. It asks, not for information in the strict sense of the word, but for a speech which could not have been made without violating the principles of our procedure. It was, therefore, disallowed, as contravening most, if not all, of the Rules and Standing Orders relating to Questions. The proper form in which to put comprehensive requests of that kind is a Resolution, or even a series of Resolutions: the proper occasion for their expression is in debate.

A second class of question, of which I hope the united common-sense of the House will permit only the most sparing use, is that which asks for the collection of great quantities of facts and statistics, entailing prolonged labour for the Department concerned which nothing but important public interest can justify. It is not always easy to decide whether questions of this kind are an abuse of the right of questioning; and, therefore, I hope that Members, before giving notice of them, will consult the Department informally, as to

how far it is possible to meet the request." Much time and labour will thus be saved.

Analogous to this type of question is one which asks Government to make a collection of statistics and other information which is already published and, therefore, available to any Member who will take the trouble of seeking it himself. An instance of this type, which I will quote, runs as follows :

(a) Will the Government be pleased to lay on the table a comparative statement showing the prices of Milk, Ghee, Sugar, various food grains, oils and oil-seeds, cotton and ordinary cloth from the time of the Mutiny of 1857 up to the present day in India so far as records are available ?

(b) What were the prices during the Hinda and Muhammadan reigns in India respectively ?

(c) What are the causes of high prices at the present day, and what steps do the Government propose to take to alleviate the discontentment caused thereby ?

This is obviously a matter of historical research : and I am not aware that the Government of India contains a Department of History.

A third and graver issue is raised by a question which insinuates that Members of Government often act in bad faith in the answers which they give. Here we pass out of the region of the written rule into that of the unwritten conventions which govern parliamentary life. The Chair is not concerned with the private opinion which one Member holds regarding the good faith of another ; but when private opinion finds public expression in the suggestion that officials mislead the Assembly by not being straightforward, we are perilously near the point where reasoned discussion becomes impossible owing to the intrusion of personal feeling and personal charges that are not easily proved or disproved. To this the Chair cannot turn a deaf ear. To pass in silence expressions of that kind would create a precedent which would open the straight road to recrimination and consequently to disorder. Hence the rigour with which expressions, commonly called *unparliamentary* must be scrutinized by the President.

As regards the request for notice of a Supplementary Question, referred to in No. 13, this is a proper and recognised way of meeting any unexpected question and is usually regarded, not as a means of avoiding a proper answer, but as ensuring time and consideration in order that a proper answer may be given.

A fourth point is raised by the fact that out of 700 questions that have passed through my hands in preparation for this Session, no less than 82 have been disallowed under Rule 7, which figures as paragraph 28 in the Manual. This number, representing more than 11 per cent of the total, is much too large. When I add that these 82 questions were asked by 31 different Members, the Assembly will realise that at least one-third of the non-official Members are unaware of one of the fundamental conditions of the new Constitution, namely, the scope of the authority of the Government of India and the enlarged autonomy of the provinces. Hitherto a certain leniency has been exercised in the interpretation of Rule 7 and of other provisions, in view of the difficulties inherent in the new system. I must ask Members, henceforth, to

[The President.]

acquaint themselves fully with the restrictions laid down in such important regulations as Rule 7. I should not be discharging my duty to the Assembly if I extended any further leniency in this matter.

Finally, Rule 8 prescribes the condition that the subject matter of a question shall be 'a matter of public concern.' It is to be hoped that this condition, which is rather a matter of judgment than of rigid interpretation, will be more carefully observed in future.

In exercise of the powers vested in me by Standing Order 17, I have decided to modify the procedure followed last Session by the introduction of the 'Star' system which has been in force for some years in the House of Commons.

In future, any Member who desires an oral answer will place a star—thus *—against his question when he gives notice of it. Any question which is *not* marked with a star will not be answered orally, but will be printed, with its answer, in the official report of the business of the day. Supplementary Questions, therefore, cannot arise out of the answers to unstarred questions.

It is hoped that Members will utilise this system in such a manner as to reduce materially the number of questions to be answered orally, and that considerable time will thereby be saved for the disposal of other business. I may also express the hope that Members will exercise a due sense of responsibility in *all* the questions of which they give notice.

The system will not apply to questions of which notice has already been given, but it will apply to all questions of which notice is given after to-day.

I desire, at the same time, to remind Members of certain decisions which were reached last Session in regard to the treatment of questions in the special circumstances to which I will allude.

I ruled last Session that when a Member in whose name a question stood was absent, then, unless the Member of the Government to whom the question was addressed elected, under Standing Order 19, to answer it on grounds of public interest, the answer would be sent to the Member in whose name the question stood, and would be printed in the proceedings of the day. This ruling will continue to apply in the case of questions starred for oral answer. In the case of questions not so starred, the absence of the Member in whose name the question stands will have no effect on the procedure to be followed.

In connection with questions standing in the name of absent Members, I desire further to explain that when a Member, from whom notice of a question has been received, subsequently decides to absent himself

for the whole Session, his questions will not be entered in the list under Standing Order 17; while, if a Member intimates that he will not be in attendance till a particular date, his questions will not be entered in the list until that date is reached.

My ruling of last Session that when a question requires a long answer, a brief resumé only should be read to the Assembly, and the full answer printed in the proceedings, will also continue to apply to questions which are starred for oral answer.

Further, when information is supplied to an individual member in connection with a question asked by him, it is for the Member of Government concerned to decide whether the information in question is likely to be of general public interest, and that when he so decides, the information will be laid on the table and printed in the proceedings. When the Member of Government decides not to lay the information on the table, it will be open to any Member, desiring to obtain the same, to apply for a copy of the information supplied to the Member asking the original question. This ruling will continue to apply to all questions whether answered orally or not.

I may add for the information of the Assembly that I shall take steps to see that the general announcements made to-day will be placed at an early moment in the hands of every Member.

MOTION FOR ADJOURNMENT TO CONSIDER MOPLAH OUTBREAKS.

Rao Fahadur T. Rangachariar : Sir, I beg to ask for leave under Rule 41 for making a motion for an adjournment of the business of the Assembly for the purpose of discussing the Moplah outbreak in Malabar.

The Honourable the President : The Honourable Member asks for leave to move the adjournment of the business of this House to discuss a definite matter of urgent public importance, namely, the Moplah outbreak in the Malabar district. Is there any objection?

There being no objection, the motion is set down for 4 p.m. this afternoon.

ARRANGEMENT OF BUSINESS OF THE ASSEMBLY.

Mr. P. P. Ginwala : Sir, before you proceed with the business of the House, may I ask for your directions upon a question of procedure on another point, that is, as regards the arrangement of the business of the House during the Session? Would it be possible for the House to have any opportunity of expressing its opinion, in some form or other on the arrangement of the business for the Session before or after the arrangement is made?

The Honourable the President : Does the Honourable Member wish to inquire whether an opportunity will be given *before* this House assembles at the beginning of the Session? Such opportunity can only be given by a postal communication asking me to consider any proposal which Honourable Members singly or collectively have to make.

Mr. P. P. Ginwal : Perhaps I have not made my point quite clear. My point is this, that when Government makes an announcement as to the arrangement of its own business or allocates certain days for non-official business or proposes an adjournment of the House for a long period during the

[Mr. P. P. Ginwala.]

Session, will the House have any opportunity of expressing its opinion on Government's announcement?

The Honourable the President: I think I could take into consideration whether the matter raised by the Honourable Member is the matter of urgent public importance, on which he might have an opportunity at some future date of moving an adjournment of this House. Under our procedure, I do not think any other formal means exists by which he could ventilate his opinion or that of his fellow Members on the matter he has raised; but effective representations can be made without a debate on the floor of the House. I have already received intimations of the kind to which he refers and I shall have at an early date to make some statement regarding that subject.

As the Honourable Member, however, has raised it, I may point out that in arranging the business we were hedged about with a good many difficulties. In the first place, though it was originally our intention to advise His Excellency to set down certain dates much earlier than those which we have fixed for the meetings of this Assembly, it was eventually found impossible to do so owing to the fact that this building could not be completed before the 1st of September. Therefore, the completion of this building was the turning point of our arrangement. The Honourable Member will realise that once we were compelled to decide that the Assembly could not meet before the 1st of September, the date on which the Muharram falls this year was the second difficulty which we had to meet and which, as far as I was able to gather from the general sense of the Assembly, the Assembly has not yet found means of overcoming. I am not sure that we shall be able to meet the general desire for the transaction of business between the 5th and 15th of September and yet, at the same time, satisfy the legitimate and honourable attachment to their faith of our Honourable Muhammadan colleagues. If my Honourable colleague has anything further to put before the Assembly, I hope, he will do it in the considered form of a document.

Mr. P. P. Ginwala: Would it be impossible for the Government to ask for the adjournment of the House on a motion moved by the Government that the House adjourn, say for 10 days, so that the House has an opportunity of expressing its opinion? Would it be contrary to Parliamentary procedure?

The Honourable the President: No, but when the motion—not under Rule 11—is made, that this House do now adjourn, then a Member is entitled to bring up any subject; but if the Honourable Member will consult the rules—there are several rules governing that issue—he will find, that it is not on every occasion that debate can arise.

ADDRESS OF WELCOME TO HIS ROYAL HIGHNESS THE PRINCE OF WALES.

Dr. H. S. Gour: Sir, I regard it as a proud privilege, that I am called upon to move the Resolution which stands in my name and which reads thus:

This Assembly recommends to the Governor General in Council that he may be pleased to convey to His Royal Highness the Prince of Wales its humble request that he may be graciously pleased to accept a loyal and dutiful Address of Welcome from the Indian Legislature; and further recommends that the co-operation of the Council of State be invited

therefor and that a Committee of both Chambers to which the following Members of this Assembly shall be nominated be appointed to draft an Address in consonance with the national aspirations of the people of India as voiced by their representatives in the Indian Legislature:

- (1) Sir P. S. Sivaswamy Aiyer,
- (2) Mr. T. V. Seshagiri Ayyar,
- (3) Prof. S. C. Shahani,
- (4) Mr. Harchandrai Vishindas,
- (5) Chaudhri Sahab-ud-Din,
- (6) Lala Girdharilal Agarwala,
- (7) Mr. J. Chaudhuri,
- (8) Babu Khitish Chandra Neogy,
- (9) Sir Frank Carter,
- (10) Lieutenant-Colonel H. A. J. Gidney, and
- (11) The Mover.*

In ordinary circumstances it might be supererogatory on my part to say many words to commend this Resolution to the acceptance of this House; but I feel, that I shall not be discharging my duty to this House and the country if I do not state in clear terms the reasons and the sentiments which inspire me in tabling this Resolution and moving it here to-day. We cannot ignore the fact that outside this House a clamorous party is waging a sort of civil war against the reception of His Royal Highness the Prince of Wales, and I think, Sir, that as the Premier Legislative Assembly of this country we should join our voices in condemning this movement which is detrimental to the best interests of this country. I feel, Sir, and I feel strongly, that those who are responsible for this disloyal movement have not adverted to the simple fact of constitutional law. We all know that the King and the Heir Apparent to the British Throne are both personages out of party politics. It is an established rule of English democracy, that they should on no account be brought into the vortex of party politics. I feel, Sir, that the movement that has been set on foot for the purpose of boycotting His Royal Highness is a movement which is calculated to do infinite mischief, and I feel that it is a movement which can never receive any encouragement or support from the intelligentsia of this country. I rise here to voice the unanimous sentiments of the assembled Members of the Indian Legislature when I say, that whatever may be our differences on the question of party politics, or whatever may be our differences with the existing form of the Government of India, we are all unanimous in according to His Royal Highness the heartiest welcome. His Royal Highness may be sure, that so far as it lies in our power he will receive from the responsible heads of Indian society that great and oriental welcome which is the tradition of this land. I feel, Sir, that those who advocate the doctrine of non-co-operation and boycott are doing infinite harm to the best interests of this country. His Royal Highness the Prince of Wales is coming here, and by coming to this country at an infinite sacrifice of his time and labour, is placing us, the people of this country, under a deep debt of obligation. It is a matter of pride, that the Heir Apparent to the British Throne is going to honour this country by a Royal visit, and be it remembered, by a visit which he is prepared to make in spite of the fatigue, the trouble and loss of time which it involves. In the Colonial tours, which His Royal Highness made last year, he signally endeared himself to the people of the Colonial Dominions, and if these Colonials hear that the people of this country have

[Dr. H. S. Gour.]

set on foot a movement to boycott their dear friend, what would be the feeling of those Colonials towards the people of this country? We, the people of this country, are striving for equality of treatment in all parts of the British Commonwealth. In the Imperial Conference, all except one have accorded to us a position of equality. What would be their sentiments if they hear that the Heir Apparent to the British Crown on his visit to this country has been boycotted by the people of this country? I further venture to ask these people if they have for a moment thought within themselves what it means and what it implies. It has been said by one of the protagonists of this campaign, that so far as the Prince of Wales is concerned, he has no grievance against him, he is above party politics. But it has been said that because he has been invited by the Indian Bureaucracy and because he has received that invitation and is coming out to this country, therefore he shall be boycotted. Now, Sir, I place before you a very simple fact. If you have a dear old friend with whom you have no quarrel, the fact that he has been invited by your next door neighbour with whom you have a quarrel,—is that any reason at all why if he comes to call upon you, you should shut your doors against him? The fact, that he has been called by the Indian Bureaucracy, is a matter of no importance. The fact, that he is coming to this country to see for himself the Princes and people of India, is all that matters to us, the representatives of this country, and the fact, that he is a friend and an old friend of the people of this country, should be the sole reason for according him a hearty welcome. Now, Sir, we have been told, that we shall be paralysing the Government if we boycott the Prince. I have seen many empty threats of this character hurled in the face of the people of this country. Were we not told, Oh, not many months ago, that if you brought your children away from the schools and colleges, and the Barristers and Advocates gave up their practice in Court and boycotted the Courts, there shall be Swaraj within a year, and that Swaraj was promised to us by the leader of this movement in this very month. Now, we have been told that if we make pyramids of foreign cloth and set them on fire, and if we dance round about them with tom-toms beating in unison and crying, 'Swaraj is coming, Swaraj has come', then we shall get Swaraj on the first of next month. Now, let me assure you, Sir, that whenever Swaraj comes, and we shall all welcome it, it shall not be on account of this movement but in spite of it. Swaraj will come because the Members of this Assembly and of the other House have shown their capacity to bear greater responsibilities. It shall come, not because we have danced about the bonfires of foreign cloth, or we have put our children away from the schools and colleges, not because we have put on a khaddi cap and khaddi coat, but it shall come because we have put before the country substantial work and because we have contributed to the labours of reform in a substantial manner. Sir, I speak these words in connection with my Resolution, because I think, that this House must, in an unmistakeable manner, declare what it thinks of this mischievous movement which is directed against the person of the Heir Apparent to the British Crown.

I think that we should all unanimously vote not only an Address of Welcome, but an address of hearty and humble welcome to His Royal Highness when he comes to this country. I have, since giving notice of this Resolution, been approached by my friends, those who favour an address and those who would like to qualify it, and I have had frequent talks with these people, and I should very briefly state to you, Sir, what has been the result of these interviews.

I fear that the last sentence of my Resolution, namely, that the Address should be in consonance with the national aspirations of the people of India as voiced by their representatives in the Indian legislature, has given rise to a certain ambiguity and misunderstanding. There have been those who think that this is a splendid opportunity which should be seized for expressing the accumulation of grievances of the people of this country, but that, Sir, was never my intention. My intention was, that instead of uttering empty words and platitudes, let us go forth before the Heir-Apparent to the British Crown and tell him, that we, the united people of this country, welcome him as the Successor to a Great Throne, and that we are proud to belong to the great British Commonwealth of which we are, and desire to continue to be, members. If the British Government gave us a choice and said, 'Will you be independent, or will you remain with us,' I should unquestionably say, 'We shall decide to remain with the British Government and a part of that British Commonwealth.'

I, Sir, feel, and I have no doubt all Members of this House must feel equally with me, that suppose we had taken the other choice and chose to have an Indian republic or independence, we should be like a planet hurled away into space, separated from the planetary system, and reduced to infinite atoms. The position of India, separated from the British Empire as a member of the British Commonwealth, will probably not last six months; it will be a prey to the neighbouring forces, and it will go back perhaps 200 years in ordinary civilization. We have often been told by the protagonists of this new cult, that this Western civilization is an evil, that we must shun English education, we must abhor English machinery, and must inscribe upon our national flag the *charka*.

(At this stage, Mr. McCarthy, a Chairman, took the Chair.)

Mr. N. M. Samarth : Dr. Gour is out of order in referring to non-co-operation and boycott of the Prince.

The Chairman : I think Dr. Gour is perhaps wandering a little from the original Resolution.

Dr. H. S. Gour : I am afraid, Sir, that the Chair has ruled that I am wandering a little from the subject. These remarks, however, that I make are intended to bring out what should be the cardinal doctrine underlying the Address,—that it should be an address of unqualified and unconditional welcome, and that it should not contain any matters of a controversial character. I further wanted, Sir, to take exception to the view not only of my friends here but to that of those who are outside, as to what is the position of the elected representatives of the people of this country in regard to the welcome to His Royal Highness and how they should regard a movement which has for its purpose the boycotting of his visit. But whether I am in order or out of order, I have achieved my purpose, and I think I have therefore succeeded in pointing out that the last sentence of the Address must not be misunderstood, but be regarded as an integral and cardinal portion of my Resolution. Members must understand that that is only to be regarded as voicing the general aspirations and sentiments of the people of this country, and not to trench upon anything which would trespass upon the written and unwritten law of the English constitution, in other words, to introduce no question of a controversial character. Now, Sir, as regards the personnel, when I gave notice of this Resolution, I did not know

[Dr. H. S. Gour.]

that many Members in this House were anxious to serve upon this Committee and I myself had not the advantage of personally consulting them whether they would like to serve on this Committee. On further consideration I thought that this Committee might not merely be a Drafting Committee but a Reception Committee, a general Reception Committee of both Houses, and I hope, Sir, that with the leave of the House I shall be permitted to call it the General Reception Committee and with that object in view, I hope, I shall be permitted to propose to increase its personnel. I have given notice of certain names, to which I should like to add the names of the following gentlemen :

Rai Bahadur Debi Charan Barua,

Mr. Jamnadas Dwarkadas,

Bhai Man Singh,

Shaikh Rajan Baksh Shah,

Mr. Cotelingam.

Mr. K. Ahmed : Sir, I think my learned friend is out of order. Therefore, I rise, on a point of order, to say that we cannot give leave for introduction of this Resolution because there is a condition laid down in it.

The Chairman : I think it would be more convenient if Dr. Gour put his Resolution as two Resolutions, one of welcome and the other with the names of the Committee.

Dr. H. S. Gour : Sir, I beg to move the first part of my Resolution dealing with the Address.

Mr. N. M. Joshi : The Honourable Mover has changed the wording of the Resolution and, I believe, it can go as an Amendment with the permission of this House.

Rao Bahadur T. Rangachariar : Sir, I beg to move :

'That the words after the word 'Address'—'in consonance with the national aspirations of the people of India as voiced by their representatives in the Indian Legislature' be omitted';

and if you will permit me, Sir—it is only a verbal amendment.—I would substitute the word 'the' for the word 'an' Address.

For the very excellent reason given by the Honourable Mover, that His Royal Highness the Prince of Wales is above any politics, I think, Sir, that our address of welcome should convey entirely a pure, disinterested and hearty welcome.

(At this point, the President resumed the Chair.)

Rao Bahadur T. Rangachariar : I do not think it is right that we should trouble His Royal Highness with an enumeration of the national aspirations of the people of this land. The national aspirations of the land, how they are to be enumerated, by whom they are to be enumerated, whether all of us are agreed as to what they should be, are all matters on which there is great divergence of opinion; and to say here 'as voiced by their representatives in the Indian Legislature' assumes a state of affairs which does not exist. The Indian Legislatures have not had an opportunity of voicing their aspirations for the nation. When they have done so,

perhaps it will be right to refer to these national aspirations. I quite agree with the Honourable Mover of this Resolution, that this welcome is not only a duty on our part, but it is a religious duty enjoined on all in this land; and, therefore, I would ask him to accept this amendment so as to avoid all appearance of any division on a matter like this in this Assembly. I should like the united voice of this Assembly to go forth extending the right hand of welcome to His Royal Highness and I quite agree with the Honourable Mover in all the sentiments which he has expressed as regards the duty which lies on us of extending a hearty welcome, although I do not venture to follow him in all the dissertation which he embarked upon. I, therefore, Sir, move this amendment.

The Honourable the President: The original question was that:

'This Assembly recommends to the Governor General in Council that he may be pleased to convey to His Royal Highness the Prince of Wales its humble request that he may be graciously pleased to accept a loyal and dutiful Address of Welcome from the Indian Legislature; and further recommends that the co-operation of the Council of State be invited therefor and that a Committee of both Chambers to which the following Members* of this Assembly shall be nominated be appointed to draft an Address in consonance with the national aspirations of the people of India as voiced by their representatives in the Indian Legislature.'

Since which an amendment has been moved:

'That the words after the word 'Address' where it occurs for the second time, down to the end be omitted.'

The question I have to put is, that that amendment be made. Perhaps the Mover of the Resolution accepts it.

Dr. H. S. Gour: That is exactly why I stood up just now—to announce to the House that I accept the amendment.

The Honourable Sir William Vincent: Sir, may I inquire whether the Resolution is to be put in two parts, as was suggested in your absence, or whether it is to be taken as a whole.

The Honourable the President: I understood that the first part, containing the substantive part of the Resolution, down to the word 'Legislature,' was to be put as a separate Resolution, and that the question of the addition of names to the Resolution would be put as a separate question from the Chair.

The Honourable Sir William Vincent: Sir, the first part of the Resolution has not so far definitely been put to the Council, and this Assembly have therefore not had an opportunity of commenting on it, though I am quite certain that Members will accept it with acclamation. The Government view is, that it is most proper that advantage should be taken of such an auspicious occasion as the visit of His Royal Highness the Prince of Wales to present to him an Address from the Indian Legislature expressing a cordial welcome and indicative of, what I believe to be a very genuine feeling, the great loyalty of India to the Royal Family. (Loud Applause.) It would indeed be lamentable if an occasion of this kind were missed by the Legislature. I am quite sure for myself—and I believe every one here will concur with me—that the people of India will accord to His Royal Highness this year, as has been the case in the past when a member of the Royal family has visited India, the most cordial of welcomes. I know, there are persons in this country who profess to be opposed to the visit, but I hope and have every reason to hope,

* Vide pages 114 and 115 of these Debates.

[Sir William Vincent.]

that the good sense and the traditional courtesy of the people will override all such considerations when His Royal Highness comes.

I was going to advert at greater length to a point which has now been settled by the motion of the Honourable Member opposite, and that is, that the Government, while welcoming this Resolution, could only accept it on one clear understanding—that no political topic of a controversial character was introduced in the Address. Fortunately, in view of my Honourable friend, Mr. Rangachariar's amendment—which, I understand, has been accepted by the Honourable Mover,—no necessity arises for me to press this point on the Assembly.

There is only one other matter which I need mention and that is the number of the members of the Committee to be appointed. This is not a matter with which the Government is really concerned, but is a matter of some practical importance. It does seem to me, that the Assembly would do well to consider whether it is not possible to limit the number to what may be called a useful drafting body. I must remind the Council, that in addition to the Members of this Assembly who will serve on the Committee, the Council of State will undoubtedly require possibly an equal number, or at any rate something approaching an equal number of representatives on that body. I, therefore, suggest to the House a Committee of less unwieldy proportions than that proposed, but this is only a suggestion. The question of numbers is not one of any consequence to us. The Government accept this Resolution as it stands, and I have only to add, that the Government are glad that the first opportunity has been utilised for the purpose of bringing it forward.

The Honourable the President : As the Mover of the Resolution has professed his readiness to accept the amendment moved by Mr. Rangachariar, and if it is the general sense of the Assembly, I think, I had better put the Resolution in its amended form. The question is, that the Resolution be so amended.

The motion was adopted.

The Honourable the President : The question is that :

'This Assembly recommends to the Governor General in Council that he may be pleased to convey to His Royal Highness the Prince of Wales its humble request that he may be graciously pleased to accept a loyal and dutiful Address of Welcome from the Indian Legislature ; and further recommends that the co-operation of the Council of State be invited therefor and that a Committee of both Chambers to which the following Members of this Assembly shall be nominated be appointed to draft an Address.'

Sir Jamsetjee Jejeebhoy : In rising to give my cordial support to this Resolution, I may be permitted to express a hope which, I believe, this Assembly will fully endorse, that His Royal Highness the Prince of Wales' visit being now finally settled, nothing will happen to prevent its complete success and the fullest realization of the expectations of the general public. It will now only rest with us to make his visit conspicuously complete and successful, and, I am sure the task before us will be successfully carried out, provided we give the occasion a right impetus and immediately adopt necessary and effective measures. I feel confident, that all the races and creeds in India will make this great occasion one of general rejoicing and entertainment and of extending the happiness and prosperity of the people and of ensuring perfect

peace and goodwill all over the land. His Royal Highness comes to us as one who has already won his spurs by general acclamation and who is a high principled, generously minded, genial, gallant and accomplished prince and gentleman, well worthy of his exalted birth and high estate, who is heir to a mighty throne and who, in God's good time, will be the ruler over the British Empire. His Royal Highness comes out to India full of sympathy and goodwill for the people of this country, ever anxious and willing to promote their utmost advancement and happiness and as such His Royal Highness who will be our august guest is eminently worthy of the respect, esteem, regard and admiration of all true and faithful subjects of His Majesty the King-Emperor.

Mr. Jamnadas Dwarkadas : Sir, I consider it a privilege to support the Resolution moved by my Honourable friend, Dr. Gour, and amended as suggested by my Honourable friend, Mr. Rangachariar. It will be remembered, Sir, that this is not the first occasion on which the Prince of Wales is coming to India. The late grandfather of His Royal Highness the Prince of Wales, King Edward VII, was the first Prince of Wales to come to India. Then, in the year 1904, King George V, the present Emperor of India, with Her Royal Highness, the Princess of Wales, visited the country over which he was to rule in the future. On those two occasions, when the father and mother and the grandfather of the present Prince of Wales came to India, it will be remembered that from one end of the country to the other there was a unique outburst of loyalty and Their Royal Highnesses were accorded a most cordial welcome by the princes and people of India. I want to point out, Sir, that in those days when Their Royal Highnesses came to this country, the Indians were a subject nation under by no means the rule of a representative Government, but of a Government which was made up mostly of Englishmen. I submit, Sir, that if in those days India stood like one man to accord a most cordial welcome to Their Royal Highnesses, there is the greater reason to-day, for India, which is almost recognised as an equal partner in the British Commonwealth, which is on the pathway of achieving responsible Government, and which has achieved partial responsible Government at the present moment, to accord a most cordial welcome to His Royal Highness the Prince of Wales who is coming to gain first hand experience and to have direct touch with the princes and people of this country, so that when the duty of ruling this country as the future monarch of this empire devolves on him, he may be able to fulfil it in a better manner. I hope, Sir, that India will rise to the occasion and will accord a most cordial and affectionate welcome to His Royal Highness!

It is a matter of gratification, Sir, if I may be permitted to refer to it, that in the announcement made by the Government of India regarding the Committee appointed for the purpose of according a welcome to His Royal Highness, they have included the name of one of the most veteran leaders of India, who has done more than any other leader, to further the interests of this country in all directions.—I mean Pandit Madan Mohan Malaviya, and it is a matter of further gratification, that in spite of the opinion expressed by a mischievous band of people, Pandit Malaviya has come forward to do his duty in his old age and to guide India in the right direction of according a suitable welcome to His Royal Highness. With these few words, Sir, I support the Resolution.

Mr. B. S. Kamat : I move, Sir, that the question be now put with reference to this part of the Resolution.

Mr. K. B. L. Agnihotri: Sir, it is with the profoundest regret, that I have to rise to oppose the Resolution moved by my Honourable friend, Dr. Gour. I am fully conscious of the fact, that courtesy and hospitality are the virtues engrained in Orientals. I am conscious of the fact, that the loyalty of the Indians to the Throne and Person of the King is traditional; I am further conscious of the fact, that Loyalty is also exploited and taken advantage of, as an effective balm to soothe the excited feelings of the Indians resulting from the outrages and blunders deliberately committed by the bureaucracy in this country.

Our hospitality to guests is one of the primary duties that are enjoined by the Hindu Shastras, and I come from the part of the country which was once governed by one Raja Mauradhvaj of the Pauranic Fame, who, in response to his duties of a host, went to the length of even sawing his only son and heir into two, to feed the lion with the body of the prince and to satisfy the curious whim and desire of his guest, Bhagwan Shrikrishna and Arjun. This high sense of courtesy and hospitality was not the monopoly of the Raja alone, but had permeated Indians of all classes, rich and poor, high and low, from time immemorial and continues up to the present day. Who amongst us in this august Assembly is not aware of the hospitality of the Indians, extended to outsiders even at the cost of their liberty, life blood, industries and the very bread necessary to keep body and soul together and in preference to starvation, slavery, and honor, to keep their guests in luxury? Have not the Indians extended the same hospitality even to undesirable guests from other parts of the Empire, inspite of inhuman treatment meted out to the Indians by the kith and kin of such guests. The touring officers of the Government can well testify to the hospitality they received from the poor peasantry, so much so, that long use of it, is begun to be described as customary and demanded as a matter of right in the form of Rasad and Begar or impressed labour and dereliction from that hospitality, is now even punished by fines.

Sir, when this was the courtesy and hospitality extended to an ordinary common guest, more or less of equal status to the host, then it is needless for me to describe that which was extended towards the sovereign or his heir. The Indians always associated the King with Divinity and their relations with the ruling House of England has always been of the best and the pleasantest. The present ruling house of England has always taken a very keen interest in the welfare and happiness of the people of India and His Majesty in particular, has always had a particular desire to see the policy of righteousness, pursued towards this country and has exercised his vast influence, in shaping of a policy of justice and sympathy towards Indians, and of setting up of the new constitution in India. His Majesty.....

The Honourable the President: Order, Order. The Honourable Member is a little late with his remarks. The Assembly has just decided to cut out the only part of the original Resolution to which these remarks could have been addressed. We are now discussing solely the question of presenting an Address to His Royal Highness. No question of policy, nor any of those controversial issues referred to by the Home Member, can be raised in this debate.

Mr. K. B. L. Agnihotri: I bow to your ruling, Sir. Now I come to the question of the visit. Taking the cause of the visit to be as stated by His

Excellency, the people in the country still regard the visit as most inopportune. The economic and political situation in the country is such that the visit should not have even been thought of. There has been a heavy deficit in the country's finances last year which had to be met by raising of the new taxes and it is feared that at the end of the year, we will still have a huge deficit to meet. Industries, education, public health, law, justice, communications and other departments are eminently needed for the welfare of the country, and these will have to be further postponed and the expenditure on the visit will further adversely affect it for some time to come.

The prevalence of famine conditions in almost all the parts of the country was a sufficient cause for the postponement of the visit for the present. The political situation and feelings of the people are not to be taken lightly. It was, I think, due to these reasons that many papers including the 'Times of India' and the 'Pioneer' suggested the postponement of the visit. I will not waste the time of the House by reading out what they have said. But what I have to say is, that the replies that have been given to all the suggestions for postponement have not appreciated the facts. Famine conditions are not local but widespread.

As for the feelings of the public, they are neither superficial nor the result of the preachings of the agitators only. The Punjab and Khilafat wrongs, in addition to the repressive and oppressive acts of officials and others, have likewise caused a deep injury which cannot lightly be healed. They could not be healed even after the sage, sound and experienced advice of His Royal Highness the Duke. They are not limited to a few as the demonstrations all over the country go to show. Sermons on loyalty could not, now, be of much effect, with the consciousness of the rights and privileges of a constitutional monarchy; and, bearing in mind, the awakening to a sense of a desire for responsible Self-Government, and that suspicions still exist in certain minds against the ways and the acts of the Governments. The public in general have become more cautious in taking things from the Government. The people have learnt from the English people to realise the duties to the sovereign and the loyalty that they have to offer.

It is conceded that the Royalties are above party politics and controversies, but it is believed by the public, that it is more so as a convenience for the state and the fact is taken advantage of by those in power, and whenever they think it necessary.

The fact of the visit having been decided against the wishes of the people and without consulting them, even at a period when they are said to have been enfranchised, and when the expenditure of the visit will have to be borne by them and will have to be put to the vote of their representatives who even had not been consulted before the visit has been decided upon, is regarded as adding insult to injury and it has given rise to resentment which will be hard to subside. While discussing the Resolution, it is no use thinking as to what should be or what ought to be the attitude of the public, but we should look to what it is, and what that attitude will be, at the time of the visit. Abstract philosophy will not have much effect on the excited and injured feelings of the public in general. They do not now place much faith in empty shows and make-beliefs, but prize frankness and truth in all the spheres of life.

[Mr. K. B. L. Agnihotri.]

Apart from all this, consider what would be the feelings of the Prince to find that he has been brought in a place where the people in general by their attitude show, that he is not wanted. Pray, imagine the feelings of the guest who, on entering the house, finds the people of the household turn their backs and give him the cold shoulder, and over and above, that if one of the household were to say 'that the guest was right welcome.'

It is true, that the head of the house welcomes him, but it is against the wishes of the others in it. Will such a thing be pleasant to the host and the guest alike? I think not.

The effect of the welcome and the Address proposed, I am afraid, will be something like the one described. From the attitude of the people, as is apparent from the demonstrations all over the country, it is clear, that the visit will be boycotted by the public, whose representatives we claim to be. It is true, that having the means and the power, this House can make the visit successful in some ways, but will that be regarded as having been done in the representative character of or will that be pleasant to do against wishes of people. The people are not in a mood to welcome the visit and the passing of this Resolution by this House, I respectfully beg to submit, will have the effect of further exasperating Indian public opinion which would be far from desirable.

I wish the visit had been postponed, and that Indians in general had wholeheartedly and unitedly given the welcome befitting of the great Nation.

Therefore, in the best interests of the country, the Government and their relations with the Sovereign, I appeal to the Honourable the Mover to withdraw his Resolutions and not to press it further and also to the Government to have the visit postponed till happier times.

Raja S. P. Singh : Sir, I rise to support this loyal Resolution to welcome His Royal Highness the Prince of Wales. I consider this a great privilege and honour. India is waiting with a palpitating heart to welcome the future heir of this vast empire. His Royal Highness is coming to us as our well wisher and our friend. No question of invitation comes and a false issue has been raised in certain quarters to support an arbitrary dictum blindly followed in a noisy atmosphere of blind passions. Loyalty and Hospitality are ingrained in the Indian people. They are a part of our religion. Any one who raises a dissentient note is false to the country and false to her most cherished traditions. I do not call him an Indian who lightly talks of giving no reception to the Prince. It is therefore our bounden duty to offer him a right royal welcome. The fame of our young Prince has been ringing not only through the length and breadth of the empire, but in every corner and nook of the civilised world. The great part played by our brave and gallant Prince needs no recapitulation on my part. He shared the dangers of the war with his soldiers, and endeared himself to every one of them. This was followed by his famous tour in America and the Dominions where His Royal Highness was enthusiastically received and golden link of friendship forged between the motherland and the Colonies.

Last year, when the Empire was getting ready to put on its gala dress to welcome the Prince, it was told that the Prince, for reasons of health,

could not come to inaugurate the reform scheme. India was deeply disappointed. Now the news of the Prince's coming has been received with rejoicing not only in India, but all over the east.

In offering His Royal Highness our hearty welcome, we need not be selfish and expect boons. We want no boons—we want His Royal Highness' right hand of fellowship. We want His Royal Highness to see India and Indians first hand. We want His Royal Highness to realise that India is a great Empire, with a glorious past—that India is virile and longing to take its rightful place in the councils of the Empire. We want His Royal Highness to say 'India, you must regain your past glories'—'India, you must be happy and contented,' 'India, the bright jewel within the British Empire, you will be a partner within the Empire, an equal partner, enjoying the equal rights to which every partner is entitled,' 'India, I have come to forge golden links of friendship.'

We are longing to see the great Prince, to hear his voice, and treasure his sayings.

May His Royal Highness' stay with us be a happy one, and may the fruit of His Royal Highness' visit be contentment, peace and prosperity, is my humble prayer.

Rai J. N. Majumdar Bahadur: Sir, I did not anticipate that a discordant voice would be raised in this House as regards the reception and welcome to be accorded to His Royal Highness. Discordant voices have no doubt been raised outside the House, but it was quite a surprise to all of us, and I think I voice the sentiment of the entire House when I say, that it was a surprise to us, that one who has taken his Oath of Allegiance to the Crown should rise in this House to protest against the welcome that is to be given to His Royal Highness. The head of the Royal House, I mean the head of the British Commonwealth, is not an autocrat, but all the same under the constitution we know what the Royal House is capable of doing. I remember the day to which my Honourable friend, Mr. Jinnadas referred—I remember the day—perhaps he was not born then—when the King-Emperor Edward came here in the year 1875. We were in college then and we gave him a hearty welcome. Then, when I was a grown-up man in 1905, we took part in the reception of his son, the then Prince of Wales, our present King-Emperor. It is our duty and privilege to accord to the King's son and heir a hearty welcome when he comes here to acquaint himself with the wishes and aspirations of the people of this country. Our loyalty should not be like that of a trader expecting benefits in return. The King of England represents in him the symbol of the unity and equality of this empire of divergent races and creeds, and the very fact that the King's son is coming here ought to be sufficient for us to join together with one purpose to accord him the best reception that this country can give. A discordant note has been raised outside the House, but, I think, that it is time for them to reconsider their position, because I am told, as one of their spokesmen has said, that they are also loyal to the King, as well as to the Prince of Wales; and I ask how far it would be consistent with their loyalty to withhold welcome to the Prince of Wales? If they withhold welcome, it will rather tend to create more friction. Therefore, I appeal to their best instincts, that on this occasion at least they should suspend their policy of non-co-operation and join with us in according the heartiest reception to the Prince of Wales.

Mr. S. C. Shahani : In rising to support the amended Resolution of Dr. Gour, I rise to express the hope that the Address of Welcome, that is to be presented to His Royal Highness the Prince of Wales, will be presented by the Indian Legislature in the Assembly Chamber at Delhi. It will not be in keeping with the dignity of the Indian Legislature to present this Address anywhere else. The words used by Dr. Gour to the effect that arrangements might be made for presenting this Address suggest that possibly some other place was contemplated,—a joint Address from the Princes or, for instance, other representative bodies of the Indian people and that will not be desirable.

Just a word, Sir, with regard to the discordant note of opposition that has been sounded by my friend, Mr. Agnihotri. In my opinion, it is unbecoming that we who have consented to come here to represent the people in the Indian Legislative Assembly should rise to oppose the presentation of such an Address. I think it would have been desirable on the part of my friend not to have consented to come to this Assembly. We have to carry on the Government of India, and is it possible to conceive that this Government can be carried on without due loyalty to the head of the Government, namely, the Emperor of India? It is said, that the country is poor, a statement, of course, which is to be doubted. The industrial resources of India are unlimited and even admitting for argument's sake that the country is poor, the expenditure that may be incurred in making appropriate arrangements for a visit from His Royal Highness the Prince of Wales would be well incurred. It has been stated, that the people outside are opposed to an Address of Welcome. My own idea is, that the people have not had an opportunity of understanding the two sides of the question. The masses are being misled, because they have been hard hit by the high prices that have ruled in the country and they have not had adequate means of judging on their own account. If some of them are being misled, there is no reason why we, who can think on our own account, should agree with what is being most unwittingly stated in the country. If anybody thought of sounding a discordant note, he should have, in my opinion, taken counsel with some of his friends. I am really very sorry that this note has been sounded. We should be unanimous on occasions such as this. I request Mr. Agnihotri to think over what he has stated and withdraw the opposition of which he has been guilty.

The Honourable Dr. T. F. Sapru : Sir, I did not intend in the slightest degree to take part in the discussion which has so suddenly sprung out of the Resolution moved by my friend, Dr. Gour, and, if I venture to address a few remarks, it is only because of the discordant note that has been struck this morning. After all, if one comes to coolly think of the incident, it seems to me that it is really a distinct service to this Assembly which has been rendered by my friend, Mr. Agnihotri. It will enable you to demonstrate beyond all doubt the strength of the feeling which lies behind the Resolution of my friend, Dr. Gour. I was hesitating to speak to you this morning, particularly because I occupy an official position, but I hope my claim as an Indian will not be denied by any one amongst you, European or Indian. Those of you who have decided to come into this Assembly, those of us who are prepared to stand by the reforms, be they good or be they bad, have no reason at all to sympathise with or in the slightest degree to favour the attitude which has been taken by my friend, Mr. Agnihotri. If you believe in the short-lived politics of the day, if you deny to yourselves the privilege of looking into the future, you will certainly be justified in welcoming the opposition which has come from

that bench. But if you for a moment analyse and visualise to yourselves the position, to which you have been driven by that opposition, I have not the smallest possible doubt that there will be one answer and only one answer to that attitude, and that is, that you are determined to carry that Resolution in spite of opposition. You may have your quarrels with the Bureaucracy, with white bureaucrats, or brown bureaucrat like myself, I do not care. You may say that the Bureaucracy does not deserve to live more than the remaining days of this month when Swaraj must be established. But, may I ask you in all sincerity, what is it after all that you mean by the Swaraj for which you are striving? Do you mean by Swaraj that you want Self-Government under the aegis of the British Crown? Or, do you mean frankly that you do not care to be under the British Crown? We are, if I may say so, at the parting of ways. We must search our hearts, and be true to our convictions. If there are men amongst us who are determined, who have made up their minds that they will have nothing to do with the British Crown, they are certainly justified in honestly, boldly and courageously saying that they have nothing to do with the King of this Empire or the Heir Apparent. But so long as you recognise your duty as a British subject, I say, it is your duty also at the same time to offer your unqualified loyal reception to the Prince of Wales. Let us not tinker with that position. Let us be clear in our minds.

Those of us who have taken the Oath of Allegiance must be true to that Oath. I take it, that it is an essential part of that Oath of Allegiance that you should show due loyalty and respect to the King and his son. I do not approach this question in an angry or light-hearted spirit. It raises, to my mind, the most vital question, which goes to the very root of politics at the present moment. We have each one of us to decide what is going to be our attitude in future with regard to the British connection in this country. I say, we must be quite clear in our minds before we vote, and if we are true to our conviction, and if we believe in the continuance of the British connection, and if we want Swaraj, as I do as much as any of you under the British Crown, then we must condemn this opposition which has been shown by the Member from the Central Provinces.

Mr. K. P. L. Agnihotri: My attitude on this Resolution has nothing to do with disloyalty and has been taken with due regard to the Oath of Allegiance and loyalty to the Sovereign and in the faithful discharge of duty imposed thereby. I am as loyal to His Royal Highness and to the Throne as any of the Honourable Members present here. My object was simply to represent the point of view and feelings of the majority of the masses in the country and I am actuated with motive of strengthening the bonds between the subjects and the Crown. If I were a non-co-operator, I would certainly not have been in this House.

The Honourable the President: The question is, that the following Resolution be adopted:

‘This Assembly recommends to the Governor General in Council that he may be pleased to convey to His Royal Highness the Prince of Wales its humble request that he may be graciously pleased to accept a loyal and dutiful Address of Welcome from the Indian Legislature; and further recommends that the co-operation of the Council of State be invited therefor and that a Committee of both Chambers to which the following Members of this Assembly shall be nominated be appointed to draft the Address.

The motion was adopted.

[Dr. H. S. Gour.]

Dr. H. S. Gour: The second Resolution is purely consequential. I recommend to this House the words of the Honourable Sir William Vincent :

‘That this Committee should be manageable in proportions and in numbers.’

I have given the list of 11 names. I believe, the Council of State would be equally entitled to have, say, 11 persons. The result would be that the number from both Houses will be 22.

The Bombay Presidency has not been represented, and I wish therefore to add the name of Mr. Jannadas Dwarkadas. A Muhammadan gentleman complained that there was no Muhammadan representative and I should be glad to add one more name to the list of Members of this committee. Well, Sir, I may point out, if you will permit me, that I have been told that we must have here representatives of all the provinces, and we have been also told we must have representatives of all the races, and, then, of all the professions. Sir William Vincent has pointed out, that a small drafting committee comprising, say, 12 or 15 people would be as much as would be required in the circumstances of the case, and I hope the House will agree with me in confining the committee to 15 and not more. I have already given notice of 11 names. I wish to add three more, Mr. Jannadas Dwarkadas, Shaikh Rajan Baksh Shah and Mr. Cotelingam. That would make, Sir, 14 names.

I move, Sir, the following motion :

‘That the following Members do constitute the drafting committee: Sir Sivaswamy Aiyer, Mr. Seshagiri Ayyar, Prof. Shahani, Mr. Harchandrai Vishindas, Chaudhri Shahab-ud-Din, Lal Chaudhri, Mr. J. Chaudhuri, Babu Khitish Chandra Neogy, Sir Frank Carter, Lieutenant-Colonel Gidney, Mr. Jannadas Dwarkadas, Shaikh Rajan Baksh Shah, Mr. Cotelingam, and the Mover.’

The Honourable the President: Before I put the motion from the Chair, I must inquire from the Mover whether he has the authority of these gentlemen for putting their names on this committee.

Dr. H. S. Gour: I have the authority of all except Mr. Neogy, and Sir Frank Carter.

The Honourable the President: Then the names of Sir Frank Carter and Mr. Neogy fall out.

Dr. H. S. Gour: I therefore wish to substitute Mr. Rhodes for Sir Frank Carter. I have the authority of Mr. Rhodes. In place of Mr. Neogy, I propose Rai Bahadur Debi Charan Barna.

Rao Bahadur T. Rangachariar: As Madras does not want to be represented by more than one Member, and with the permission of Sir Sivaswamy Aiyer, I propose the omission of his name.

The Honourable the President: The question is :

‘That the drafting committee referred to in part 1 of the Resolution should be composed of the following Members :

- (1) Sir P. S. Sivaswamy Aiyer,
- (2) Mr. Seshagiri Ayyar,
- (3) Prof. Shahani,
- (4) Chaudhri Shahab-ud-Din,

- (5) Lala Girdharilal Agarwala,
- (6) Mr. J. Chaudhuri,
- (7) M. Vishindas,
- (8) Mr. C. W. Rhodes,
- (9) Babu Debi Charan Barua,
- (10) Mr. Cotelingam,
- (11) Syed Rajan Baksh Shah,
- (12) Lieut.-Colonel Gidney,
- (13) Mr. Jannadas Dwarkadas,
- (14) The Mover.

That is the motion as moved. The question is, that the motion be adopted.

Rao Bahadur T. Rangachariar : I move that Sir Sivaswamy Aiyer's name be omitted. I do so at his own request.

The Honourable the President : The Honourable Member has taken a somewhat unusual course in withdrawing his own name. I presume it is all right. The question is, that the name of Sir Sivaswamy Aiyer be expunged.

(Cries of ' No ! No !')

The Honourable the President : If I say, the ' Noes ' have it, the Honourable Member simply withdraws his name. The House cannot compel him. The ' Noes ' have it.

The following names were then put and accepted :

- Sir Sivaswamy Aiyer.
- Mr. T. V. Seshagiri Ayyar.
- Professor S. C. Shahani.
- Mr. Harchandrai Vishindas.
- Chaudhri Shahab-ud-Din.
- Lala Girdharilal Agarwala.
- Mr. J. Chaudhuri.
- Mr. C. W. Rhodes.
- Rai Bahadur Debi Charan Barua.
- Mr. J. P. Cotelingam.
- Syed Rajan Baksh Shah.
- Mr. Jannadas Dwarkadas.
- Lieut.-Colonel H. A. J. Gidney, and
- Dr. H. S. Gour.

The motion was adopted.

Bhai Man Singh : Sir, there are certain amendments.....

The Honourable the President : Order, Order. There is no amendment standing in the name of Bhai Man Singh.

Rai Sahib Lakshmi Narayan Lal: Sir, there is one amendment standing in my name as to the personnel of the committee. I do not know what the position now is.

The Honourable the President: It is a comparative formality as to what names should appear in the list. It apparently satisfies the House that the Resolution with the addition of the names proposed by Dr. Gour should be accepted by the House.

Rai Sahib Lakshmi Narayan Lal: Then I withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

The Honourable Sir William Vincent: There is another Resolution set down in the Honourable Member's name.

The Honourable the President: Was the Honourable Member referring to the second Resolution standing in his name?

Rai Sahib Lakshmi Narayan Lal: There are three amendments standing in my name.

The Honourable the President: I call upon Rai Sahib Lakshmi Narayan Lal to move Resolution No. 2 on the list.

WELCOME TO H. E. LORD READING.

Rai Sahib Lakshmi Narayan Lal: Sir, the Resolution which I have the honour to move is that:

'This Assembly recommends to the Governor General in Council to convey to His Excellency Lord Reading a warm and hearty welcome on his appointment as Viceroy and Governor General of India.'

His Excellency Lord Reading took over the charge of Viceroy and Governor General of India after the first Session of this Assembly was over and, therefore, though many of us had the honour of receiving and welcoming His Excellency at the Viceregal Lodge, Delhi, at the time of His Excellency's arrival there, this Assembly got no opportunity before of according its warm and hearty welcome to His Excellency which we are going to do to-day on the opening of this new Session.

In moving this Resolution, I am sure, I am echoing the wishes of all the Honourable Members of this House; we are indeed very grateful to His Majesty the King-Emperor for granting us the advantage of having as our Viceroy and Governor General the Lord Chief Justice of England who is distinguished for his remarkable true statesmanship, vast experience and many other eminent qualities of head and heart. His Excellency, before coming to India, was pleased to observe that it was not he but the Lord Chief Justice of England who was going to India to administer justice and declared it to be his determination that justice shall prevail during his administration of the country. His Excellency has already begun in right earnest to translate into action the aims and objects of his grand mission of Liberty, Equality and Justice for India and we fully trust that His Excellency will be pleased further to direct his acute imagination and insight into the present political problems of the country, take timely and steady steps to

remove the root causes of the public unrest and to satisfy the national aspirations of the people and that His Excellency's esteemed name shall be written in golden letters in the future history of India as the Viceroy and Governor General during whose illustrious regime India got full recognition of her legitimate claim to equal partnership in the British Commonwealth. I heartily move this Resolution.

The Resolution was adopted.

DEMAND FOR SUPPLEMENTARY GRANT.

The Honourable Sir William Vincent: Sir, under Rule 50 of the Indian Legislative Rules, I submit to the vote of the Assembly, a Demand for a Supplementary Grant of rupees one lakh towards the cost of the proposed delegation of the Empire Parliamentary Association to India during 1921-22.

The Empire Parliamentary Association includes amongst its Members, Members of Parliament of the United Kingdom and all the Self-governing Dominions, and it is the practice of that Association to send delegates to visit various parts of the Empire from time to time. For some years this Association has desired to send a delegation to India. Originally the arrangements were proposed for such a visit in 1919-20 and again in 1920-1921. In 1920, the proposal was to send 30 Members from different Parliaments, including the Parliaments of the United Kingdom, Canada, Australia, South Africa, New Zealand and Newfoundland for the study of political and industrial conditions here.

It was impossible, however, owing to various circumstances to give effect to those arrangements last year. And it has therefore been suggested that the delegation should visit India during the present year. The custom, when this delegation visits any dominion, according to our information, is that the cost is met partly by subscription and partly by grant from the revenues of the country visited, the delegation ordinarily being regarded as the guests of the country so honoured. In 1920-21, we proposed a grant of Rs. one lakh for this purpose. This was not intended in any way to cover the cost of the journey to India but merely the cost of transport in India itself and incidental expenses, and we propose to offer a similar grant this year, if the demand is voted. We have not as yet issued any formal invitation to the delegation to come here, because we could not do so in anticipation of the grant from this House, but Government do regard it as important that the invitation should issue as early as possible, and that is my excuse for putting forward the demand for this grant at the present moment. I understand other demands will be put forward by the Honourable the Finance Member at a later stage, but we have been pressed to come to an early decision on this question in order that an early decision may be reached as to whether the invitation should be issued or not; this really entirely depends upon this Assembly and on the decision whether they will give this grant of money or not. We put up the proposal before the Standing Finance Committee, and they supported it, but expressed a desire that the Indian Legislature should be included in the Association. We referred that matter to the Secretary of State for his observations. He has replied, that this is a matter which will have to be decided by the Association itself according to its constitution. I understand that the Association at present includes only the Self-governing Dominions, but we hope that when the members of this delegation come to this country, if they do so, they will be able to

[Sir William Vincent.]

arrive at a perfectly reasonable understanding on this point with the Members of this House and the Council of State.

It is customary in these matters to afford some facilities, to, and to incur expenditure in, the entertainment of distinguished guests, and, we believe, that India has much to gain from the visit of such an influential Association as this. We think that it is possible that mistaken views of the political situation in India would be dispelled and that it is important, that Members of the different Parliaments, and particularly those for the Self-governing Dominions with whom we have, from time to time, differences should have first hand evidence on the effect of the Reforms, the capacity, industry and sense of responsibility, if I may say so, of the new Chambers. I believe myself that nothing will more tend to political progress in this country than the acquisition and dissemination of such knowledge. I may say, therefore, that in the opinion of Government this money will be well spent, but it rests entirely with this Assembly to vote it or not. We do not seek to force the hands of the Assembly in any way. I may repeat, that the grant, even if it is made, will only cover a portion of the expenses, and I may add, that we should not like India to appear less generous in this respect than other Self-governing Dominions, particularly when, as I believe, the expenditure will tend to the great political advantage of this country. Finally, I may say, that I believe that informal discussions between the members of the delegation and the Members of this Assembly will be of the utmost benefit. For all these reasons, I commend the demand to the considerations of the House.

Rao Bahadur T. Rangachariar : Sir, I heartily support this motion. When this matter came up before the Standing Finance Committee, the question arose as to whether we should make it a condition precedent that our Legislature should also be recognised for membership in this Association or whether we should merely throw a hint asking them to make the Indian Legislature also eligible for membership. I was glad to hear, that the matter had been communicated to the Secretary of State, and that it has been finally decided that it should not be made a condition precedent to making the grant, but only to convey an expression of our wish that we also would like to be considered as a Self-governing country, although we are not. But as we hope and expect that even within the period of ten years which are provided for us, we will become a Self-governing country, we wish to extend our hand of hospitality to this Association. One lakh of rupees is a mere drop in the ocean of crores which we are spending, and I therefore urge upon the Assembly to vote for this grant.

Mr. Harchandrai Vishindas : Sir, while heartily supporting this demand for a supplementary grant of one lakh of rupees towards the cost of the proposed delegation of the Empire Parliamentary Association to India, I think it is due to the Assembly that some information should be vouchsafed to them, that is to say, what the programme of this delegation is, when the question as to whether this Legislature should also be associated with this delegation is to be discussed, whether it will be during the sittings of the Assembly that this delegation will be visiting this country, and what means have been provided for affording opportunity for discussion between the Members of the Assembly and those of the delegation.

The Honourable Sir William Vincent: I hope the Honourable Member will excuse me for suggesting that it would be a little premature for the Government to enter into a discussion with the members of this delegation as to what places they will visit, whom they will meet and so on, until we are assured that this Assembly will grant the money for the purpose. The Government of India, owing to this grant not having been allowed up to now, have up to the present not issued even a formal invitation to the delegation. I shall be very glad to give the Honourable Member all the information he seeks later, but I think he is asking too much at present.

Mr. Harchandra Vishandas: I am quite content.

Mr. N. M. Joshi: Sir, as a Member of the Standing Finance Committee, I had also an opportunity of considering this question very carefully, and after having done that, I rise to support the motion put forward before this Assembly by the Honourable the Home Member. Sir, we in this Assembly call ourselves the Parliament of India, and as the Parliament of India, it is our privilege to welcome the Members of the Parliaments of the different nations in the British Empire. I therefore feel that it is right that we should welcome them and offer our hearty hospitality in a manner which befits our country. Sir, I frankly admit that there was a time when the word 'Empire' had some horror for me, because it connoted the subjection of our country by another, but now the time has come when the statesmen of the Empire call this Empire a Commonwealth of free nations and as such they admit that India also is an equally free member of that Commonwealth, and, therefore, the connotation of that word has now changed and we can now feel pride in being a part of the British Empire.

Then, Sir, it naturally occurs to us that this British Empire delegation is to include delegates from all Colonies of the British Empire, including even South Africa. It is a matter for serious consideration for us if the Members of the Parliament of South Africa are included in this delegation, whether we can give them the welcome which we shall very heartily give to the representatives of other Members of the British Empire.

Sir, it is natural that we should feel some indignation when the mention of the Parliament of South Africa is made. I would, therefore, like to press on this Assembly to consider this question very seriously but coolly.

Sir, the Members of the Parliament of South Africa do not certainly deserve a welcome, at least a hearty welcome, from the Members of this Assembly.

At the same time, we learn from the Resolution passed at the Imperial Conference that the Government of India is going to negotiate with the Government of South Africa on this question.

The Honourable the President: Order, Order. The Honourable Member will realise that if I allow him to embark on a controversial issue between a Dominion Government and the Government of India, I must allow others to apply the same precedent in other directions. I hope he will draw his remarks on this particular aspect to a conclusion.

Mr. N. M. Joshi: Sir, I submit to your decision. I only wish to say to this Assembly, that although we may not oppose the inclusion of the delegates from South Africa in this delegation, still the welcome which we may give to them will not be as hearty as it will be in the case of others.

[Mr. N. M. Joshi.]

Sir, I support this Resolution moved by the Honourable the Hono Member.

Mr. R. A. Spence : Mr. President, with reference to the remarks made by my Honourable friend, Mr. Joshi, I think that the reasons he has stated in regard to South Africa are reasons for according a very hearty welcome to South Africa. We want the representatives of the South African Parliament to come to India because we feel that if they do, there will be a better chance of a true realisation on their part of what India is and that there will be more friendship with and better knowledge of India in South Africa.

The motion for the demand for a supplementary grant of one lakh of rupees towards the cost of the proposed delegation of the Empire Parliamentary Association to India during 1921-22 was put to the vote of the Assembly and carried.

THE INDIAN FACTORIES (AMENDMENT) BILL.

Mr. A. C. Chatterjee : Sir, I rise to move :

'That Sir Vithaldas Thackersey and myself be nominated to serve on the Joint Committee to consider and report on the Bill further to amend the Indian Factories Act, 1911.'

The name of Sir Vithaldas Thackersey is being proposed to replace the late Mr. Rahimtoola Currimbhoy, whose premature death we all deeply deplore. I have obtained the consent of Sir Vithaldas Thackersey to serve on the Committee.

The motion was adopted.

THE INDIAN ELECTRICITY (AMENDMENT) BILL.

Mr. A. C. Chatterjee : Sir, I rise to move :

'That Munshi Mahadeo Prasad, Sir Vithaldas Thackersey and myself be nominated to serve on the Joint Committee to consider and report on the Bill further to amend the Indian Electricity Act, 1910.'

Sir Vithaldas Thackersey will replace the late Mr. Rahimtoola Currimbhoy and Munshi Mahadeo Prasad, it is suggested, will replace Mr. Sachchidananda Sinha who has now left this Assembly for office in his own province. I have obtained the consent of both these gentlemen to serve.

The motion was adopted.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

The Honourable Sir William Vincent : Sir, I move :

'That the Honourable Mr. Clayton, the Honourable Mr. Lyle and myself be nominated to serve on the Select Committee to consider and report on the Bill further to amend the Indian Penal Code, 1860.'

Honourable Members will remember that this Bill was referred to a Select Committee on the 17th of March. Two of the Members of the Committee, then appointed, namely, Mr. Keith and Mr. O'Donnell, have ceased to be Members of the Assembly. I hope therefore that this Honourable Assembly will agree to substitute Mr. Lyle and Mr. Clayton and myself for those

gentlemen who have now ceased to be available for service on the Committee. I must, under the rule, having now become a Member of this Assembly, also be a Member of this Committee.

The motion was adopted.

THE MAINTENANCE ORDERS ENFORCEMENT BILL.

The Honourable Sir William Vincent : Sir, I move :

'That I myself be nominated to serve on the Select Committee to consider and report on 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*.'

The Member formerly nominated to this Committee has ceased to be a Member of this Assembly and under the rules that the Member in charge of the particular branch of the Department is required to be a Member of the Select Committee on a Bill affecting that Department.

The motion was adopted.

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir William Vincent : Sir, I ask for leave to defer the next motion* that stands in my name and make a short statement of my reasons for doing so. This Bill, which was circulated for information last Session, is a Bill for the protection of persons against false civil suits. I think there will be no denial that the evil against which the Bill is directed is prevalent in certain parts of the country. The Bill has now been circulated and we have received the opinions of most of the Local Governments, some however have been received so late that the Government have not had time to examine them and I am quite certain that Members of this Assembly have not been able to do so. Two important Local Governments have also not submitted any opinions up to now. In the circumstances, it is, I think, incumbent on Government to defer consideration of the Bill and, to give the Assembly an opportunity and the Government itself an opportunity of examining these opinions. I ought also to say that the opinions which have been received are not unanimous in accepting the principle of the Bill; in these circumstances, I ask for leave to defer the motion, and I may mention that I am not at all sure that it will not be necessary to appoint a small committee further to examine the essential principles upon which this Bill is based. I am quite certain, that in this action of mine, I shall have the support of those who have made any study of the subject under discussion.

The motion on the paper was, by leave of the Assembly, withdrawn.

THE INDIAN EMIGRATION (AMENDMENT) BILL.

Mr. J. Hullah : I have to move, Sir :

'That the Bill to amend the law relating to emigration be referred to a Select Committee consisting of the Honourable Dr. Sapru, Mr. Innes, Mr. N. M. Joshi, Mr. C. W. Rhodes, Rai Sahib Lakshmi Narayan Lal, Mr. Bhupatiraju Venkatapatiraju, Mr. Salebhoy Karimji Barodawalla, Haji Wajih-ud-din, Sardar Gulab Singh, Babu K. C. Neogy, Rao Bahadur T. Rangachariar and the Mover.'

* That the Bill further to amend the Code of Civil Procedure, 1908, be referred to a Select Committee consisting of the Honourable Dr. Sapru, Mr. Percival, Mr. Lyle, Sir Sivakamy Aiyer, Mr. Samarth, Munshi Iswar Sarao, Babu Saish Chander Ghosh, Chaudhri Shahat-ud-Din and the Mover.

[Mr. J. Hullah.]

I have not been able, Sir, to obtain the assent of two of these gentlemen. The rest have assented. I have, however, obtained the assent of two other gentlemen whose names I should like to substitute. May I do so? Then, in place of Mr. Barodawalla and Mr. Neogy, I propose the names of Mr. Jammādas Dwarkadas and Mr. J. Chaudhuri.

The motion with the list of names, as amended, was adopted.

THE NEGOTIABLE INSTRUMENTS (AMENDMENT) BILL.

Mr. C. A. Innes : I move for leave to introduce :

‘A Bill further to amend the Negotiable Instruments Act, 1881.’

Last year the Government of India amended this Act by the insertion of a Section, Section 75A, which excuses the delay in the presentment of a bill for payment if that delay is caused by circumstances beyond the control of the holder. When we were consulting commercial opinion at the time with regard to that amendment, two other amendments of the Act were suggested for the consideration of the Government of India, one by the Bengal Chamber of Commerce and the other by the late Bank of Madras. The two suggestions were referred in due course to Local Governments, and through them to the Chambers of Commerce, European and Indian, and other commercial associations in the country, and I think I may say that the Bill, which I ask leave to introduce, has the unanimous support of commercial opinion behind. It is first proposed to extend, by an amendment of Sections 63 and 83 of the Act, the limit of time now imposed by the Act for obtaining the acceptance of a bill of exchange. That limit of time, as the Act stands at present, is twenty-four hours, and in this respect our Act follows the English law and English practice. Section 42 of the Bills of Exchange Act prescribes that a bill of exchange must be accepted within the customary time, and in so far as trade bills at any rate are concerned, the effect of this provision of the law is that a bill left for acceptance within the business hours of one day and not accepted before the close of the business hours on the following day, must be noted for non-acceptance or otherwise treated as dishonoured. That period of twenty-four hours worked well enough in a small country like England, but it has been represented to us that the time is inconveniently short in the circumstances of India. An undue extension of the time is, of course, out of the question and having regard to the intervening rights of third parties would be contrary to the whole principle of the Act. But it has been suggested to us that a reasonable extension of this period of 24 hours might be allowed, and the proposal has been made that the period of 24 hours should be extended to forty-eight hours. As I have stated, we referred this proposal to all Chambers of Commerce and other commercial associations in India through Local Governments. All these Chambers of Commerce are unanimous that some extension of the time is necessary, and accepting this opinion we are proposing an amendment of these two Sections of the Act which will extend the limit of time of 24 hours to 48 hours.

The second amendment does not require much explanation. As I have already mentioned, last year we amended the Act by the insertion of a clause which now appears as Section 75A and which excuses delay in the presentment

of a bill for payment if the delay is caused by circumstances beyond the control of the holder and is not due to his misconduct or negligence. It has been suggested to us that delays in presentment for acceptance might similarly be excused on the same conditions. Here, again, the commercial opinion of the country is unanimously in favour of the change, and, therefore, we are submitting it for the consideration of this House. I move for leave to introduce the Bill.

The motion was adopted.

Mr. C. A. Innes : I now introduce the Bill :

THE CARRIERS (AMENDMENT) BILL.

Mr. C. A. Innes : Sir, I move for leave to introduce :

' A 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.'

Though the title is a long one, the Bill raises only a small point. The main object of the Bill is to remove a certain inconsistency in the provisions of the Act which has been just brought to our notice by a decision in the Calcutta High Court. Section 3 of the Act prescribes :

' No common carrier shall be liable for the loss or damage to property delivered to him to be carried exceeding in value one hundred rupees and of the description contained in the Schedule to this Act, unless the person delivering such property to be carried or some person duly authorised in that behalf, shall have expressly declared to such carrier or his agent the value and description thereof.'

I may mention that the articles included in the Schedule are mostly articles of high value but small bulk, such as gold and silver coins, gold and silver manufactures, precious stones and pearls, jewellery, time-pieces of any description, trinkets, bills and hundis, currency notes and the like. Section 4 of the Act enables a carrier under certain conditions to make an increased charge on such articles in view of the extra risk undertaken by him. The declaration under Section 3 is required in order that the carrier may know that he is being asked to carry property of specially high value or specially frail character and that he may take due precautions in the carriage of such articles. Now, Sir, I turn to Section 8 of the Act. This Section runs as follows :

' Notwithstanding anything hereinbefore contained, every common carrier shall be liable to the owner for loss of or damage to any property delivered to such carrier to be carried where such loss or damage shall have arisen from the negligence or criminal act of the carrier or any of his agents or servants.'

It will be observed that this Section, as it is worded, and as it is now interpreted by the courts, renders nugatory the protection which Section 3 was intended to afford to the carrier. This point has recently been brought out in a decision of the Appellate Bench of the Calcutta High Court and I shall give a very short description of that case. In this case, a passenger on a steamer took with him six packages of silk thread. Silk thread is one of the articles scheduled under the Act, and the packages being over Rs. 100 in value, he should have declared the silk thread

[Mr. C. A. Innes.]

under Section 3 of the Act. He did not do so. He booked them as ordinary luggage with the result that the company was not able to take any special precautions for the safety of the packages. The steamers caught fire, and the packages were destroyed. The passenger filed a suit against the company. Under Section 9 of the Act, the passenger had merely to prove that the packages had been destroyed. He had not to prove that there had been negligence or a criminal act. It was for the company to prove that there had been no negligence and no criminal act, and since the cause of the fire was unknown, the company was unable to discharge that obligation. Therefore the High Court held that the steamer had caught fire owing to the negligence of the company and they held that the company was liable for the full value of the packages. Their Lordships remarked :

'Reading Sections 3 and 4 with Section 8, it appears that although a common carrier is not liable for the loss or damage of property of a certain description above Rs. 100 in value, unless the value and description thereof are expressly declared by the person delivering them to be carried, and although the carriers are entitled to charge a higher rate for such properties, he is liable for the loss or damage to such properties, if such loss or damage arises from the negligence or criminal act of the carrier, or, any of his servants or agents.'

It is noteworthy, however, that the High Court did not allow the plaintiff his costs in any of the three courts in which his suit had been heard, although these costs probably exceeded the value of the claim. The effect of the ruling is, that though a carrier may be given no chance to take any special precautions against negligence in respect of scheduled articles, he is liable for negligence. The matter is, therefore, a very serious one for carriers, since some of the scheduled articles may be of high value. Thus carriers in India are exposed to great risks, and it is thought that the law in India in this matter should be assimilated to the law in England. In England, the law is that if goods corresponding to the articles scheduled in our Act are sent by a carrier for conveyance without a declaration of their net value and without any payment of, or an engagement to pay, an increased charge, the carrier is not liable for loss, even though such loss may be caused by the negligence of himself or his servants or agents. It is for the consideration of this House whether we should not amend our Carriers Act so as to bring our law in India into consonance with the law in England in this matter. The effect of the amendment proposed in Section 8 of the Act is, that if articles of the description contained in the schedule are not declared as they should be declared under Section 3, then the carrier will not be held responsible for negligence on the ground that he had no opportunity for taking special precautions. If the articles are declared, then the carrier will remain responsible for negligence and his liability in respect of criminal act on the part of himself or his servants remains in either case. Local Governments have been consulted on the amendment we propose in the Act, and we are informed that commercial opinion in the country is in favour of the change in the law, which we propose. There is only one exception mentioned in the correspondence, and that is a single Trades Association.

The second point in which we propose to amend the Act is of much less importance. It is proposed, if the House has no objection, to take the opportunity of making another small change. At present no addition may be made to the schedule of articles appended to the Act without an amendment of the

Act in each case. The procedure is cumbrous. The Railway Act empowers Government to add to the schedule merely by a notification in the Gazette, and it is thought that in the case of this Act also, similar confidence might be placed in the Executive Government.

The motion was adopted.

Mr. C. A. Innes : I introduce the Bill, further to amend the Carriers Act, 1865.

THE INDIAN POST OFFICE (AMENDMENT) BILL.

Mr. C. A. Innes : Sir, I move for leave to introduce :

‘ A Bill further to amend the Indian Post Office Act, 1898.’

A brief statement of the reasons which have induced Government to submit this Bill for the consideration of this House has been circulated to Members. But I fear that my business friends in the House will be apt to look askance at a Bill which might be held in some way to infringe the sanctity of His Majesty's mails, and, therefore, if the House will permit me, I propose to enter into the matter a little more in detail.

It is a settled principle of postal practice throughout the civilised world, that articles liable to customs duty should not be sent by letter mail. The practice has been forbidden by the Principal Convention of Rome; the prohibition was confirmed by the Principal Convention of Madrid, which was signed only last year; and it has long been notified to the public by being included as a Post Office rule in the Indian Postal Guide.

We have known for many years, however, that the prohibition has been systematically and steadily, evaded. Diamonds, precious stones, jewellery, silk handkerchiefs, silk ties and similar articles of high value and small bulk are still regularly sent by the letter mail, and since 1917 three successive Collectors of Customs at Bombay have drawn our attention to the increasing loss of revenue, which increased resort to this forbidden practice is causing Government. Finally, last year, Mr. Hardy, then Collector of Customs at Bombay, adduced facts and figures which left no doubt in the mind of the Government of India that the loss of revenue was assuming serious proportions. He estimated the loss at Rs. 10 lakhs per annum. If his estimate was correct, then the loss must now be much greater. For in the interval two new factors have come into play. In the first place, our import duties have been heavily increased and the temptation to try to smuggle in valuable goods by the letter post is even greater than it was before. Secondly, there has recently been a very large increase in the rates of parcel post from the United Kingdom as compared with letter rates, so that more and more use will inevitably be made of the letter post for articles which can be sent by letter. If, therefore, Mr. Hardy was correct last year in his estimate, that we were losing Rs. 10 lakhs a year by evasion of the prohibition of sending dutiable articles by letter, the loss must now be approaching something like Rs. 20 lakhs a year, and it is believed to be increasing.

Now the present method of assessing to duty articles liable to duty contained in the foreign letter mail is prescribed by Section 24 of the Post Office Act. We have power to detain parcels received by post from any place beyond the limits of British India, at the Customs port or other place at which they are received, and the Customs officers can and do open parcels

[Mr. C. A. Innes.]

for the purpose of levying duties. But when letters received by the Foreign letter mail are suspected to contain anything liable to duty, the procedure prescribed by the Act is as follows :

The officer in charge of the Post Office sends a notice in writing to the addressee inviting him to attend in person or by agent at the Post Office. The packet is then opened in the presence of the addressee or his agent. If a dutiable article is found in the packet, it is assessed to duty either by the officer in charge of the Post Office or in more serious cases at the port of entry, where it is sent back for assessment. This procedure works well enough in Bombay itself, for there in practice the Customs authorities are associated with the postal officials in opening and examining letters and in assessing to duty the articles found therein. But, in the mofussil, the practice does not work well. It is inconvenient to the public, and uncongenial to postal officials. It imposes on them duties for which they are not fitted and which they do not regard as being within the sphere of their legitimate functions. These duties, moreover, bring them into unpleasant relations with the public, and there is reason to fear that they are often scamped and neglected to the detriment of the Government revenue. In this connection, I can give the House some interesting figures. In 1919-20, Rs. 16,06,303 were credited to Bombay Customs revenue from collections on letter packets. Of this sum, Rs. 3,303 were recovered in the mofussil on 1,792 packets. The balance, amounting to Rs. 16 lakhs odd, being recovered on 8,153 packets addressed to people resident in Bombay.

We have considered numerous suggestions for remedy in consultation with the Director-General of the Post Office and Telegraph Department. We have considered whether we should not make it worth the while of Postmasters properly to discharge their functions under Section 24 of the Act by offering them a commission on the customs duty they are instrumental in collecting. But as the House will readily realise this expedient was promptly negatived as bad in principle, demoralising in practice and unfair generally to the public. Other suggestions have similarly been considered and rejected, and finally we have arrived at the conclusion, that either we must leave things as they are and let the loss of revenue continue, or we must amend Section 24 of the Post Office Act. As this House knows, our finances are not exactly in a prosperous condition. We are not prepared ourselves therefore to take the responsibility of winking at a loss of revenue, which, as I have already said, we believe to be assuming serious proportions. We have decided, therefore, to ask the Legislature to consider whether it will agree to an amendment of Section 24 of the Post Office Act. That is, we propose to omit the third proviso to Section 24 of the Act and to insert a new Section 24-A which will enable any Postal official empowered in this behalf to deliver any postal article in the foreign letter or parcel mail which is suspected to contain anything dutiable to a specially empowered Customs officer to be dealt with under the Sea Customs Act. Section 194 of that Act, it may be noticed, empowers a Customs officer to open and examine any package brought to a Customs port and he can of course assess to duty any dutiable articles found therein.

Now I hope that no one in this House will think that we have any intention of holding up at Bombay the whole of the foreign mail in order that we may go through it with a microscope and pick out any letters which we may suspect to contain dutiable goods. We have no intention of delaying

the ordinary foreign mail for one moment. But a certain amount of sorting is done at Bombay and if in the course of that sorting letters are found which obviously contain articles of jewellery, silk handkerchiefs and other dutiable goods, these letters will be detained and examined under the powers we ask for.

The registered foreign mail, however, is of more importance in this connection for the dutiable goods we have in mind are mainly sent in registered letters. Mr. Clarke originally informed us that he could easily arrange for the General Post Office in London and for Continental Sorting Offices to sort the registered mail for India in separate bags for Bombay, Calcutta, Madras, Karachi and Rangoon. He reported, that if this were done, the bags could be examined with a minimum of delay. The contents would be spread out on tables and it would then be an easy matter for an expert Postal or Customs official to pick out letters which contained not merely letters and documents but goods. He suggested that these special bags should be separated and detained. The rest of the registered mail would be put back in their bags and sent on their way. Mr. Clarke reported that the whole process would not take long, especially if Banks and business firms instructed their English and Foreign correspondents clearly to mark genuine registered letters 'containing letters and documents only.' At the very worst Mr. Clarke thought that we might hold up genuine registered letters in the foreign mail by twenty-four hours.

Mr. Clarke, however, has since informed me that he thinks that he will be able to make an even better arrangement. He anticipates no difficulty in arranging with the General Post Office of London and with the Continental and Colonial Sorting Offices, when sorting the registered mail for India, to pick out and put in separate bags letters which are so bulky as obviously to be parcels rather than letters. If this arrangement can be made, then the registered mail will not be held up at all. It will only be the separate bags in which these bulky articles are contained which will be detained at Bombay and other ports for examination and for assessment of any dutiable goods which may be found therein.

That, Sir, is our position. On the one hand, I have pointed out, that under the present system, we are losing revenue which we can ill spare. On the other hand, I have suggested a remedy which will not in any way delay the foreign letter mail. It is for the House to decide whether the evil which I have brought to their notice is serious enough to require the remedy which the Government suggest. The only alternative is, as far as I can see, to leave things as they are and to continue to sacrifice revenue. I move, Sir, for leave to introduce the Bill.

The motion was adopted.

Mr. C. A. Innes : I now introduce the Bill.

THE INDIAN MARINE (AMENDMENT) BILL.

Sir Godfrey Fell : Sir, I move for leave to introduce :

'A Bill further to amend the Indian Marine Act, 1887.'

The Bill is a very small one. The object underlying it is to remove the inconvenience which results from sanction having to be given by the Governor

[Sir Godfrey Fell.]

General in Council before a gazetted officer of the Royal Indian Marine can be tried by an Indian Marine Court. This often leads to the trial being postponed, sometimes for several weeks at a time, before an opportunity of convening a court arises. We desire to remedy this by empowering the Director, Royal Indian Marine, to convene such courts. Similar powers are enjoyed by military officers of no higher status than the Director, Royal Indian Marine.

The motion was adopted.

Sir Godfrey Fell : I now introduce the Bill.

THE INDIAN WORKS OF DEFENCE (AMENDMENT) BILL.

Sir Godfrey Fell : I move for leave to introduce :

'A Bill further to amend the Indian Works of Defence Act, 1903.'

As Honourable Members will see from the Statement of Objects and Reasons, the amendments are of a purely formal character, consequential upon the recent change in the organisation of the Army in India.

The motion was adopted.

Sir Godfrey Fell : I now introduce the Bill.

THE INDIAN WAR RELIEF TRUST BILL.

The Honourable Mr. W. M. Hailey : Sir, I beg to move for leave to introduce :

'A Bill to constitute a War Relief Trust for India.'

It will, I am sure, Sir, be a matter of relief to this House to know that in introducing this Bill I shall not have to refer either to excesses of expenditure or deficits of revenue, nor to make any appeal to this House to dive deeper into the pockets of the taxpayer. The measure is to all intents and purposes of the nature of a private Bill, and I move it, because I am connected with one of the Funds to which the Bill relates.

Its purport is to provide for the appointment of trustees to deal with the balance of the fund known as the Imperial Indian Relief Fund. Very briefly, that fund was raised as the result of an appeal made by Lord Hardinge at the beginning of the war. It is important that I should point out to the House the exact terms of that appeal. He appealed to all classes of the Indian people for subscriptions 'to alleviate distress of all kinds due to the war, and especially the distress and suffering that war must necessarily entail upon the families and dependants of those who were braving death and enduring hardships for the safety and common interests of the Empire.' Sir, the appeal met, as appeals issued during the war to India have always met, with a magnificent response, and the liberality of India contributed first and last no less than 253 lakhs. I propose to give this House very briefly a description of the manner in which this money has been spent. For, Sir, we do not belong to that growing class of

ardent collectors which intimidates the public to subscribe to objects in which they are interested, but positively cuts its throat if it asks for an account of the manner in which the money has been spent.

The first object.—I leave out minor matters connected with this expenditure—the first object on which money was expended was to relieve the widows and orphans of all those classes of Indian ranks who died in action, and to place in funds those who had returned to India wounded. The intention was to give a sum of money to meet their immediate necessities, thus relieving them of the anxiety due to any delay which might occur in the distribution by the State of family or wound pensions. On that object, Sir, the fund expended about 85½ lakhs.

Then, Sir, the second object on which a considerable sum of money was expended was for the grant of what is called *post bellum* needs; that is to say, the fund made arrangements to pay to the families of deceased men of the Indian ranks and also to the injured, a sum of money, some after the receipt of the first sum, by which time it was assumed that the need for fresh help would have arisen. That distribution accounted altogether for about 90 lakhs.

Then, Sir, the third object of expenditure was to assist first of all the convalescent British officers serving with the Indian Expeditionary Forces, who returned to India for medical treatment, and further to give relief to the families of British officers of the Indian Army and of men of British other ranks who had fallen in the war. Altogether about Rs. 38 lakhs were set aside for that object. We have of course published month by month communiqués which give further details of the total expenditure, and with your permission, Sir, I would place on the table of the House a copy of our last communiqué; a reference to that communiqué will show that up to date out of 253 lakhs we have expended 228 lakhs, leaving a surplus of 25 lakhs. We believe that we have satisfied all claims that have arisen within the terms which we laid ourselves out in the first instance to meet. I may say, that the actual distribution of this money has been primarily in the hands of the organization known as the Indian Soldiers Board, assisted by a large number of Provincial Soldiers Boards.

The question now arises as to how we are to dispose of the remaining 25 lakhs. It is for this reason, Sir, that legislation is necessary, because the proposal which I now place before the House constitutes not a departure from the original purpose of the fund, but a further extension of the use of the subscribed money which was not actually contemplated when the original appeal was made by Lord Hardinge. It is proposed that this sum remaining in the hands of the management should be funded in order to afford relief not only to persons who are in distress arising out of the great war itself, but also for the relief of cases of distress arising out of subsequent military operations. It is further proposed that out of the capital of 25 lakhs which I have mentioned, a sum of Rs. 11 lakhs should be spent in educational projects connected with the army, that is to say, it is proposed that a sum of Rs. 5½ lakhs should be given as a grant in aid for the establishments known as the King George's Schools for the education of the children of the rank and file of the Indian Army, and a further grant of Rs. 5½ lakhs as a grant in aid towards the foundation of a College known as the Kitchener College for the education of the sons of Indian officers of commissioned ranks. This is a capital grant;

[Mr. W. M. Hailey.]

the college and schools will be maintained by the State and no further expenditure will fall on the fund. There is one further point. We propose to take authority to hand over to the trustees who will be constituted under the provisions of this Bill, the small fund called the Patriotic and Indian Heroes Fund which was raised in 1880 in England and in India for the relief of distress of disabled soldiers and among the families of those who lost their lives in the Afghan War of 1879-80. This has been subsequently used for relief arising out of other operations such as the Tirah Campaign; the present balance of the fund is just under 3 lakhs, and it is proposed to transfer this balance to the War Relief Trust, which we now propose to constitute.

That, Sir, is the Bill which I shortly place before the House. I am well aware that I am placing before the House a proposal to utilise these funds in a sense which might be described as not fully intended by the original appeal for subscriptions to the fund, but it will be seen that the interest of the funds will still be spent primarily for the relief of the families of persons who have lost their lives in the great war, and of those who have been wounded in it. Some portion of the capital will be spent for the education of the sons of Indian soldiers and officers; this will include many who lost their lives or who were disabled in the war. I do not feel myself that this creates any considerable departure from the original proposal for which the fund was intended, and it is for that reason that I put forward this Bill. We did not, I may say, think it regular to undertake expenditure of this nature without bringing the matter before the public by way of legislature. I now beg leave, Sir, to introduce the Bill.

Mr. E. L. Price: Sir, I regret to have to oppose the introduction even of this Bill. I must apologise to the House for unpreparedness when I say that from the memorandum of proceedings I could not gather what the nature of this Bill was. It was not until just before the House sat that I had the Bill in my hands, and when I glanced at it, I realised at once, it meant a course to which all my life I have been opposed, and that is, money collected for one purpose diverted to another. If you will read the objects and reasons of the Bill, you will see, as the Honourable Mr. Hailey has admitted, that this money was contributed for certain Indian purposes. It was to relieve the wants and necessities of those who suffered in the world-wide war, not in any war, not in any future war, but in one definite, Great War, *the War*. In the Viceroy's noble appeal for raising this money, stress is laid on that same point, that is to say, 'to alleviate distress of all kinds due to the war,' *the Great War*. This money belongs to those who suffered from the Great War and to nobody else. It is a Trust. Now that trust may fail if you tell me that there is nobody left in India who suffered in the war and whose distress still needs assistance. But in that case, what right has the Government of India to inaugurate an *ex-services* Association? What right has the Government of India to call on our people, as they call in Karachi, to subscribe to a new fund to alleviate the distress of those who served in the Great War, and whose needs are still not met? At the very time that you are collecting new funds to relieve the distress arising out of the Great War, at the same time you are diverting the 25 lakhs that you have in your hands to another purpose which was not the original intention. That, Sir, is nothing more or less than the misapplication of funds. I am not jesting, Sir. I have known cases in other countries, and in England, of similar misapplication of funds, the diversion of

funds from one object for which they were raised to another to which it was never intended to subscribe, and this has been done without legislation. But at all events the Government of India has sufficient conscience, I am glad to say, to ask for the gloss of a legislative enactment to cover this diversion. Now look at the first paragraph of the Bill. They refer to the Imperial Indian Relief Fund. It says 'And whereas the objects of the said Fund were first to provide ...' and so forth. There it stops! Then we come to the Patriotic and Indian Heroes Fund, and the Bill says 'And whereas the balance of this fund, on the completion of the relief of distress arising out of the Afghan War' and so forth; but mark you in the case of the Great War Government does not even claim that the distress and all the needs arising out of the Great War have been met. They only claim it in the case of the Afghan War. It is not enough. According to the objects of the Bill, the proviso in the last paragraph in the Statement of Objects and Reasons says, that 'a first claim upon the Trust shall be retained in favour of the sufferers from the Great War of 1914-18.' A first claim is not enough. It is the one and only claim on that Fund, and I, therefore, ask the House to refuse on conscientious grounds to permit the diversion of these funds which are intended to relieve the distress of the families and dependents of those who suffered or died in the war, the Great War, to an entirely different object which the donors never had in their minds when they subscribed.

The motion was negatived.

Secretary of the Assembly: Sir, I have received a Message from the Council of State through the Secretary of that Council.

The Honourable the President: Secretary will read the Message received from the Secretary of the Council of State.

Secretary of the Assembly: Message from the Secretary, Council of State, to the Secretary, Legislative Assembly, dated the 5th September 1921.

'I am directed to inform you that the following Resolution was passed in the Council of State at their meeting of the 5th September:

This Council recommends to the Governor General in Council that he may be pleased to convey to His Royal Highness the Prince of Wales its humble request that he may be graciously pleased to accept a loyal Address of Welcome from the Indian Legislature, and invites the co-operation of the Legislative Assembly in constituting a committee of the Indian Legislature to draft a suitable address for the purpose. The Council of State desires the concurrence of the Assembly in the Resolution.'

The Assembly then adjourned till Four of the Clock.

The Assembly re-assembled after Lunch at Four of the Clock to discuss the Moplah Outbreaks. The Honourable the President was in the Chair.

MOPLAH OUTBREAKS.

Rao Bahadur T. Rangaachariar: Sir, in the first place, with your permission, I beg to apologise to the Assembly for having called them again this afternoon as otherwise they would have been enjoying Simla without any work. When I gave notice of this motion, it was with some hesitation, that I

[Rao Bahadur T. Rangachariar.]

ventured to bring up this subject for discussion at the Assembly. My hesitation was due to the fact or rather the feeling that I did not want to even make it appear that we, the Assembly, do not share the feeling of anxiety which the Government have in the very serious situation which has arisen in Malabar. And that feeling got intensified somewhat when I got a telegram from our Colleague, the Honourable Mr. Muppil Nair, who wired to me from Shoranon not to unnerve the authorities by raising this discussion. And thereupon I consulted the Government Member responsible for the situation and he assured me that he would rather welcome the discussion, and therefore I was emboldened to raise this question now, although in my own view the time is somewhat premature to discuss the very important and serious questions which arise out of the situation in Malabar. The Moplahs have earned an unfortunately bad name for nearly over a century and I do not know if they had ever a good name. The term 'Moplah,' as perhaps you may permit me to explain, merely means 'the mother's child.' 'Ma' is 'mother' and 'pillah' is 'child.' That is to say, their mothers are known, the father's side is unknown. I have Wilson's authority for this statement. Anyway, they are the descendants of Arab settlers in the west coast of the Madras Presidency, Arabs who fled from their country in about the third century. They have ever been a source of trouble to their neighbours, the Hindu population in Malabar. They number about a million in the district, they are good agriculturists, they are good traders—those of you in Bombay might have seen them on the railway platform wending walking sticks and such other wares. There are also very nice people amongst them. There are big Jennies amongst the Moplahs, but all the same, they are big fanatics. All their folk-lore consists in praising the people who die for their religion. Houris will be waiting for those people who die. They are told, that Houris are waiting in heaven to kiss and embrace the Moplahs who die fighting against the kaffirs. I will mention one of the ditties which is very often sung there. 'Father fights against son for the bond of faith is stronger than the bond of blood.' From their youth upwards they are taught that you must carry the Muhammadan religion and they believe, that there is great merit in converting people forcibly to Muhammadanism. Now, they live peacefully with their neighbours, but oftentimes they break out. Even in the last thirty or forty years, they have broken out, I think, nearly half a dozen times. My Honourable friend, Mr. Innes, knows to his cost what the Moplahs are. He has had, as Collector of Malabar, personal experience of their dealings and I am glad to say, that he escaped from a very nearly tragic event with which he was faced. Now Ernad is one of the taluks which is famous for the Moplahs—and it is a proverbial expression with us in South India if you want to mention a man who merely provokes a quarrel unnecessarily, you have to mention a Kundote Moplah or an Ayyampet Mussalman. That is the way in which persons merely for the sake of quarrelling will provoke a quarrel without any cause whatsoever. That is the way in which we characterise such persons. Now, Sir, they are an inflammable lot. And I am sure, that the Khilafat agitation for the last two or three years has been the main cause of the present condition of things in Malabar. And I am not sure, that the Government of India and the Home Government are not in a measure responsible for the encouragement, the hope and expectations aroused in the minds of these people by shilly-shallying and dilly-dallying with the agitation. Sir, now we come to the present day

events. You will find that the District Magistrate of Malabar took steps against four people under Sections 107 and 144 of the Criminal Procedure Code. One of the leaders was released on his undertaking that he would not go to Malabar, in July last. The other three people who were incarcerated were released about the middle of August. There was a great demonstration when these were released and everything passed off quietly and there was no trouble whatever in consequence of their release or in consequence of the demonstrations held in their honour. There was a dacoity or robbery in a Hindu landlord's house. I should have mentioned, Sir, earlier that there are also agrarian troubles in Malabar. Most of these Moplahs are tenants under Hindu landlords, and as often happens, there are disputes between the landlords and tenants, and of course when this fanaticism breaks out, the Hindu landlords become the first objects of attack at the hands of these people. In consequence of the complaint made by that Hindu landlord, one of the Moplahs' houses was searched by the police. It does not appear whether it was a successful or an unsuccessful search. Anyway, it was resented. The Moplahs made a big demonstration early in August, and it ended merely in demonstration without leading to any lawlessness or violence. There was another event which happened in August which again did not end in any acts of violence. But apparently, the District Magistrate had information that these people had manufactured war knives in large numbers and they were being secreted, and he therefore proceeded to take steps under the special Act applicable to Moplahs, an Act which was passed in 1859 as the ordinary law was not sufficient to deal with these people. The main features of that Act are these. The Moplahs are believed to indulge in murderous outrages and as they are people who believe in sacrificing themselves the Act was passed in order to incur mainly forfeiture of property on conviction for an offence or attempt to commit an offence, such as murder, and special power was given to the District Magistrate under the Act to take precautionary measures by arresting beforehand before the Governor in Council proceeds to take steps under that Act. Under that Section, the District Magistrate having information proceeded to a place called Tirurangudi within about 20 miles from Calicut and four miles from the nearest railway station, Parapanangudi. Apparently he had anticipated trouble and he had armed himself by taking a small military force with him along with special reserve police. He had either correct or incorrect information. The communiqué of the Madras Government communicating the results of that event says, he left Calicut on the mid-night of the 19th August and arrived at Tirurangudi at 3 A.M., posted military force round a mosque and certain houses and after daybreak, he had a search made of the mosque and certain houses and also the Khilafat office. But apparently he had been misinformed as to the quantity of the weapons, because he got only one knife out of the search, and it seems to have been, in his own words, the signal for this outbreak. The District Magistrate issued a communiqué on the 26th in which he says, that this event has acted as a signal and roused the whole population twenty miles around. The people gathered in large numbers and they began to attack. The first fury of these people was directed against the Government and Government offices. The District Magistrate, I am sorry to say, had not taken adequate precautions to protect the population when he took such a serious step as this. He should have armed himself with more force before he took the serious step of going and surrounding a mosque and arresting or attempting to arrest a man who was held in great esteem by the Moplah

[Rao Bahadur T. Rangachariar.].

community, one Ali Musaliar, who is a religious preacher among them, an old man of 60 or 70, as I am informed, along with other people. By this he has exposed the population, the Hindu population, which is by far the largest section there, to great risks. As events have now shown, temples are desecrated, their houses are plundered, their property is not secure. The Hindus, Christians and other non-Moplahs excepting the Muhammadans suffer at the hands of this curious mob. One would have expected the District Magistrate when he took such a serious step to have armed himself with more force and posted them all round. In fact, as he himself confesses, he left Calicut in a helpless condition. He went without sufficient provisions even when he went to Tirurangudi and he had to retreat to Malabar or Calicut leaving Tirurangudi and its neighbourhood entirely in the hands of this lawless mob. It is no wonder therefore that the first fruits of success which they had on the 20th and 21st encouraged these people to go about. It is only on or after the 23rd that sufficient force was available in order to deal with the situation, and I am glad to see from the reports, which I have received and from those which are published, that the situation is now well in hand. Still the situation created is terrible. Innocent people have to suffer very largely. One satisfactory feature about this which I wish to emphasise is this, that notwithstanding the fact that the first attack was against Government buildings and Government officers for the first two days, not a single Hindu, be he a non-co-operator or a co-operator, joined these Moplahs. It is only after the first two days that the Moplahs turned their hands against their neighbours, the Hindu landlords, Hindu neighbours all about. But when they were solely occupied with attacking Government, post offices, telegraph offices, sub-magistrates' courts, munsiff's courts, and even railway people, not a single Hindu, I am glad to say, took part, not a single non-Moplah, I would say, took part in any of these outrages. Well, as I have said already, the temperament of these people has been described as follows :

'They are constitutionally liable to run amok, their favourite pastime in the name of religion is murder of Hindu landlord, to loot Hindu houses, to defile Hindu temples to run riot among the country. The fanatic mob gains in number and in temporary religious insanity till the highest pitch of excitement is attained.....determined to live as victors or die as claimants of paradise.'

That is the nature of these people. Therefore the situation is really very grave. My main point in bringing forward this discussion—I can only speak for fifteen minutes—is to give expression to the feeling that the Government of India have acted wisely in introducing martial law to protect the people there. Otherwise the situation would have been very serious indeed. Whether the District Magistrate acted within his powers and the Madras Government acted within their powers in handing over the administration to military authorities before the martial law declaration of the 26th August is a point which need not be discussed now. I do not think the District Magistrate acted rightly on the night of the 20th and again on the 21st. When he handed over the station to the military, I do not think he had a right to do that, but it is unnecessary to enter into a discussion of that question. But, at the same time, Sir, while I do not express any disapproval of the measure taken by the Government of India, I wish to warn them against a repetition of any mistakes or errors or excesses which the Government of India permitted themselves to make in 1919. Sir, at moments like these, most of us would lose our heads, and the Government

of India, even Sir William Vincent, is not immune from this human failing of losing one's head at critical times like these.* But, Sir, I have to give a word of warning that too much reliance should not be placed on local authorities. The Madras Government, for instance, at present has an abhorrent conception of what a Government should be. I think it believes still in autocratic methods, although Lord Chelmsford told us that autocracy had come to an end. I believe, Sir, they still believe in the Rowlatt Acts, and I do not think it is right that the Government of India, which is mainly responsible for administering martial law and for meeting the situation in Malabar, should leave it an entirely free hand, as I am told it has left to the Madras Government. They will regret afterwards. Sir, it is better to leave it to Lord Reading's Government and for them to keep the strictest control over the operations there, and I would also suggest, that in dealing with the situation there most excellent men are available in Malabar whose advice can be taken in dealing with the situation, men like the *ex-Diwan* of Travancore, Mr. Nayar, and I am sure, the Local Government should be advised to consult such people when taking measures for administering martial law. I know, there are people who advise the Government of India to use aeroplanes. Unfortunately, Madras has now got an organ which would welcome the use of aeroplanes and such other effective weapons, as they would call it. I am glad, Government have resisted the temptation to do so, although I was told that some aeroplanes were requisitioned, but I am glad to see, that that information is not correct. And, again, Sir, I wish to give a word of warning about mistakes. For instance, there is one incident which I cannot understand, and the Honourable Member has no information about it, about the subdivisional magistrate meeting a crowd on a railway line. It is not known whether he approached the men sufficiently near to make them understand, and it is said, they directly made a rush, and then the machine gun was turned on them and numerous casualties were caused. Again, we find, that the official communiqués are rather discreetly silent about the casualties, the extent and number of the casualties. I think the public should be taken into full confidence at once, and every time a machine gun is used, the exact number of casualties should be reported, and again I would also insist upon Government insisting upon the local authorities to see what is done with the wounded people on the spot, whether they are left to take care of themselves, or whether the authorities, whenever they inflict injuries, are taking steps to provide medical aid to these wounded people, and again I should like to give a warning as to how and what precautionary measures are taken that the bulk of the innocent population in the land is not subjected to unnecessary hardship on account of the administration of martial law, because after all the revolt is confined to a particular section of the people, but whether the military officers there will be able to distinguish between a Moplah and a Nayar, I do not know, and that would be a difficult matter indeed, and I, therefore, would ask the Government to see that precautionary measures are taken.

The Honourable the President : The Honourable Member has considerably exceeded the time-limit and must bring his remarks to a close.

Rao Bahadur T. Rangachariar : Therefore, Sir, while I cordially approve of the measures taken by the Government of India, I ask that the Government of India should realise their own responsibilities, and not leave too much in the hands of the Local Government.

Lieutenant-Colonel H. A. J. Gidney: Sir, when I first gave notice of an adjournment of this House, I was not aware of the fact, that my Honourable friend, Mr. Rangachariar, had already submitted a similar application. Sir, the political tide of India has been flowing at such a rate, that very few of us, whether actors or spectators, have had time even to ask ourselves whither it is flowing and with what object, nor have many of us had time to inquire whether the force and power it is developing in its onward rush is for the good or evil of India. Recent events have forced most of us to realise, that India is to-day on the crest of a political wave with such turbulent undercurrents that serious thinkers are asking themselves what are we going to witness, the ebb or the flood tide of India's progress. The causes which have led to this state of affairs would be too tedious to dilate on in detail, suffice to say that its development has been so insidious that to-day we find ourselves face to face with such a position that we are lost not only in utter wonderment and amazement but are asking ourselves the question 'how has it been possible?' And our lament to-day is our inability to adequately explain or stem it. The battle-cry to-day amongst all classes and thinkers in India is 'Liberty' or as some would call it 'Swaraj.' We all want this, but in our quest how many of us have paused to ask ourselves what liberty is this we are seeking? Is it Constitutional Liberty, such as the Anglo-Saxon nation enjoys to-day or is it Revolutionary Liberty such as France at such great cost obtained some years ago and which Russia and Ireland are to-day striving to obtain at a cost yet to be estimated. In India we seem to be divided into two parties—the Moderates or Co-operators and the Extremists or Non-Co-operators. The former, who are striving for constitutional liberty, consist of the educated better class well-wishers of India who desire to obtain their liberty in accordance with the laws and ordinances of this country. The latter, led by Mahatma Gandhi and his followers, consists of a body of cranks, fanatics, immature school-boys, disappointed men, ex-convicts and unbalanced idealists. These people are bent on obtaining liberty by the shortest cut, in the quickest possible time, and at any price, even if it ends in revolution. The liberty they are seeking is revolutionary liberty, one divorced from all laws and order. These two parties are to-day deciding the future fate of India. On the one hand we have the Extremists, who not only malign the Government but strenuously refuse to co-operate with it in any effort and have elected to take the law into their own hands under a leader who has promised *Swaraj* to India this month but whose repeated failures in this respect leads one to say that in his year there are more than twelve calendar months. On the other hand, we have the Moderates, who, whilst complaining of the slow speed with which *Swaraj* is being doled out by the Government, yet inasmuch as they remain more or less inarticulate regarding the anarchical activities of non-co-operationists are the selves merely passive spectators. Between these two parties is the Government of India, a mere handful of Britishers (now admixed with leading Indian Members) who are determined to lead India along the path of constitutional liberty, advising her, protecting her, in other words giving of her best for India's good till the time comes when India will be told: 'You are now fit to govern yourself. We feel we have done our duty; you do yours, and show the world and the mother-country of which you now form a part, how you have not only merited, but can administer *Swaraj*.'

Mr. Gandhi is the self-created apostle of soul-force. What soul-force, I ask, has been manifested in recent happenings, the direct outcome of his

activities. Is there any soul-force in the rowdyism, insults, etc., exhibited at the recent public meetings at Calcutta and Lahore? No. It was sheer mob force or bravado. Has any soul-force been evidenced in the riots at Malegaon, Aligarh, Munshiganj, Giridih, Assam, and to-day in the Moplah country? Is there even the vestige of soul-force in the desecration of Hindu temples, the forcible conversion of Hindus, the looting, the bloodshed, the murder and anarchy which prevail in the Moplah country this very day. If by soul-force Mr. Gandhi means the exhibition of passion, intolerance, murder, anarchy, hate, revolution, then why camouflage it with the word 'non-co-operation' (with 'non-violence') or even use it as a cloak to cover his true feelings and objects. No, Sir. A crusade that has recourse to such degrading tactics, such Bolshevik methods, must surely be on its last legs, for it is only the frenzy of despair that can incite movements of this nature. Are we Indians now going to deviate from our characteristic and national principles of toleration and charity. Are we prepared to allow Mr. Gandhi and his followers, under the cloak of his so-called doctrine of soul-force, with weapons of spinning wheels and ploughs, commit these outrages, and to deceive us any longer? The creation of the present political miasma is Mr. Gandhi's work. Call it the triumph of non-co-operation, if you like. Camouflage it how you like. You come down at last to the fundamental fact, that whatever other achievements may be placed to the credit of non-co-operation (and these are mighty few), the greatest disservice it has done is, that it has stained the fair name of India by the creation of a heritage of cowardice, irritation, conflict, strife and murder, which will long endure after Gandhism or non-co-operation has been relegated to the archives of the past. And believe me, our future historians will not only give it a different name, namely Rebellion, Anarchy, Insurrection or Mutiny, but will pass on it a well-merited and deserved condemnation. The sooner this is done the sooner will India be relieved of a colossal nightmare. Non-co-operation which to my mind spells open rebellion is, not only a degrading cult but a murderous form of insurrection and I challenge Mr. Gandhi and his co-workers in the light of present day events to deny that Non-co-operation, Insurrection, Rebellion, and Anarchy are but synonymous terms and that this doctrine of soul-force has done nothing less than relax the bonds of discipline and respect for authority and stirred up hatred and strife between the different communities in India. The spirit of charity in India has, thanks to non-co-operation, been replaced by the self-assertion of a growing class of people who refuse to accept any opinions but their own, who howl at any opposition and look upon their opponents as traitors to the country, and, believe me, it will take many years before this position can be retrieved. There will be no peace in India until non-co-operation has been killed. It is this that is eating into and ruining India. It is, I opine, the duty of this Honourable House to root out this disease. The good and the true patriots of India must be arrayed against it, for do not they determine the public opinion of the country? Or are we going to sit down with arms folded and silent tongues and allow Mr. Gandhi and his followers to be the dictators of the future India? Are we, the well wishers of India, prepared to allow Mr. Gandhi and his followers to continue strewing lighted matches amongst gunpowder and to trade on the well-known religious fanaticism of the ignorant people of India? Our duty is clearly defined if we are to save India from the peril into which she is racing headlong. But how can we do this? Let me remind this Honourable House as well as the Government of India of certain facts with which we are closely associated and for which we are singly and duly responsible. The

[Lt.-Col. H. A. J. Gidney.]

activities of Gandhi and his followers have been in evidence for many years. Both the Government of India and every reputable politician in the country must have realised the dangers ahead. The hands of Government were tied during the past great war. A time then came when the Government of India had to act, which they did. With what result? A huge outcry, which is even heard to-day, from all and sundry places and people. The Government was denounced as brutal, as barbaric, as ultra-bureaucratic, as oppressive, as Satanic. Government found themselves as a consequence in an unenviable position and were more or less compelled to modify their policy. I would here remind this Honourable House of what the Honourable Home Member, Sir William Vincent said at the last Session of the Council of State when he himself admitted that he would not be surprised if within the next few months we had outbreaks or words to this effect. The Government of India met the opposition half-way because they felt that to continue in their then policy would not be in consonance with the Reforms. But, by so doing, they merely played into the hands of the non-co-operationists. The Local Governments were ordered not to proceed against non-co-operationists so long as they did not actually break the law, holding that such interference with political agitation was antithetical to the very nucleus of the Reforms. Government surely foresaw the dangers ahead but evidently deterred from taking effectual and timely action by the apparent want of public supply. And I believe that they feel their hands were more or less tied because most of India seemed to be passive spectators in this political drama. This vacillation has its sequel in the present Moplah tragedy of to-day, and the people are to-day blaming the Government. But the Government are fully entitled to tell this Honourable House that the responsibility is shared by this Assembly also because we resolved to deprive the Government of certain necessary protective measures. It matters not who is responsible for the present unsettled condition. I ask, are the Government of India and the Provincial Governments acting under its orders still determined to look upon Mr. Gandhi as so superhuman, so innocent, so infallible, as to consider him a person who lives beyond good and evil and as one so inamenable to the law and ordinances as to enjoy a complete immunity from being brought to book for the terrible results of his anarchical propaganda? Has he, I ask, any protection, official or spiritual, or any claim to be hallowed with the glory of freedom which is denied to any other citizen of this Empire? Follow his tours. I ask each one of you in this House, to show me. I ask the Government of India to show me, any action taken, suggested, or even hinted to prevent the racial hatred and animus with which Mr. Gandhi has strewn his path throughout India. You cannot: what conclusion is one entitled to draw from this? To my mind, it is this; that Mr. Gandhi is allowed to continue his political education and propaganda unmolested at the expense of those who are compelled to suffer vicariously on his behalf. But what has this political freedom which Mr. Gandhi enjoys and which we have for so long not only silently countenanced but indirectly encouraged cost India? I leave it to the future historian to sum up its effects on the Indian that-is-to-be. The long bill up to date includes, besides the hundreds of Moplahs and their European and Indian victims of the past 14 days, the hundreds of tea garden coolies who perished at Chandpur, the dead in the riots at Aligarh-Malegaon—and the hundreds of misguided unfortunate people who in the Bombay Presidency, Frontier Province, Punjab and elsewhere, have blindly tried to follow their emancipator without in the

least knowing the inner mystery of his doctrine and philosophy. With what result? The creation of storm centres, offices and courts ceasing to function political unrest, murder, or in one word 'Revolution.' As we see to-day, his activities and intentions have paved a very good imitation of Hell in Malabar. And the effect of his influence is to be found in the way in which the Khilafat agitation, with which he is allied, has been turned into a battle-cry for murdering Hindus by the score, for desecrating temples, pillaging homes, the forcible conversion of Hindus, and last, but not least, paralysing the position of Government.

Bhai Man Singh: Sir, I cannot understand what is the connection between this lecture on non-co-operation and co-operation with the Moplah rising. I do not think we are here to discuss the situation in Malabar.

The Honourable the President: The point taken up by the Honourable Member from the Punjab is perfectly legitimate; but it is not for the Chair to say what is the connection between the non-co-operation movement and the outbreak on the Malabar Coast. If the Honourable Member (Colonel Gidney) chooses to occupy most of his 15 minutes in discussing an abstract question, I don't think the Chair need rule him out of order.

Lieutenant-Colonel H. A. J. Gidney: Now, Sir, one comes to the more important aspect of this matter, and that is, what is the remedy? Mr. Gandhi and his followers have been given enough rope. But we see no evidence of their having hanged themselves as yet. The Government of India, as well as the Moderates, have toyed with the situation quite long enough and the result, as none will deny, has been anarchy in many parts of India. The Government of India have no doubt decided on a definite policy. But I feel sure this House will agree with me that the carrying out of this policy will be more complete and greatly facilitated, and expedited, were the Government to feel that they had the whole-hearted support, good-will and co-operation of this Honourable House. I make bold to say, and I hope I am not wrong, that there is not a single Member of this Honourable House who is not fully alive to the dangers that are ahead of us. I opine, therefore, that it is the bounden duty of the Government of India to immediately take drastic and effective measures to quell the state of rebellion that exists in certain parts of India to-day. I go further and say, with all the emphasis at my command, that it is the bounden duty of this Honourable House to support the Government and so restore order from chaos and peace from rebellion. We, who are well-wishers of India, must not sit on the fence and remain silent any longer. We must not be afraid to speak out our minds boldly and fearlessly, for events are coming very rapidly. The seeds of anarchy have been and are being spread broadcast in the trail of Gandhi and his co-workers. It is our duty, though late in the day, to kill these seeds, for, I ask you, is there yet any place where the non-co-operators have spread their propaganda without including in it the vilification of all who will not walk with them, and can anyone tell me how many explosions like that of the Moplahs the non-co-operationists have in preparation? We cannot answer this. But we can stop the mischief spreading. We look to the Government for help. The Government looks to us to help them to stop it.

India looks to us to stop it and the great British Empire, of which we form one of the fairest jewels, demands this of us. Surely, we will not fail in

[Lt.-Col. H. A. J. Gidney.]

our duty. And even as we ask the Government to suppress at all costs this growing state of rebellion in India, we must in return be prepared to give the Government our whole-hearted and unstinted support. We must not be led away with such excuses, as the non-co-operators are to-day indulging in, namely, that the Moplah and other disturbances are reminiscent of the Punjab, Dyer, O'Dwyer and others. On the contrary, we must bestir ourselves and give that bold strong lead which is India's greatest need to-day and thereby save India from the ruin to which she is being blindly led by the non-co-operationists. When will we, the Party holding the advantages of brain, ability and means, bestir ourselves? We who claim to be co-operators with the Government must awaken public consciousness to the new era of hope and progress on the lines of Self-government within the British Empire which the constitutional reforms have inaugurated and restore in the hearts of the people, by precept and example, that quiet faith and confidence in the constituted authorities the destruction of which is the main object of Mahatma Gandhi and his non-co-operators? A great responsibility rests on the Members of this Honourable House. The main object of the Reforms is to lead the people of India to identify themselves more closely with the Government. A crisis like the present affords the acid test of the extent to which this object has been reached. It mainly depends on every Honourable Member and on his attitude at the present moment whether that experiment should be hailed as a success or condemned as a failure. Let us hear less about the good intentions and sincerity of Mahatma Gandhi and the effect of his influence. In its place let us hear and see more evidence of our good intentions and influence. Let each and every Member rally to the side of the Government. Let us organise an effective and exhaustive campaign of counter-propaganda and refuse these misinterpretations of the actions and motives of Government and encourage the masses to resist at all costs an intolerable terrorism which to my mind is the very antithesis of constitutional liberty. In my opinion, the time is not far distant when the whole of India including the present-day worshippers to Mr. Gandhi will have cause to curse him so far as his political doctrines are concerned. Have we seriously considered how his non-co-operation policy of to-day will effect the Swaraj of India, say in 20, 30 or 50 years hence? Believe me, this policy of non-co-operation is rendering our task of the future a truly difficult, nay an impossible one. To my mind, it is leading us to an India seething with discontent and indiscipline. Anarchy and rebellion, in other words. A retrograde not a progressive India. Surely none of us want a repetition of the 1,000 years destructive period. Surely none of us want another Indian Mutiny and yet this is exactly what Mr. Gandhi and his Non-co-operation Cult is leading us to. We, who are the well-wishers of India, the co-operators of the Government of India, must make a determined stand, must adopt a bold united front. It is a case of now or never. I leave the verdict in the hands of this Honourable House and in deciding it let us remember those trite words :

'Only the new days are our own,
To-day is ours and to-day alone.
To-morrow we may never see,
And yesterday is gone.'

Rao Bahadur C. S. Subrahmanayam : Sir, when my friend, Rao Bahadur Rangachariar, obtained leave to make this Motion to this House, I should say a friendly Motion, he did not bargain for a lecture by Lieutenant-

Colonel Gidney on co-operation or a tirade against Mr. Gandhi who is not here and whom we need not take the trouble and the time to criticise here in this Assembly, because on the basis, on the assumption on which we are assembled here, we are supposed not to have much to do with Mr. Gandhi's principles and theories. Therefore, we would be doing justice to ourselves if we did not address each other about our own duties so far as Mr. Gandhi is concerned. There are other duties which are laid upon us—duties more important than seeking opportunity as it were to criticise Mr. Gandhi and his doctrines. Those doctrines are being exploded. Time is a great factor, a great destroyer of his theories. Besides, what good does it do to speak of it here? We might go out of the Assembly and speak at public meetings. That would be of some use. But one point about the proclamation of martial law is what I wish to emphasise. I suppose Honourable Members will have read the ordinance. I read the ordinance more than once. The terms of the ordinance are, to my mind, very fair and admirably worded, hedged in with various restrictions. There is no *carte blanche* order as is always implied in martial law ordinances. So, that is one very satisfactory feature in the proclamation of the ordinance. While recognising this aspect of the matter there is another point which we ought to strongly ask the Government of India, that is, to see that the Madras Government, who are in a manner in disgrace, do not lose their heads, do not use more force than is necessary, and the theory of the man on the spot is not carried too far, and that the Government of India would hold the reins tight. Now, I say this for this reason. There are a few facts connected with this rebellion or riot or whatever it is, which are beyond dispute. The Moplahs are a fanatical people. That is beyond dispute. The area occupied by them is like a powder magazine. Any small thing would upset them and it is only acting in their usual manner, if, when it upsets them, they attack the first men they meet. Now, added to this, there have been so many other causes which it is for the Government to find out. But we have got these two facts that the area is a powder magazine and that the people are inflammable. Now, we know from Government communiqués and other reports, that these men were armed with weapons—modern weapons, as also with old-fashioned weapons—swords and war knives of their manufacture. And we also find that there was a certain amount of preconcert evidenced by the pulling out of the rails, the cutting down of the telegraph wires and the organised attack against disciplined troops. All this clearly shows, that there was considerable pre-arrangement. Well, the question naturally arises, what are these officers in a locality for? Whether it is a district or a province, you employ men, pay them well, and you always proclaim from the house-tops their great efficiency and their great zeal and their great knowledge as being men on the spot. Now, I ask, in Malabar six months earlier this year you gave them a free hand; the local authorities—I do not specify who it is, whether it is the District Magistrate or the Superintendent of Police or the Collector—the local authorities thought Yakub Hussain and others would foment a rebellion and they at once clapped them in jail. I do not want to go through the process they adopted. Now, a question was raised whether these men should have been clapped in jail. Well, the Government of Madras said, the men on the spot being responsible for the peace and order, the law and order of the place, ought to be given a free hand, that they could not question their opinions and their judgments. So far, I say, it is right. If the local authority responsible for the peace of the area says: 'there are some troublesome people coming here, I don't want them here, they are unwelcome

[Rao Bahadur C. S. Subrahmanayam.]

people, the locality would be all the better and happier if they were kept out', so far it is right. Now, you did keep out these men. That means you thought that the people there, that especially the Moplahs who were fanatical would become more fanatical and ferocious by the preaching of Yakub Hussain and others. So you had early notice, more than six months ago, that there was a possibility of trouble in Malabar. Now, from that day, from the beginning of the year to the present day, when you have this organised attack with weapons of all descriptions, what is it you did in the interim? Now, the scheme of administration is so perfect, everybody must admit. From the headquarters of the province to the village, there is a link of officials by which the headquarters is always able to know what is going on in the remotest village. You have got village policemen in the villages, probably, to my mind, more efficient than your uniformed policemen. And then you have got a higher grade of revenue officials, groups of sub-inspectors, police stations comprising groups of 20 or 25 villages, then you have the taluk, where you have an inspector of police, and then you have got the district headquarters where all the information from the villages and taluks are collected. Now, you find a large number of war knives that must have been manufactured in those localities and it is assumed they were so manufactured. And yet all this was done without the knowledge, I assume (as far as I can see it cannot be gainsaid) without the knowledge of the local authorities. What does it come to? You have got such a hierarchy of officials. You give them such wide powers to detain, to arrest any person who goes to Malabar, and yet you find to-day that a large number of war knives and other weapons are in the hands of these rebels and you now do not know what to do, you are in a panic, you send troops, British and Indian, and all the trouble has to be faced. Now, the real question for the Government of India is, why should the Local Government ask the Governor General to exercise that extraordinary power of his to make an ordinance. That is, a draft is made upon the Government of India by the Local Government as it finds itself unable to meet its obligations. When a draft is made on the principal, it is a very natural question to ask the agent who makes the draft 'why do you want it? Your resources ought to be sufficient to meet your demands. The Government of India should ask what have you been doing? Why do you ask me to exercise this extraordinary power?' Therefore, from that point of view, it is the duty of the Government of India to ask without any hesitation, to ask the Madras Government how it is they had no information, no inkling of these warlike preparations that were going on. Now, it is all very well to say and probably it is all true that there has been going on a good deal of insidious preaching. There we embark upon the sea of surmise. There must have been insidious preaching by a class of people who got into close intimate touch with these fanatical mobs, probably more religious than anything else, and thus prepared the way. But, apart from that, there is this material preparation of war indicated by war-knives and swords and other things; how is it, this has been going on in these villages without the village officials or the taluk officials or district officials knowing anything of the goings on? Policemen ought to have known it, magistrates should have known it. But suddenly this rebellion comes up and the Governor General is asked to make an ordinance suspending the ordinary course of law and sending out troops. Therefore, Sir, I want to concentrate the attention of this Assembly on this one point. How is it, the local authorities have

been so thoroughly ignorant of these preparations for a revolution? So far as my opinion goes, it has sometimes happened that local authorities, meaning thereby those responsible for peace and order, have been more taken up with ordinary inhabitants of the place, than in looking beneath the surface and taking note of what is going on under the surface. People may talk or preach in the streets. That does not produce a revolution, or a rebellion like the one we are now faced with. There is something very much deeper and I think the local authorities have failed in their duty of gauging the situation from time to time. It is that aspect of it that troubles my mind and I would ask the Honourable Members here to take these facts I gave, *i.e.*, the nature of the attack which the rebels have made, the organisation that is behind it and the suddenness and the concerted manner in which they have started this rebellion, into consideration. If it is possible in a portion of that district where the population is not united, where half the population is against the rebels, to arrange their rebellion like this, what may not be possible in some other part of the Empire in this country if the people are united? Is it not the duty of local officers, the police and the magistrates and all those engaged in the administration of the country to have been aware that they had something to face? No one seems to have thought of it. Everyone seems to have pursued and hunted the talkers.

The Honourable Sir William Vincent: Sir, I am sure this Assembly will agree that I cannot be expected in the very short time available to deal with the two questions, raised in this debate, namely non-co-operation as well as this Moplah outbreak, and though I will, if I have time at the end, say a word on one aspect of the non-co-operation movement I shall confine myself to the subject directly under discussion. And I should like to begin my remarks by saying, that when this Resolution was moved, I hoped that our officers and the servants of the Crown generally in Malabar, engaged in the most arduous and unpleasant duties possible, risking their lives, suffering great hardships, would receive some message of encouragement and of support from this Assembly in the difficulties with which they are faced at this moment. It is a matter, therefore, of great regret to me, that speakers in this debate have done little but criticize and attack them. The general line has been 'why did not Government do this, why did the unfortunate district magistrate do that? Why did not the local authorities get more information? Why were not they more prompt? Why were not more troops used?' Is this Assembly so ready to grant a Vote for military expenditure that we can put unlimited troops in the Madras Presidency? What do those Members, who sat on a recent Committee on military expenditure, think of this, what have they to say on that subject? They are here; let them answer. Is it fair to blame the Local Government or the local authorities for not sending more troops to the spot when this Assembly, candidly speaking, is unwilling to pay for more men? That seems to me a difficult question to answer. I hoped therefore that the Local Government, who have been criticized in this matter of military arrangement, might be acquitted of all blame, for surely no man who knows the views of the Madras Government can accuse them of being responsible for the lack of adequate military force in that Presidency. Then the district magistrate is blamed by one speaker because he tried to arrest people too with a small force and prematurely. Another speaker blames him, because he did not arrest them earlier. Now, what can a district officer do to please everyone in such circumstances? He has a certain amount of military force and certain clear duties to perform. And in the same breath he is blamed for taking too few men with him to

[Sir William Vincent.]

Tirurangadi and leaving Calicut inadequately protected. He cannot be blamed on both accounts ; seeing that he had only a very small force at his disposal altogether and had to use it as best he could subject to military advice. Actually, he took with him on the 20th to arrest these Moplahs at Tirurangadi 150 British soldiers and I believe in normal times that would be considered a fully adequate force for any such duty. At any rate, more British troops were taken to Tirurangadi than were sent recently to preserve the peace in Aligarh after a very severe rising there double the number. I regret this attack on the local officers the more, because I fear that it may convey an impression to them—and I am sure this Assembly does not want to convey that impression—that we do not sympathise with them in their difficulties, that we do not appreciate their service or the grave dangers before them, that we are not grateful to them for their efforts to save the lives of Europeans and also of Hindus in the Malabar district. I venture to express the hope, that instead of conveying such an impression, this Assembly will send a message of encouragement and an assurance of support to all Government officers engaged in suppressing this disorder.

The Honourable Member has saved me from the trouble of dealing with the origin of this outbreak by his most interesting account of these people, their character and fanaticism. Possibly as a Hindu, one of a class that suffered at their hands, he has some prejudice against them. But, in many respects, I understand, that apart from occasional outbreaks of violence they have many merits. They are, however, of a peculiarly fanatical character, and susceptible to the influence of the priests. They also have a more positive and direct belief in the pleasures of a future world than many of us have. They have been guilty of numerous outbreaks of violence in the past largely because of the religious susceptibilities and the influence of a bigoted priesthood on them. Between the years 1836 and 1853, there were no less than 22 Moplah outbreaks. There were others later, the most serious being in 1883 when, after the rising, about 20,000 arms including 9,000 guns were recovered from them. Since then, there have been four or five smaller outbreaks. The causes in the past have been poverty, agrarian discontent, and fanaticism. When they do rise, the Moplahs have one wonderful virtue which will appeal, I am sure, to every one—the fiercest courage. It is not surprising, therefore, that Malabar has always been a storm centre, and during the last two years, my information is, that the extremist Khilafat agitators have done their best further to inflame these unfortunate people and incite them to violence. Here I will pause for one moment and say, that to my mind one of the saddest features of all these things is that it is always unfortunate and ignorant Muhammadans who are the victims in the end. In the present rising, the death roll at one place—Pudukatur—is 400 killed. The Honourable Member said that he wanted information as to the casualties. We have no official reports of casualties except at this one place and I give them for what they are worth. The Press has estimated the total casualties at not less than 1,000 men. I am afraid that this may prove an under-estimate. Nor is this to be wondered at, because these men are, I understand, absolutely fearless and invite death in the hope of gaining a martyr's crown. Upon those who have incited them to such state of frenzy a very terrible responsibility rests.

The actual rising on this occasion began on the 20th, but as the Honourable Mover said, it was preceded by an act of lawlessness on the 31st July when a police officer had some difficulty in escaping from violence at

their hands. It was after this event, that the District Magistrate applied for further military support, and the troops at Calicut were reinforced up to, I think, 200 or 300 men. Out of this force, 150 men were on 20th taken to Tirurangadi to arrest these certain offenders against the law. Three men were arrested and there was at the time apparently no appearance of any outbreak being probable. Police were left to arrest other accused and, in the course of that arrest, I am informed that Moplah officers, after removing their shoes, entered a mosque to search for persons whose arrest was intended. I do not think that it can be maintained that this was the cause of the outbreak and such a search was necessary. While these arrests were being effected, a mob of thousands of people had collected, apparently some coming on foot and some apparently by train. The Police came into contact with them at about 12-30 P.M., and dispersed them but, later in the day, the mob attacked the military force sent to Tirurangadi to assist the authorities. The attack was repulsed, but two officers, one a police officer and one an officer of the Leinsters, who, unfortunately separated from the rest of the party, were butchered. The railway line was cut and destroyed in various places, and the roads were blocked, and this sudden outbreak of violence developed into a general rising against Government in which Government offices have been destroyed, Government servants killed, Hindu temples have been desecrated, Hindus have been murdered, and I fear many have been offered the alternative of forcible conversion to Muhammadanism or death. I have got here a summary of the Military report on the situation which I should like to read as it states facts shortly and clearly :

On the 20th August 1921, the Officer Commanding Calicut proceeded at the request of the Civil authorities with 100 men (I may have been wrong when I said 150 men just now though this figure is given in another report) of the 1st Leinsters to support the search for arms and arrest the Moplah leaders at Tirurangadi. A small detachment of the Leinsters was sent to Malapuram and another small detachment was left behind at Calicut. The search for arms was a surprise and was successful, but later in the day, the magistrate's office was attacked by a body of armed Moplahs estimated at five thousand. The police station was attacked by two thousand Moplahs, who were beaten back by the fire of the police and troops. In the course of the fighting, Lieutenant Johnson of the Leinsters and Mr. Rowley, A. S. P., were killed. The Moplahs were collecting in large numbers in the neighbouring villages and the column began to withdraw to Calicut with the prisoners who had been secured. The hired lorry driver was murdered. But, while the police and troops were engaged at Tirurangadi, some Moplahs attempted to intercept their return by train by attacking two railway stations, cutting telegraph wires and tearing up the track. The Malapuram detachment was cut off. 21st August. It was now apparent that a rising on a large scale had occurred and control was placed in the hands of the military, and the General Officer Commanding the Madras District ordered a complete movable column and the remainder of the 2nd Dorset Regiment to be despatched from Bangalore by rail at once. Brevet-Colonel Humphreys was put in command of the troops at Malabar. He was ordered to advance along the railway to Tirur and when the damage to the line was repaired, his role being to support the police in restoring order. Later in the day, reports came in, that the detachment was still held up at Malapuram and unable to return to Calicut, and that the railway line had been cut as far north as Nanawaldi and that large bands of Moplahs were reported at Tirur and Tanur. On the 22nd, in view of the imminent possibility of a Moplah rising in Calicut, the guard at West Hill was strengthened, the local auxiliary forces were called out and reinforcements from the 83rd Walsingham Light Infantry were sent from Cannanore. The Naval Commander-in-Chief was also asked to despatch a cruiser in order to co-operate off Calicut, and H. M. S. 'Comus' was sent.

I do not think that there is much more in the abstract that I need read. I ought however to say that the Madras Government some days ago made a request for additional troops but have now informed us that the troops which they have on the spot in Malabar are adequate. I may also

[Sir William Vincent.]

say that the situation is now well in hand, though undoubtedly "the operations will continue in some form for some time. We desire, however, as much as the Honourable Member desires to discontinue martial law as early as possible and I think this Assembly will realise that our experience of martial law in the past has not been such that we have any desire to prolong its duration unnecessarily. In the meantime, all information that we have received as regards these occurrences I have given at once to the Press. I desire here to express my gratitude to the representatives of the Press for the assistance they have given to me in giving me any information which reached them separately and in promptly issuing anything that I made available for distribution. I have also telegraphed full particulars to the Secretary of State in the hope that he may publish the fullest information without delay in England. This is the more necessary because Honourable Members will remember that on the occasion of the Punjab disorders serious allegations of secrecy were made against Government. The movement has now developed into a general rising against Government specially and against Europeans and Hindus. Most of the Europeans are, I think, now out of danger. Many Hindu refugees are coming to places of safety and I have seen letters from one or two of them which make it abundantly clear that there was every necessity for martial law. I do not think that I need go into the details of the casualties here. They have all been published in the Press so far as I know.

I ought however to refer to the ordinance which has been promulgated by His Excellency the Viceroy. Its provisions have, I gather, met with general approval in this Assembly. We have now found it necessary to supplement that ordinance by a second ordinance which has been published to-day. This new ordinance provides for the trial of certain grave offences by special tribunals consisting of three members, one of whom must be a person who has acted or is acting as a Judge of a High Court, the two others being persons who have acted for a period of two years as Sessions Judges. Certain provisions of the original ordinance as to procedure apply to these tribunals. The orders of these tribunals are subject to the provisions of Section 401 (6) of the Code of Criminal Procedure, the Section which gives a Local Government and the Government of India power to remit or suspend sentences. There is also a right of appeal to the High Court of Madras in all cases in which a sentence of death, transportation for life or 10 years' rigorous imprisonment are inflicted. That ordinance has been issued to-day and, I think, I should be failing in my duty if I were not to inform the Assembly of its contents.

Another matter to which considerable attention has been directed in this debate is the question of the manner in which martial law is administered, and I can assure this Assembly, that we have taken every step possible to ensure that nothing more than is strictly necessary for the maintenance and restoration

of order shall be done. One Honourable Member, I think, referred to the use of aeroplanes in suppressing the rising. I have not heard that aeroplanes have been used at all in this area and I can re-assure the Honourable Member by informing him, that if they are used, the most careful instructions have been issued as to the purposes for which the use of aeroplanes is legitimate. I have not the time—I have already exceeded my time limit—to read out many of the martial law instructions devised to meet occasions of this kind and recently issued, but I would like to read some passages from the manual which I think will be of interest. All measures necessary to restore order should be taken.

‘Everything which is likely to cause bitterness and hostility should, as far as possible, be avoided.....When martial law is temporarily in operation, the cardinal principle to be remembered is, that even if a portion of a population is in rebellion, the inhabitants are our fellow subjects whose loyalty and affection it is desirable to recover and retain..... The principle that martial law should be limited to what is necessary applies not only to regulations and orders but also to trials and punishments..... There should be no punishment without a trial and penalties of excessive severity should not be inflicted. Offenders should be brought to trial with the least possible delay, and if sufficient evidence is not forthcoming within a reasonable time, they should be released.’

There are special instructions regarding sentences of whipping, which can only be inflicted for very special reasons, *i.e.*, in cases of offences of violence, or in cases of offences for which that sentence might be awarded under the ordinary law. They are also subject to the limitations to which such sentences are subject under the ordinary law of the land. There are special provisions regarding the avoidance of racial discriminations, and also special provisions that orders likely to humiliate individuals or classes, or to offend religious sentiment, should be avoided. Another clause runs :

‘greater violence than is necessary for the purpose of restoring order must not be used against any one merely from the desire to impress the population at large and thereby discourage or prevent rebellion in other localities.’

I have not the time to read out the whole of the instructions, and they are not all relevant, but I hope, I have given the Assembly enough information to make Members understand that we have taken every possible care we can to prevent excesses and improper action. As to the provision of medical treatment of wounded... I have telegraphed for particulars to Madras asking whether their attention has been drawn to this and what measures have been taken. I may say, I have every confidence in the humanity and justice of the Madras Government and the local authorities and we are not going to interfere with them unless necessity arises. We will do our best to see that martial law is administered with justice and humanity, but I am not going to hamper local authorities by unreasonable criticisms when they are engaged in a most difficult task.

Now I will say one word on the question of non-co-operation. It has been suggested that Government in this matter have been inert and inactive. The Honourable Mover used the words ‘shilly-shallying’ and ‘dilly-dallying.’ When I heard Mr. Rangachariar say that, I must say, I was astonished. Members of this Assembly will recollect the discussion on non-co-operation in Delhi in February or March. Then it was the Government that wanted to secure support for certain action against non-co-operators. I cannot remember the Honourable Member then supporting us.

Rao Bahadur T. Rangachariar : I said Khilafat, not non-co-operation.

The Honourable Sir William Vincent: The Honourable Member makes a distinction between the two. Is it merely because these Khilafat people are unfortunate Muhammadans that they are to be treated with exceptional severity. Is that the idea?

Rao Bahadur T. Rangachariar: No.

The Honourable Sir William Vincent: In any case, I challenge the Honourable Member to show that he suggested then that any more drastic measures should be adopted against the Khilafat or non-co-operators.

Rao Bahadur T. Rangachariar: The Honourable Member was not in the Assembly then.

The Honourable Sir William Vincent: I was present throughout that debate, and I have read the reports since.

Rao Bahadur T. Rangachariar: I was not there!

The Honourable Sir William Vincent: I will leave the point and discuss the question on more general considerations. When to undertake and when to refrain from repressive measures in a case of this kind is always one of great difficulty and, I think, more difficult than ever in the very peculiar political circumstances of to-day in this country. I hope Government will receive the sympathy and consideration of this Assembly in what is to my mind a very difficult situation. We have had cordial and generous support in the past and I am sure, we shall do so in the future again. It has been suggested, that the Madras Government have been wanting in energy, but, in fairness to that Government, certain facts must be stated. Honourable Members may remember the speeches of Mohamed Ali at Madras and Erode. Well, the Madras Government were anxious to prosecute Mohamed Ali for one of those speeches. Later, however, as is well known to the Assembly, there was an interview between Mr. Gandhi and His Excellency the Viceroy, followed by an apology from Mahomed Ali and Shaukat Ali which, we hoped at the time, would lead to a cessation of these incitements to violence. In consequence of that apology, the proposal to prosecute Mohamed Ali was given up by the Government of India who addressed the Madras Government accordingly. I am afraid, however, that very much reliance cannot—at any rate, in the light of later circumstances—be placed on that promise. Later, we received reports that conditions were again disturbed in Malabar and that Khilafat volunteer organizations were being organized and the Madras Government were exercised over the situation but, later, we received information that the leaders had ceased to foster these associations as they knew they were getting dangerous. On this point, I fear, we were misled: the organizations continued secretly. No doubt, if officers of the calibre of the Honourable Member, Mr. Subrahmanayam, had been there, should have had more accurate information, but the information was not very accurate. It was one of those unfortunate things that do happen. It was not, however, till July, that the Local Government had reason to suppose that any serious disorder in Malabar was anticipated. A number of violent speeches were made, the Madras Government were just about to prosecute certain speakers when these unfortunate disorders took place. As to the general question of non-co-operation, to my mind, it is unreasonable to suggest that the general policy of the Government of India towards this movement, or towards the Khilafat movement, should be influenced by a local

rising in a peculiarly fanatical corner of India. The considerations which must apply to our policy are general considerations affecting the whole of India and any failure to see this indicates a lack of a sense of perspective. An Honourable Member has taunted Government for being in a panic over the rising. I am not aware, that there is any justification for this. But if we were suddenly to change the whole of our policy, because of this outbreak among a peculiarly fanatical section of Muhammadans—in 6 taluks in one district,—then, I think, we might justly be accused of pursuing a panicky policy.

At the same time, there is one development in this Khilafat movement which the Government cannot afford to neglect—a most sinister development, it is, to my mind—and that is the attempts that are now being made to tamper with the loyalty of His Majesty's troops and police. That is a very serious offence in any civilised State and is peculiarly dangerous in India. So far we have no information that our troops have been affected, but the danger of following this form of sedition to continue unchecked are obvious. We had therefore decided to take criminal action against certain individuals who have broken the law in this and in other respects even before this Moplah outbreak occurred. Some details have not been settled, and there are questions of procedure which are still under discussion. I do not propose, I do not feel it would be in the public interest for me to make any further statement on this point, but I hope if the Government have to take such action, it will then receive the full and cordial support of this Assembly. (Loud Applause.)

I have only one thing more to say, and that is, to thank this Assembly very much for their patience in listening to me to-day. It has been very difficult in the short time at my disposal to deal with the subject at all completely, but I hope, the Assembly will concur with Government in their desire to give expression to their very genuine regret at the many lives which have been lost, the temples that have been desecrated, and the property that has been destroyed in this—what I can only describe as a wild orgy of cruelty and crime. I am quite sure also, in spite of what has been said, that the Government of Madras has the sympathy of this Assembly in their difficulties, and that this Assembly will express their warm gratitude to His Majesty's sailors, soldiers, and all servants of the Crown for their assistance in saving lives of Europeans and Indians as also our grateful appreciation of the manner in which they have carried out their difficult duties.

Mr. K. Ahmed : No doubt the subject of to-night, Sir, is a very interesting one, and we are very grateful to Mr. Rangachariar for bringing up a Resolution of this kind. But, Sir, the reply given by the Honourable the Home Member, Sir William Vincent, is not satisfactory to my mind. Sir, a previous speaker who spoke, I think, after Colonel Gidney, said something which makes me think that the House will not easily be satisfied with Sir William Vincent's reply. I for one am not impressed at all by it. How is it and why is it, that these Moplahs all of a sudden got out of hand? Did not the Taluk Officers know that these people were going to make trouble? Were there no loyal Hindus among the Malrassis to come forward and intimate to those in authority that such a thing would come to pass? Sir, it is very extraordinary to my mind, that after 150 years of British Rule, those Moplahs could not be made more civilised.

[Mr. K. Ahmed.]

Could we not find the necessary police force? Could we not find any officer of the police department to watch the events? Was there not any C. I. D. to find out that there was trouble and disorder ahead? Sir, it was very deplorable to read in the newspapers that from 500 to 600 human lives were taken away in the twinkling of an eye. Was there not anybody to inform the Government that the Moplahs were attempting to demolish the Government and public offices? How could the telegraph wires be cut off in the twinkling of an eye? This act has been committed not in one place alone, but it has been done in several places. All of a sudden, we hear the sad news that some British officers were killed and some Moplah lives were lost. Are not the district authorities responsible to see that such a thing should not have taken place and to take proper precautions?

The Honourable the Home Member said, that he had received reports from Madras, that the Khilafatists were responsible for the trouble in Malabar. Sir, as far as I know, I do not think the propaganda of the Khilafatists can in any way be held responsible for the present trouble. Sir, if the propaganda of the Khilafat people were preached properly in the name of Mr. Mohamed Ali and his brother, Mr. Shaukat Ali, I assure you, that the Moplahs would not have fought against the Hindus, nor would they have entered into Hindu temples and carried away their images or committed any of the excesses about which a graphic description has been put before the House. I do not like to give any more colour to it than what has been described by the previous speaker. But, certainly, Sir, the very fact that the Moplahs have attacked the Hindus goes to show, that the Khilafat movement has nothing whatever to do with the present trouble and disorder in Malabar, and that its propaganda has not sufficiently reached the Moplahs. It is a great satisfaction to find, that neither the Muhammadans of other provinces nor the Khilafatists could have anything to do with it as they have sworn friendship between Hindus and Muhammadans.

Now, if as is pointed out, the Moplahs are savage people, then, it is a matter for shame, that British rule for 150 years has not civilised them sufficiently. Government is, in my opinion, responsible for keeping them uncivilised and ignorant so far. But, Sir, this is not the time to suggest what Government should do, but, I submit, that this House, which is a responsible body, should not jump to conclusions and support the Government opinion that drastic measures should be taken.

The Honourable Sir William Vincent: Sir, may I make a personal explanation? I did not suggest, that any more drastic measures should be taken than are being adopted. I challenge the Honourable Member to reproduce any such suggestion on my part. He has also accused me of saying, that the Khilafat leaders are responsible for this rising. I will read the Madras Report on which I base the statement. This is what the Madras Government say :

‘It is difficult to arrive at an exact appreciation of the situation at present. There seems to be no doubt that continued provocative speeches on the Khilafat question combined with the Resolution in the recent All-India Khilafat Conference at Karachi have produced an impression on the minds of Moplahs that the British Raj is at an end.’

It was on that report that I based my statement.

Mr. K. Ahmed : I am glad, Sir, that the Member for Government has always shown some sympathy. But whatever it may be, it is for this House to decide what attitude should be adopted by Government in this matter and what steps the Government should take to stop the drastic measures which have already been taken in Malabar. Sir, it appears to me that certainly ignorant and savage people are not capable of doing the nasty things which have been done recently in the Moplah country. But, Sir, whatever it may be, I should be thankful if the Honourable Members of this House, coming from all parts of India, will not view the matter in the light of the facts and figures supplied by Government, and unless and until facts are known through independent sources, Honourable Members cannot and will not form a definite opinion.

Mr. J. Ramayya Pantulu Garu : Sir, I have no doubt that the House feels thankful to Rao Bahadur Rangachariar for drawing its attention to the very serious situation that has arisen in Malabar. Not satisfied with doing that, my friend has also given us a long, and I may say, a graphic description of the Moplah, for which Sir William Vincent has duly thanked him. We have also listened to a long dissertation on the evils of non-co-operation. I dare say, we agree with much of what is said in that dissertation, but I am inclined to agree with my friend, Rao Bahadur Subrahmanayam, in thinking that that aspect of the question is not quite relevant at present. Well, having ruled that out of order, my friend, Mr. Subrahmanayam, proceeded to launch an accusation of incompetency against the officials of the Malabar district, and very properly, Sir William Vincent has entered a defence of the officials. I dare say, there is much that is true in the accusation as well as in the defence, but, I hope, my friend, Mr. Subrahmanayam, will excuse me if I should say that his accusation is a bit premature just now. What is to the point at present is, that this House should assure Government of its cordial support in all the legitimate steps that it is taking and that it proposes to take to put down the unrest in Malabar, and I have no doubt, that after having listened to the Honourable Sir William Vincent as to the action which Government is taking in the matter, the House will accord its cordial support. I for one have not the least doubt that the Government will do nothing but the right thing in putting down the rebellion and that they will avoid the mistakes that were committed in the Punjab.

I wish now, Sir, to make one or two suggestions, and invite the attention of Government thereto. One is, that as soon as possible after peace is restored in Malabar, Government should appoint a properly constituted commission to inquire into the causes of this disturbance, immediate as well as remote, and also into the manner in which the officials have dealt with the situation. My friend, Mr. Rangachariar, attributes the rising to the Khilafat movement, and Colonel Gidney has attributed it to the non-co-operation movement. Well, I see that they have thought it necessary to make a distinction between Khilafat and non-co-operation. I keep up that distinction. They may be right, but I do not think, that the country will be satisfied with it, at any rate, it seems to be on a surer ground on that point than the Government seems to be. I think the country will not be satisfied with the reason given as to the origin of this disturbance unless and until the whole matter has formed the subject of an inquiry by a properly constituted commission, such as I advocate and, I hope, the Government will see its way to appoint such a commission as soon as possible after peace is restored.

There is one other point which I wish to draw the attention of the Government to, and that is in connection with the provisions of the martial law

[Mr. J. Ramayya Pantulu Garu.]

ordinance that has been published. One of the rules says, that the decisions of the Summary Courts are final and no appeal lies against them. I quite admit the propriety of this. Even under the Code of Criminal Procedure, the decisions of a Summary Court are not liable to be appealed against except in some cases. But what I object to with regard to these Summary Courts is, that one of the martial law rules says, that when an officer commanding cannot find any magistrate appointed under the Criminal Procedure Code, he shall constitute a Summary Court. Well, under the Criminal Procedure Code, none but a magistrate of the first class of some standing can be appointed as a Summary Court. Now, under this law, it would seem that any magistrate, be he a magistrate of the first class, second class or third class, be he a man of standing, or whether he may have an experience of twenty years or one or two months. So any magistrate can be appointed a Summary Court. I dare say, the officer commanding will exercise his discretion in selecting the magistrate whom he wants to appoint a Summary Court, but, I think, it is highly desirable, that the Government itself should issue instructions to the officer commanding that only a magistrate of some standing should be appointed a Summary Court. I hope that the Government will see its way to do that.

Mr. Jamnadas Dwarkadas: Sir, I wish only to say a few words on this Resolution for adjournment that has been moved by my Honourable friend, Mr. Rangachariar. I would perhaps have not spoken if my friend, Mr. Kabir-ud-din Ahmed, had thought it proper not to rise and to make a speech which, if at all it can be considered serious, is nothing but offensive both to this Assembly and, I am sure, to the Government of India.

Mr. Kabir-ud-din Ahmed pointed out, in the course of his rather comic speech, if I may say so, that after all, for the action of the Moplahs the Khilafat agitators who are working under the wing of Mr. Gandhi cannot be held responsible. My friend, Mr. Rangachariar, has rightly pointed out, that he considers the Khilafat agitation responsible for this outbreak. Mr. Kabir-ud-din Ahmed goes further and gives the names of Mr. Mohamed Ali and Mr. Shaukat Ali and says, that working as they are under the wing of Mr. Gandhi, and as heads of the Khilafat movement, they can never be held responsible for this outbreak in the Malabar district. Sir, I want to remind this Honourable House of the statement that I made when in Delhi we were discussing the question, I think, of repressive measures. When an attempt was made to tie down the Government to a certain policy, I said, it was not desirable to do so because there were indications of outbursts of violence here and there as a result of the preachings of those who pretended to share the high ideals of Mr. Gandhi but who, except in their professions, never did so.

Mr. K. Ahmed: Sir, may I rise to a point of explanation? I never said, that Mahatma Gandhi or Mr. Mohamed Ali or Mr. Shaukat Ali are not to blame because they are not to blame, but because it is impracticable and impossible and illogical for Mr. Mohamed Ali and his followers in the Khilafat to come forward and incite these Moplahs to enter into the temples of the Hindus, because it would tend to make a mockery of their friendship with the Hindus; and then it would have been a fair question.....

The Honourable Mr. W. M. Hailey: Sir, may I rise to another point of order? Are we having another speech from the Honourable Member?

Mr. K. Ahmed : I think I am entitled, by way of explanation, to clear myself because I find my Honourable friend, Mr. Jamnadas Dwarkadas, is under a misapprehension and was mis-stating the facts.

Mr. Jamnadas Dwarkadas : Sir, I was going to say, when I was interrupted by my Honourable friend, Mr. Kabir-ud-din Ahmed, that at that time I further pointed out, that while those who in season and out of season preached violence and incited people to crimes escaped penalty for their action, those who took them at their word, who allowed themselves to be so incited made themselves liable to the penalty of the crimes for the exciting of which others were responsible. I think, in the case of the Moplahs, this has turned out to be literally true. While, as has been pointed out by my Honourable friend, Mr. Rangachariar, these people, the Moplahs, who consider nothing as important as their faith and who are prepared literally to face, to invite death, if they believe rightly or wrongly that they are serving their faith thereby, while these people are killed in large numbers, those who have roused their fanaticism, knowing full well what the consequences would be of such rousing, have escaped punishment. The time was when perhaps their preaching of violence would have been punished and they would have been taken to task by the Government and perhaps would have been sentenced to transportation for a number of years. At that time, those who preached violence and who professed in public that for the sake of their religion they were prepared to go to jail and to die, to face death, and glory in it. But they had not the slightest hesitation in withdrawing their statements and tendering an apology to the Government for having made such statements when threatened with a prosecution. The people who listened to these statements, the people who placed faith in those statements, hardly knew anything about the withdrawal of the statements that were made. They took these statements literally, allowed themselves to be guided by those statements, and the consequence of that we see in the outbreak of Moplahs and in two or three events that have taken place in the Bombay Presidency, and perhaps we are not far from the day when, if proper measures are not taken, perhaps in the whole length and breadth of the country, we shall have repetitions of these outbreaks. Sir, even that apology was tendered for the purpose of deceiving that leader who, however mistaken he may be, I venture to submit, bases his movement undoubtedly on the doctrine of non-violence, though I deplore his most tragic faith in his lieutenants as he calls them. Well, that apology was tendered, I say deliberately, to throw dust in his eyes. The apology was deprived of all sincerity by the pretensions made, and false pretensions. I venture to submit, made by these people that the apology was not tendered to Government but to friends, who never demanded it, that it was tendered to Pandit Madan Mohan Malaviya, who, I venture to submit, never demanded it. They have escaped punishment. The others are mere scapegoats, and I venture to submit, that if the Government does not come to the rescue of those who stand by law and order and for constitutional progress to the highest possible goal that can be imagined for this country, then the Government, I am afraid, will not have done its duty by this country.

Mr. Muhammad Yamin Khan : May I rise to a point of order ? The time is short and a lot of people want to speak on the subject.

The Honourable the President : That is not a point of order.

Mr. Jamnadas Dwarkadas : I venture to submit, that like my friend, Mr. Rangachariar, I also have my grievances against the Madras

[Mr. Jannadas Dwarkadas.]

Government and their attitude on certain questions. On this particular question, when they are faced with an unenviable situation, a most unfortunate situation, I say that it is the duty of this House to stand by and support the measures, rightful measures, that the Madras Government has taken.

Mr. R. A. Spence : I am sure the sense of this House is, that we should express emphatically our great appreciation of the services rendered by the civil and military servants of Government during these distressing times. As the Honourable Sir William Vincent has rightly said, it is a matter of very great moment that officers, whether Indian or European, who are engaged in the suppression of these unfortunate outbreaks should feel that they have behind them the appreciation of their services by this House. We do not know whether this distressing outbreak that has taken place in Malabar is the only outbreak that is going to occur. Has Government any information as to whether this is absolutely isolated and that no other disturbance is likely to take place? ('Hear, hear. That is the point.') On that, I think, we might have an assurance. Speaking for myself, as an Englishman, I do hope that when the surrender of these misguided fanatics takes place, as I hope the military measures which are now in force will enable it speedily to take place, I do hope that leniency will be shown to them, as from what the Honourable Mover has told us, they are a fanatical people who are prone very easily to outbreak. They are not the guilty people. The guilty people are those who have led them on and I do hope, that steps will be taken to deal with those people so that in the future the lives of innocent persons may be saved, as well as those of the fanatics themselves. We do want an assurance from Government that those who have stirred up these people will be looked after. Government welcomes all legitimate criticism, all legitimate voicing of the aspirations of the people of this country, and the time has come when those people who stirred up the sort of rebellion we have just had should be dealt with properly. As I say, I should like to have information from Government as to whether this is an isolated instance, but I do hope that this House will cordially express its full appreciation of the services of the civil and military servants of the Government.

Mr. Muhammad Yamin Khan : Sir, I have always been against non-co-operation and I have been fighting in my district and other places against non-co-operation. At the same time, I think it very undesirable to place the responsibility on the shoulders of non-co-operation when there is no justification for doing so. Here, as my friend, Mr. K. Ahmed, has pointed out to the House, this riot would not have been caused by the non-co-operation or the Khilafat movement. This can be seen if we look into the events and occurrences which have happened. We find that Mr. Gandhi, who is a Hindu, is the leader of the non-co-operation movement, and he is leading practically the Khilafat movement to-day. The people who followed, even the Muhammadans who followed Mr. Gandhi, can never be said to go and commit any kind of crime against the Hindus as such. (Laughter.) Some of the Honourable Members might laugh. They might have their own grievances and want to throw the blame upon those persons, but this will not stand the test. Simply on account of party politics to throw blame on the other party, which is not justifiable is not right and this House ought to be above all those things. By this I in no way justify the actions of

Messrs. Mohamed Ali, Shaukat Ali or Gandhi. On the one hand we are told that there have been Hindus killed as such, not because on account of their money, but because they have been Hindus, they have been forcibly converted to Islam and on the other hand Khilafat is blamed. The Khilafat has got no grievance against the Hindus. Whatever grievance the Khilafat has got, that is against the British Cabinet and not against the Indian people. Nobody has thrown any blame, so far as I am aware, even on the Indian Government. Whatever responsibility they attach to the Khilafat promises and wrongs, that refers to the Prime Minister and other Members of the British Cabinet. Here we find another version from our friend, Colonel Gidney, that there is a rebellion and it ought to be stopped. This is the first time I have heard that there is any such thing as 'rebellion' in India. My friend, Mr. Jamnadas Dwarkadas, who is to-day blaming Mr. Gandhi, I found on the last Session moving a Resolution defending the Punjab people who were also incited by *Hartals* preached by Mr. Gandhi.

Mr. Jamnadas Dwarkadas : I rise to offer a personal explanation. In the course of my speech to-day, I defy my Honourable friend to point out that I have blamed Mr. Gandhi. On the contrary, I said that his so-called Lieutenants did not share his high ideals.

Mr. Muhammad Yamin Khan : Here we have not been told the cause even by the Honourable the Home Member or by any other person, and we do not find even in the Press, what was the cause that really led to these riots and who are the persons who are responsible for these riots not having been checked at once. We do not even find any suggestion as to whether the people who have committed these riots are poor people and looted their rich neighbours on account of their wealth. Here I have a report which I have received from Meerut that a whole *mundi* has been robbed by the mobs of Meerut, surely this is not due to Khilafat but is due to agrarian difficulties.

In the same way, economic causes may be at the bottom of these outbreaks in Malabar. Of course we cannot say ourselves at present who were responsible for the outbreaks, and Government will, I hope, like to clear the situation, because there is a theory prevalent, and the idea is very deeply rooted in the minds of the people, that Government's policy is to divide and rule. There is a suspicion in the minds of some people that the Government account is a pill for the people to swallow, so that people might be misled by the story that Hindus were being forcibly converted to Islam and thus Hindu sentiments very naturally be aroused against the followers of Islam.

The Honourable the President : Under Standing Order 24, the debate terminates automatically. The Assembly stands adjourned to a date to be hereafter announced.
