

11th September, 1922

THE

# LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

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THIRD SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1922



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# CONTENTS.

	PAGE
<b>TUESDAY, 5TH SEPTEMBER, 1922</b> . . . . .	1-9
Oaths.	
His Excellency the Viceroy's Speech.	
<b>WEDNESDAY, 6TH SEPTEMBER, 1922</b> . . . . .	11-138
Death of Sir Vithaldas Thackersey.	
Statement laid on the Table.	
Questions and Answers.	
Unstarred Questions and Answers.	
Governor General's Assent to Bills.	
Panel of Chairmen.	
Member to serve on House Committee.	
The Police (Incitement to Disaffection) Bill.	
The Cantonments (House-Accommodation) Amendment Bill.	
The Indian Official Secrets Bill.	
The Criminal Tribes (Amendment) Bill.	
The Court-fees (Amendment) Bill.	
The Parsi Marriage and Divorce Bill.	
The Negotiable Instruments (Amendment) Bill.	
The Indian Boilers Bill.	
The Official Trustees and Administrator General's Acts (Amendment) Bill.	
The Indian Transfer of Ships Restriction (Repealing) Bill.	
<b>THURSDAY, 7TH SEPTEMBER, 1922</b> . . . . .	139-248
Questions and Answers.	
Message from the Council of State.	
The Code of Criminal Procedure (Amendment) Bill.	
Statement of Government Business.	
Resolution <i>re</i> : Votes of the Landholders' Constituencies.	
Resolution <i>re</i> : Revision of the Railway Act of 1890.	
Resolution <i>re</i> : Travelling Facilities for Third Class Railway Passengers.	
Resolution <i>re</i> : Restrictions on the Export of Wheat, Pulses and Oil-seeds.	
<b>FRIDAY, 8TH SEPTEMBER, 1922</b> . . . . .	249-344
Member Sworn.	
Questions and Answers.	
Unstarred Questions and Answers.	
Conflicts in Asia Minor between the Greeks and Turks.	
Motion for Adjournment of the House.	
The Cantonments (House-Accommodation) Amendment Bill.	
Resolution <i>re</i> : Grant of Full Dominion Self-Government to India.	
Vol. III-I-137—Pt. I.	

## MONDAY, 11TH SEPTEMBER, 1922.

. 345-406

Questions and Answers.

Unstarred Questions and Answers.

Motion for Adjournment.

The Cantonments (House-Accommodation) Amendment Bill.

Resolution *re* : The Weekly Rest Day in Commercial Establishments.Resolution *re* : Hours of Work in Inland Navigation.Resolution *re* : Employment of Young Persons as Trimmers and Stokers.Resolution *re* : Emigration for the Purpose of Unskilled Work to Malaya and Ceylon.Resolution *re* : Recruitment to Indian Forest Service.

## TUESDAY, 12TH SEPTEMBER, 1922

. 407-466

Questions and Answers.

Unstarred Questions and Answers.

The Land Acquisition (Amendment) Bill.

The Code of Civil Procedure (Amendment) Bill.

The Civil Marriage (Amendment) Bill.

The Criminal Tribes (Amendment) Bill.

The Adoption (Registration) Bill.

The Exclusion from Inheritance Bill.

The Indian Contract (Amendment) Bill.

The Married Women's Property (Amendment) Bill.

The Illegitimate Sons Rights Bill.

The Legal Practitioners (Amendment) Bill.

## WEDNESDAY, 13TH SEPTEMBER, 1922

. 467-499

The Indian Boilers Bill.

The Workmen's Compensation Bill.

The Court-fees (Amendment) Bill.

The Parsi Marriage and Divorce Bill.

The Official Trustees and Administrator Generals' Acts (Amendment) Bill.

Election for Standing Committees.

Resolution *re* : Committee on Electoral Rules.

Message from the Council of State.

## THURSDAY, 14TH SEPTEMBER, 1922

. 501-566

Petition from Madras Voters *re* : Provincial Contributions.

Riots at Maltan.

The Code of Criminal Procedure (Amendment) Bill.

Propaganda in Chamber.

Resolution *re* : Provincial Contributions to the Central Exchequer.

FRIDAY, 15TH SEPTEMBER, 1922 . . . . .

PAGE  
557-655

The Code of Criminal Procedure (Amendment) Bill.  
Messages from the Council of State.  
Questions and Answers.  
Unstarred Questions and Answers.  
The Negotiable Instruments (Amendment) Bill.  
The Indian Mines Bill.  
The Police (Incitement to Disaffection) Bill.  
The Criminal Tribes (Amendment) Bill.

MONDAY, 18TH SEPTEMBER, 1922 . . . . .

657-689

Bills passed by the Council of State.  
Questions and Answers.  
Unstarred Questions and Answers.  
The Police (Incitement to Disaffection) Bill.  
The Indian Boilers Bill.  
The Workmen's Compensation Bill.  
The Code of Criminal Procedure (Amendment) Bill.  
Election of Standing Committees.  
Conduct of Business.

WEDNESDAY, 20TH SEPTEMBER, 1922 . . . . .

691-734

Questions and Answers.  
Sittings of the Assembly.  
The Indian Mines Bill.  
The Indian Extradition (Amendment) Bill.  
The Indian Museum (Amendment) Bill.  
The Indian Transfer of Ships Restriction (Repealing) Bill.  
Election of Panels for Standing Committees.  
The Legal Practitioners (Amendment) Bill.  
The Supreme Court of British India Bill.  
The Code of Civil Procedure (Amendment) Bill.  
The Hindu Coparcener's Liability Bill.

FRIDAY, 22ND SEPTEMBER, 1922 . . . . .

735-794

Questions and Answers.  
Unstarred Questions and Answers.  
Panels of Standing Committees for Departments of Education and Health and Revenue and Agriculture.  
The Criminal Tribes (Amendment) Bill.  
Resolution re: Moplah Train Tragedy and Disturbances.  
Resolution re: Establishment for Work of Legislative Assembly.  
Date for Discussion of Supreme Court Resolution.



	PAGE
SATURDAY, 23RD SEPTEMBER, 1922 . . . . .	795-846
Questions and Answers.	
The Cotton Transport Bill.	
The Abolition of Transportation Bill.	
The Indian Penal Code (Amendment) Bill.	
The Indian States (Protection against Disaffection) Bill.	
Demands for Supplementary Grants.	
Resolution <i>re</i> : Imperial Medical Research Institute.	
Resolution <i>re</i> : Supreme Court for British India.	
Messages from the Council of State.	
Resolution <i>re</i> : Supreme Court for British India.	
MONDAY, 25TH SEPTEMBER, 1922 . . . . .	847-919
Statement laid on the Table.	
Questions and Answers.	
Unstarred Questions and Answers.	
Motion for Adjournment.	
Sittings of the Legislature.	
The Indian Mines Bill.	
The Indian Penal Code (Amendment) Bill.	
The Indian Naval (Armament) Bill.	
The Criminal Tribes (Amendment) Bill.	
The Police (Incitement to Disaffection) Bill.	
The Indian Penal Code (Amendment) Bill.	
Message from the Council of State.	
The Cotton Transport Bill.	
The Indian Penal Code (Amendment) Bill.	
Demands for Supplementary Grants.	
TUESDAY, 26TH SEPTEMBER, 1922 . . . . .	921-951
Questions and Answers.	
Unstarred Questions and Answers.	
The Indian States (Protection against Disaffection) Bill.	
Demands for Supplementary Grants.	
Message from the Council of State.	
Adjournment of the Assembly.	
APPENDICES . . . . .	1-12
Vernacular Speeches and Translations.	
INDEX . . . . .	I-85
SGPI-21-I-137-31-1-23-145.	

# LEGISLATIVE ASSEMBLY.

*Monday, 11th September, 1922.*

The Assembly met in the Assembly Chamber at Eleven of the Clock. Mr. President was in the Chair.

## QUESTIONS AND ANSWERS.

### HOUSE-RENTS IN CANTONMENTS.

284. \***Mr. W. M. Hussanally** : (a) Is it a fact that the rents of all the houses in the Cantonments applicable to military officers are registered and termed as "registered" rent ?

(b) Is it a fact that a ruling has been made to the effect that the Cantonment Committee has no power to alter the registered rent of a bungalow except with the mutual consent of the landlord and his tenant, or failing that, in accordance with the award of a Committee of Arbitration ?

**Mr. E. Burdon** : (a) The rents of all houses in Cantonments appropriated for the use of military officers under the provisions of the Cantonment House Accommodation Act are entered in a register maintained by the Cantonment authority.

(b) The law on the subject is as stated in this part of the question. Government have no information that any ruling on the subject has been found necessary.

### CANTONMENT REFORM COMMITTEE.

285. \***Mr. W. M. Hussanally** : Is it a fact that the Cantonment Reform Committee in their report submitted to Government of India, distinctly condemned the actions in certain Cantonments regarding demand of leases under the directions contained in the Cantonment Manual and pronounced the same illegal and unfair ? If so, do the Government propose to give effect to the findings of the Committee, and, if so, how ?

**Mr. E. Burdon** : The Cantonment Reforms Committee expressed the opinion that it was unnecessary for an owner to execute a new lease in respect of a site which he desired to sub-divide and that, in the case of an extension of an existing site, it was not fair or reasonable to expect an applicant to execute a lease for the old site also. They also expressed the opinion that the instructions contained in paragraphs 25 and 26 of the Cantonment Manual were illegal and bore harshly on house owners in Cantonments.

As regards the second part of the question, specific instructions in the matter have recently been issued to all local authorities by the Quartermaster General in India in a circular, dated 10th June 1922.

## KARACHI RENT COMMITTEE.

286. \***Mr. W. M. Hussanally** : Is it a fact that the Karachi Rent Committee, in their report to adequately develop the future expansion of Karachi, recommended that the present Cantonment land, which lies intermingled with Civil areas in Karachi, should be transferred to Civil Authorities and that provisions be made for the expansion of the Karachi Cantonment on the vacant land available towards the East of Napier Barracks and extended to Drig Road Aerodrome ? If so, will the Government be pleased to state whether any scheme has been prepared to effect the transfer of same ?

**Mr. E. Burdon** : The Government of India have no information regarding the recommendation said to have been made by the Karachi Rent Committee for the expansion of Karachi. A proposal is however under consideration to extend the existing Cantonment towards the Drig Road Aerodrome and by doing so to set space free for the development of the Port and City of Karachi.

**Mr. W. M. Hussanally** : May I ask a supplementary question, Sir ? Is it intended in any way to release lands in the existing Cantonment for the extension of the Civil Area ?

**Mr. E. Burdon** : A proposal of the kind is under consideration.

## GRANT OF RESPONSIBLE GOVERNMENT.

287. \***Rai J. N. Majumdar Bahadur** : Will the Government be pleased to state whether (1) His Excellency the Governor General in Council has conveyed to the Secretary of State, the view of this Assembly that the progress made by India on the path of Responsible Government warrants a re-examination and revision of the present constitution at an earlier date than 1929, in accordance with the Resolution of this Assembly passed on the 29th September 1921 ?

(2) If so, will the Government be pleased to lay the despatch of this Government before the Assembly ?

(3) Have the Government of India received any reply to the said despatch from the Secretary of State for India and, if so, will the Government lay the same also before this Assembly ?

**The Honourable Sir Malcolm Hailey** : The Honourable Member is referred to the replies given to Messrs. Agnihotri's and Chaudhuri's Questions Nos. 212 and 231 on the 7th September 1922.

## INDIAN MEDICAL DEPARTMENT.

288. \***Munshi Iswar Saran** : Will Government state the number of (a) Indians, (b) Anglo-Indians and (c) domiciled Europeans in the Military Assistant Surgeon Class of the Indian Medical Department ?

**Mr. E. Burdon** : There are no Indians in the Military Assistant Surgeon Class of the Indian Medical Department.

The total number of Anglo-Indians and Domiciled Europeans in this branch of the Indian Medical Department is 736 ; but they are not classified separately ; and in order to obtain the information which the Honourable Member desires, it would be necessary to address the assistant surgeons individually, and obtain a personal statement from

each. I am sure the Honourable Member will not require Government to undertake this.

**Munshi Iswar Saran :** Is it proposed to take Indians into this department now ?

**Mr. E. Burdon :** I should like to have notice of that question.

NUMBER OF GURKHAS, ETC., IN THE INDIAN ARMY.

289. **\*Munshi Iswar Saran :** Will Government state the number of Gurkhas and of the men of the trans-border tribes such as Afridis, Masoods, employed in the Indian Army ?

**Mr. E. Burdon :** The figures are as follows. I have taken the approximate actual strength on the 1st July 1922 :

Gurkhas .. .. .	18,600
Trans-frontier Pathans .. ..	1,150
Hazaras from Afghanistan and Meshed ..	885

STATION MASTERS OF KALKA AND SIMLA.

290. **\*Baba Ujagar Singh Bedi :** (a) Will Government be pleased to state whether the Railway Station Master at Kalka is in the service of Government drawing a regular salary ?

(b) If the answer to (a) above is in the affirmative, is it a fact that he is also (i) an honorary Magistrate, and (ii) President or Vice-president of Kalka Municipality ?

(c) Will Government be pleased to state for how long the present Station Masters at Kalka and Simla have been in charge of the said Stations respectively ?

(d) Is it a fact that there is no time limit to the period during which Railway Station Masters could remain in charge of one and the same station ?

**Colonel W. D. Waghorn :** (a) The reply is in the negative.

(b) Does not, therefore, arise.

(c) The present Station Master at Kalka has been there only some two years. The Station Master at Simla has held his present position since October 1903.

(d) Yes.

**Mr. K. Ahmed :** Can a Railway servant be elected a member of this Legislative Assembly by any general constituency ?

**Colonel W. D. Waghorn :** I shall have to look into that point.

GOVERNMENT OF INDIA SECRETARIAT.

291. **\*Mr. K. Ahmed :** (a) Will Government be pleased to lay on the table a statement showing :—

- (i) the number of Muslims, Hindus, Europeans and Anglo-Indians, respectively, employed permanently in the Upper Division of the various Departments of the Government of India Secretariat,
- (ii) the proportion of Muslims to non-Muslims in each Department,
- (iii) the total proportion of Muslims to non-Muslims in all the Departments of the Government of India ?

(b) Is it a fact that in the Railway Department out of about 40 men in the Upper Division there is only one permanent Muslim employee ?

**The Honourable Sir Malcolm Hailey :** The information required is being collected and will be laid on the table in due course.

#### MUSLIMS IN OFFICES.

292. **\*Mr. K. Ahmed :** Will the Government be pleased to state how many Muslims have been appointed by the Staff Selection Board in the various offices of the Government of India for the Upper Division since its establishment and what is the total number of such men of the other communities ?

**The Honourable Sir Malcolm Hailey :** 17 Muhammadans passed the Staff Selection Board's test for the Upper Division. Of these 17, eleven have been appointed to permanent or temporary appointments in the Imperial Secretariat or attached offices ; 3 hold other appointments, one has had his name placed in suspense as he did not reply to an offer of an appointment and two are without appointments at present. Of these two, one has refused a temporary Upper Division appointment and the other has been employed in a temporary vacancy in the Upper Division but is now available. The total number of non-Muhammadans appointed to the Upper Division is 41.

#### RECRUITMENT OF MUSLIMS.

293. **\*Mr. K. Ahmed :** Will the Government be pleased to state whether they have hitherto issued instructions to the Staff Selection Board to keep an eye on the due representation of Muslims while recruiting Officers and Clerks for the various offices of the Government of India ?

**The Honourable Sir Malcolm Hailey :** No specific instructions have been issued to the Staff Selection Board for the selection of Muslim candidates for the offices of the Government of India. But the Secretariat Procedure Committee (a copy of whose report has recently been placed in the Council Library), when recommending the constitution of the Board, suggested that the Board should take care that the main sections of the community are adequately represented on the list of selected candidates prepared by the Board, and the Government of India accepted this recommendation in their Resolution of the 15th September 1920 which was published in the Gazette of India.

#### RAILWAY REVENUE.

294. **\*Mr. W. M. Hussanally :** (a) Have the expectations of Government been realized of raising a larger revenue from Railways by increasing passenger fares ?

(b) If so, will Government please lay on the table a statement showing the gross receipts from 1st April to 31st August 1922 compared with the receipts for the past 3 years during the same period ?

(c) If the expectations have been realized, by how much ?

(d) If not, do Government propose to reduce the fares ?

(e) Are Government aware that there is a wide spread discontent in the country over these enhanced fares ? If so, what action do Government propose to take to remove the same ?

**Colonel W. D. Waghorn :** (a), (b), (c), (d) and (e). All the information which the Honourable Member wants is not available. On the 10 most important railways we carried, between the 1st April and the 12th August 1922, 131,638,000 passengers or about 1,600,000 less than in the corresponding period of last year. This represents a loss of passenger traffic amounting to 1.2 per cent. The earnings on the same lines from coaching traffic were 74 lakhs greater than in the corresponding period of last year, an increase of nearly 6 per cent.

2. Government do not propose to reduce the maxima recently prescribed. They are aware of course that an increase in fares is never popular ; on the other hand I must remind the Honourable Member that the railways worked at a considerable loss last year and that the Acworth Committee has placed it on record that an increase of fares was long overdue.

## UNSTARRED QUESTIONS AND ANSWERS.

### TRAVELLING FACILITIES FOR OFFICIALS

172. **Mr. W. M. Hussanally :** (1) What officers of the various Departments of Government, both Central and Provincial, are entitled to travel on Indian Railways and steamers—

- (a) by special saloons,
- (b) by reserved compartments,
- (c) by passes,

when travelling on duty or otherwise ?

- (d) Which of them are entitled to travel with their families and domestic servants without paying for them ?

(2) (a) Are such officers entitled to travelling allowances in addition to the reserved accommodation provided at the expense of the State ?

(b) If so, what expenses are these travelling allowances meant to cover ?

(3) Is it a fact that any class of officers going to hill stations for a change are also entitled to travel at the cost of the State ?

(4) With a view to economy do Government propose to revise the rules in regard to reserved accommodation provided for officers while travelling by railway or steamer ?

(5) Will the Government lay on the table the rules in vogue at present in the various departments on the subject, if any ?

**The Honourable Sir Malcolm Hailey :** (1) (a), (b) and (c). Lists giving the information asked for by the Honourable Member in respect of railways are placed on the table. No similar lists are available in regard to accommodation on steamers. As regards reserved railway accommodation on journeys otherwise than on duty, the Honourable Member's attention is invited to the Government of India, Public Works Department Resolution No. 144-R.T., dated the 10th February 1900, a copy of which is also placed on the table.

(d) No officer is allowed to take his family with him without payment, but cheque passes are admissible to the families of officers and subordinates employed in a railway. Some officers, e.g., Members of the Executive Council of the Governor General and Political Residents of the 1st Class are entitled to take a limited number of servants.

(2) (a) and (b). Officers in civil employ under the administrative control of the Government of India, who are entitled to saloons or carriages, cannot draw any travelling allowance for the journey unless they are in receipt of permanent travelling allowance. Those who are entitled to reserve by requisition a first class compartment are allowed to recover, when travelling in such a compartment, their actual travelling expenses, up to a limit of one first class fare. The term "actual travelling expenses" means the actual cost of transporting servants, personal luggage, including charges for ferry and other tolls and for carriage of camp equipment if necessary. It does not include charges for hotels, travellers' bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants.

(3) Government do not usually undertake to provide facilities for Government servants and their families going to the hills for a change. When a Government servant is permitted for his own convenience to perform his duties at a hill station he is not usually allowed any travelling allowance.

(4) There is no such proposal before Government, but Government has in the interests of economy declined to accept several proposals for the grant of reserved accommodation to officers not now entitled to it.

(5) The rules on the subject so far as officers in civil employ under the administrative control of the Government of India are concerned are rules 92-96, 100-104, 166-179 of the Supplementary Rules of which there is a copy in the library. Local Governments frame their own rules for officers under their own administrative control.

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#### OFFICERS UNDER THE CONTROL OF THE CENTRAL GOVERNMENT.

##### (a) *Special saloons :*

His Excellency the Commander-in-Chief.

The Chief of the General Staff.

General Officers Commanding-in-Chief, Northern, Southern, Eastern and Western Commands.

Each Member of the Executive Council of the Governor General.

The Agent to the Governor-General in Rajputana.

The Agent to the Governor General in Central India.

The Agent to the Governor-General and Chief Commissioner in Baluchistan.

The Chief Commissioner and Agent to the Governor-General in the North-West Frontier Province.

Each Member of the Railway Board.

The Chief Engineer with the Railway Board.

##### (b) *Inspection Carriages :*

The Adjutant General in India.

The Quartermaster-General in India.

The Director, Medical Services in India.

The Director of Military Works.

Major General, Royal Artillery.

The Military Adviser-in-Chief, Indian State Forces.

Major General, Cavalry.

The Director of Supplies and Transport.

The Director General of Ordnance in India.

The Foreign and Political Secretaries to the Government of India when travelling on special tours on duty.

The Inspector General of Irrigation.

The Agricultural Adviser to the Government of India.

The Director, Intelligence Bureau.

The Political Resident in Mysore, for journeys over the Mysore State Railway and the connected metre gauge lines.

The Political Resident at Hyderabad, for journeys within the Hyderabad State.

(c) *Ordinary 1st class Carriages :*

The Mining Engineer and Metallurgist to the Railway Board

The Political Resident at Hyderabad, when travelling elsewhere than in the Hyderabad State.

The Political Resident in Mysore, when travelling elsewhere than on the Mysore State Railway and connected metre-gauge lines.

The Political Resident in the Persian Gulf.

The Director General of Posts and Telegraphs.

(d) *Reserved Compartments :*

The Controller of Farms.

Major-General, Royal Engineers and Pioneers.

The Director of Remounts.

The Director of Staff Duties.

The Director of Veterinary Services.

The Auditor General.

The Presidents of the Council of State and the Legislative Assembly.

Secretaries to the Government of India and the Financial Adviser, Military Finance.

The Political Resident at Baroda.

The Political Resident in Kashmir, when travelling between Sialkot and Jammu.

The Educational Commissioner with the Government of India.

The Sanitary Commissioner with the Government of India.

The Director General, Indian Medical Service.

The Surveyor General.

The Controller of the Currency.

The Chief Engineer, Telegraphs.

The Agent to the Governor General, Punjab States.

The Census Commissioner with the Government of India.

The Chairman and Members of the Staff Selection Board (entitled jointly to 2 compartments).

The Deputy Chief of General Staff.

The Deputy Adjutant General.

The Deputy Quartermaster General.

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OFFICERS UNDER THE CONTROL OF PROVINCIAL GOVERNMENT.

(a) *Special Saloons :—*

Governors and the Lieutenant-Governor of Burma

(b) *Inspection Carriages :*

The Commissioner in Sind.

(c) *Ordinary 1st class Carriages :*

Members of the Executive Councils of Governors and Ministers appointed by Governors of Provinces under the Government of India Act, 1919.

(d) *Reserved Compartments :*

Members of a Board of Revenue.

Financial Commissioners.

Judges of High Courts and Chief Courts.

The Commissioner in Sind (for journeys outside jurisdiction),



The persons to whom passes may be given are :

(A) *Gold Passes*—

The President, Members, Secretary and Joint Secretary of the Railway Board.

The Chief Engineer with the Railway Board.

The Director General of Posts and Telegraphs.

The Accountant General, Railways.

(B) *Silver Passes*—

The Agent.

The Engineer-in-Chief.

The Locomotive Superintendent.

The Carriage and Wagon Superintendent.

The Traffic Manager.

The Chief Auditor.

The Controller of Stores.

Permanently attached to, and actually employed on, the particular Railway for which the pass is available.

The Officers of the Government Inspectors' Department.

The Agent.

The Chief Engineer.

The Locomotive Superintendent.

The Traffic Manager.

The Chief Auditor.

The Controller of Stores.

Of each Company's Railway in direct connection with a State Railway.

The Deputy Postmasters, Railway Mail Service.

The Superintendents of Post Offices and Railway Mail Service.

The Directors of Telegraph Engineering.

The Chief Executive Officer, Railway Police.

When their jurisdiction extends over the whole length of the Railway.

The Secretary, Indian Railway Conference Association.

Over all State-worked Railways.

(C) *Card Passes*—

The Executive Officer, Railway Police, over portions of the line within his beat. All other officers and employees permanently or temporarily attached to, and actually employed on, a particular Railway, and whose duties demand frequent travelling over the railway, or portions of it.

The following officers and employees of the :

(i) *Post Office* :

Deputy Postmasters General, Railway Mail Service.

Superintendents, Railway Mail Service.

Postmasters General.

Deputy Postmasters General.

Inspectors, Railway Mail Service.

Camp clerks.

Record clerks.

Superintendents of Post Offices.

Mail Overseers.

Village postmen within their beats.

When their jurisdiction does not extend over the whole length of the Railway.

Over portions of lines within their jurisdiction.

Attached to the Railway Mail and Sorting Service.

Within their divisions.

(ii) *Telegraph Department* :

Such officers and employees whose duties in regard to Railway Telegraphs necessitate constant travelling over the line or over certain portions of it.

All Card Passes issued on Telegraph Service should be endorsed as "available for Brake Vans of Goods Trains" while all First and Second Class Card Passes should, in addition, be endorsed as "available by any Passenger Train, whether ordinary or otherwise",

Also at the discretion of the Agent :

Ministers who constantly minister to the spiritual wants of the servants of the Railway.

Contractors or Contractors' agents employed in the construction or maintenance of the Railway.

Refreshment Contractors.

(D) *Cheque Passes*—

Assistant Directors General of the Post Office, when travelling on *bona fide* postal service.

Employees of the Railway Mail Service other than those entitled to Card Passes.

Persons other than those above mentioned whose duties are connected with the Railway Telegraphs but which do not involve frequent travelling on the Railway.

Also to the following, at the discretion of the Agent :

Officers of English, Foreign or other Railways and their families.

NOTE.—Officers travelling in the course of duty, who are eligible for travelling allowance for the performance of that duty, are not entitled to a free pass.

Families of officers and subordinates employed on the Railway.

NOTE.—Family includes the wife and legitimate children and step-children of an officer residing with and wholly dependent on him. It also includes a mother or an unmarried sister residing with, and wholly dependent on, the officer, if he is unmarried or a widower.

Ministers, when occasionally ministering to the spiritual wants of the servants of the Railway.

Refreshment Contractors' Agents, and Managers attached to the Railway Refreshment rooms.

Newspaper correspondents.

No. 144-R.T.

GOVERNMENT OF INDIA.  
PUBLIC WORKS DEPARTMENT.

(Railway Traffic.)

Calcutta, the 10th February 1900.

RESOLUTION.

In supersession of Government of India Resolution No. 878-R.T., dated 13th September 1899, the Governor General in Council is pleased to direct that when the high Government officials noted in the margin travel by railway otherwise than on duty, i.e., before joining or after resigning office or when proceeding on or returning from leave :

(I) Any special or ordinary carriage or compartment usually assigned by rule to such officials should, whenever practicable, be placed at their disposal, if so desired.

(II) The charges for haulage or for reserving a carriage or compartment will be borne by Government as in the case of journeys made on duty ; but the ordinary fares that would be paid if such accommodation were not provided, shall be paid by the official in question, except in the cases stated in clauses (III) and (IV).

(III) A Governor or Lieutenant-Governor resident in India at the time of his appointment is, for the journey to join his appointment, exempted from the payment of ordinary fares and is entitled to actual travelling expenses for himself and for any members of his family travelling with him.

(IV) A Governor or Lieutenant-Governor retiring from the service and leaving India is exempted from the payment of ordinary fares and is allowed the actual travelling expenses of any members of his family travelling with him.

2. The prescribed procedure regarding payments to railway administrations in regard to journeys performed on duty shall be followed, the fares payable being subsequently recovered by the Account Officer.

### ENHANCED POSTAGE RATES.

173. **Dr. H. S. Gour** : Will the Government be pleased to state the effect of the enhanced postage on letters and postcards on (a) the number of letters and postcards carried by post ; (b) the increase or decrease in the revenue as compared with the budget anticipations and the normal for the corresponding period during the last three years.

**Colonel Sir S. D'A. Crookshank** : A special enumeration made in certain important offices in a week of August last shows a decrease of 26 per cent. in the number of letters and postcards on last year's figures, but it cannot be said for certain to what extent this decrease should be ascribed to the enhanced postage, to slackness of trade or to general retrenchment and economy. The revenue from postcards and letters up to one tola during one week in August of each year from 1919 to 1922 is estimated at Rs. 4,08,000, Rs. 4,27,000, Rs. 4,58,000 and Rs. 6,11,000, respectively. The budget anticipation of increase for the whole year 1922-23 was Rs. 1.60 lakhs, that is to say, approximately Rs. 3 lakhs weekly, compared with which the increase estimated for the enumeration week of August of this year is Rs. 1½ lakhs. The enumeration of August, however, was too soon after the introduction of the new rates (on 24th April 1922) to afford a fair test. The enumeration which is to be made in February 1923 will give a better idea of the effect of the increase in the rates.

### RATE OF POSTAGE BETWEEN ENGLAND AND INDIA.

174. **Dr. H. S. Gour** : Is the Government aware that the rate of postage between England and India is now 1½d. which represents only 0-1-6, whereas the rate from India to England is still 0-2-0 ? Do the Government propose to remove this anomaly ?

**Colonel Sir S. D'A. Crookshank** : Yes. The rate of postage from England to India has been reduced from the 29th May last. A corresponding reduction in India is inexpedient at present owing to the existing financial stringency.

### DEFERRED INLAND TELEGRAMS.

175. **Dr. H. S. Gour** : (a) Will the Government be pleased to state when and why the system of "deferred" inland telegrams was discontinued ?

(b) What was the number of such telegrams ?

(c) And the revenue derived therefrom ?

(d) Do the Government propose to consider the advisability of reviving deferred messages ?

**Colonel Sir S. D'A. Crookshank** : The necessary information is being collected and a reply will be sent to the Honourable Member as soon as possible.

### PURCHASE OF RAILWAY MATERIALS IN ENGLAND.

176. **Mr. K. C. Neogy** : What amount out of the loan recently raised in England for Railway purposes, has been expended by the High Commissioner in purchasing railway materials ?

**The Honourable Sir Malcolm Hailey :** I am unable to give figures for the High Commissioner's expenditure up to date. According to the budget estimates, however, it is anticipated that he will incur an expenditure of £4,350,000 during the current year on material for State-managed railways. Purchases on account of Company-managed lines are not made by the High Commissioner.

#### VALUE OF RAILWAY MATERIALS.

**177. Mr. K. C. Neogy :** What is the value of Railway materials ordered from the United Kingdom, the different continental countries, and other places, respectively, since January 1922 ?

**Mr. A. C. Chatterjee :** The Government of India have not the required information.

#### TENDERS ACCEPTED BY THE HIGH COMMISSIONER.

**178. Mr. K. C. Neogy :** (a) Will Government be pleased to publish the half-yearly statements, for the periods ending 31st December, 1921, and 30th June, 1922, showing all cases in which tenders other than the lowest have been accepted by the High Commissioner in England ?

(b) Were such statements promised in paragraph 7 of the letter from the Secretary to the High Commissioner for India, No. 521-H.C., dated the 25th January, 1922, to the Government of India ?

**Mr. A. C. Chatterjee :** The statements were laid on the table of the House on the 6th September.

#### TENDERS FROM FOREIGN COUNTRIES.

**179. Mr. K. C. Neogy :** (a) With reference to the statements made by Sir William Meyer in paragraph 8399 of Volume III of the Acworth Committee's report, will Government be pleased to state whether tenders are now invited from foreign countries only when it is thought that the requirements are such as to attract foreign competition ?

(b) Does the Director-General of Stores exercise the discretion in this matter, even now ?

(c) Will Government be pleased to call for a statement from the High Commissioner showing the instances in which tenders were not called for from foreign countries, in the exercise of this discretion, since January 1922 ?

**Mr. A. C. Chatterjee :** (a) and (b). The Honourable Member is referred to the instructions conveyed to the High Commissioner for India by the Government of India in their letter No. S-360, dated the 22nd December 1921, a copy of which was laid on the table of the Assembly in March last, and which dealt, among other matters, with the question of tenders from foreign countries. The Government of India are satisfied that the High Commissioner is adhering rigidly to their instructions. The attention of the Honourable Member is also invited to the reply given to Sir Montagu Webb on the 6th September on the subject of certain allegations made in the "Hindu" of the 5th May 1922.

(c) The Government of India see no necessity for calling for such a statement.

## REMOVAL OF RESTRICTIONS ON THE EXPORT OF WHEAT.

180. **Sardar Bahadur Gajjan Singh** : When will the restrictions on the export of wheat be removed ?

**Mr. J. Hullah** : Government are unable to make any pronouncement on the subject at present, but hope to come to a decision shortly.

## LAND REVENUE LEGISLATION.

181. **Sardar Bahadur Gajjan Singh** : Will the Government be pleased to state what steps have been taken by the Provincial Governments to bring the Land Revenue under the Legislature as recommended by the Joint Committee in their report, in paragraph (11) of the report ? If the reply to this question is in the negative, do the Government propose to direct the Provincial Governments to take early steps to effect this reform ?

**Mr. J. Hullah** : The Punjab Government have decided to appoint a Committee to examine the present land revenue assessment policy in the Punjab and to report what changes should be made. In the Madras Presidency a draft Bill regulating the assessment and revision of assessment of land revenue has been drawn up by the Board of Revenue and submitted to a large and representative Committee consisting of both officers experienced in Settlement matters and non-official members of the Legislative Council. Their report has been received and is under consideration. The action taken in other provinces has not yet been reported to the Government of India.

The Government of India have already drawn the attention of Provincial Governments to the importance of this question.

## NUMBER OF MUSLIMS, HINDUS, ETC., IN THE IMPERIAL SECRETARIAT.

182. **Sardar Bahadur Gajjan Singh** : Will the Government be pleased to lay on the table a statement showing the number of appointments held by the Hindus, Mohammadans, Sikhs and Christians in each Department under the Government of India ?

**The Honourable Sir William Vincent** : The information required is being collected and will be laid on the table in due course.

## POST AND TELEGRAPH OFFICES IN THE LYALLPUR AND MONTGOMERY COLONIES.

183. **Sardar Bahadur Gajjan Singh** : Will the Government be pleased to state the number of Post and Telegraph offices opened in the Lyallpur and Montgomery Colonies since the colonisation began ?

**Colonel Sir S. D'A. Crookshank** : The information asked for by the Honourable Member is being collected and a reply will be sent as soon as possible.

## INCREMENT OF RATES UNDER HEADS "POST OFFICES" AND "RAILWAYS."

184. **Sardar Bahadur Gajjan Singh** : Will the Government be pleased to state the income of three months from the date of increment of rates under the heads Post Offices and Railways, since the recent increment in the postal rates and Railway fares as compared with the income under the same heads during corresponding period of the previous year ?

**The Honourable Sir Malcolm Hailey** : I regret that I have not yet been able to obtain the figures regarding the revenue from the new postal rates ; I will send them to the Honourable Member as soon as received.

As regards Railways, information for the complete 3 months can not be furnished now, as the enhanced fares were introduced on the several Railways with effect from different dates, certain Railways having increased their fares only from July. Moreover, the collection of the information would entail an expenditure of time and labour which would not be warranted by the results.

A statement has, however, been prepared comparing the number of passengers and earnings of each class for certain periods and a copy of this statement is being sent to the Honourable Member.

#### WITHDRAWAL OF ASSESSMENT POWERS FROM INCOME-TAX ASSESSORS IN SIND.

**185. Mr. W. M. Hussanally** : Are Government aware that on account of withdrawal of assessment powers from Income-tax Assessors in Sind under the New Income-tax Act, the assessment work in Sind has suffered, pending the re-organisation scheme being sanctioned ?

**The Honourable Sir Malcolm Hailey** : Government have received no communication either official or non-official on the subject.

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#### MOTION FOR ADJOURNMENT.

**Bhai Man Singh** (East Punjab : Sikh) : Sir, I beg leave to move the adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the treatment accorded and is being accorded by the authorities to the Akalis and others on the way to and in the vicinity of the Guru Ka Bagh in the Amritsar District, apart from ~~the~~ <sup>and</sup> irrespective of action taken against the Akalis and members of the Shiromani Gurudwara Prabhandak Committee arrested in connection with the Guru Ka Bagh affair.

Sir, as will be clear from my motion, I do not include any matters which are *sub judice* in the discussion. The arrests, the blockade at the Guru Ka Bagh.....

**The Honourable Sir Malcolm Hailey** (Finance Member) : May I with your permission interrupt the Honourable Member ? When Bhai Man Singh put forward the same motion on a recent occasion, I understand, Sir, that you ruled that discussion was not in order in view of the fact that a large number of cases in connection with those disturbances was now before the Courts and that a large number was likely to come before the Courts.

**Mr. President** : The point raised by the Honourable the Finance Member is perfectly correct. Bhai Man Singh has asked leave to move the adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the treatment accorded by the authorities to the Akalis and others on the way to and in the vicinity of the Guru Ka Bagh in the Amritsar District

apart from and irrespective of action taken against the Akalis and members of the Shiromani Gurudwara Prabhandak Committee arrested in connection with the Guru Ka Bagh affair. My ruling will stand good unless the Honourable Member can show me in what manner he could discuss these questions without raising questions which are now under adjudication by the Courts in the Punjab.

**The Honourable Sir Malcolm Hailey :** On a recent occasion my Honourable colleague, Sir William Vincent, who is unfortunately detained elsewhere, promised to supply Bhai Man Singh with a statement regarding the disturbances at the Guru Ka Bagh. That statement is now ready and the Honourable Sir William Vincent has asked me to state that a sufficient number of copies for the use of Honourable Members will be placed in the Library to-day.

**Bhai Man Singh :** Sir, as my motion stands at present, after the arrests, as I was going to say, Government declared a sort of blockade of the Guru Ka Bagh. They stopped all the routes to that place, though the Akalis wanted to go there without committing any violence. The authorities have issued certain orders to the police who under the direction of their Superintendents are carrying out the orders which are being very much abused. The police have been beating or using different means.....

**Mr. President :** Order, order. I do not wish to interrupt the Honourable gentleman's story, but the answer I want from him is an explanation as to how he proposes to discuss this question without raising questions which are now under adjudication by the Courts.

**Bhai Man Singh :** My reply to this question is, whatever occurred after the blockade, the means employed by the police, have got nothing to do with the arrests themselves or the merits of the cases. I suppose that the blockade is there. I suppose that certain measures are being employed.....

**Mr. President :** Order, order. The Honourable Member is continuing his story ; he is not answering my question. How does he propose to discuss this afternoon, if I admit his motion, the occurrences at the Guru Ka Bagh without raising questions which are now under adjudication by the Courts ?

**Bhai Man Singh :** The position of the accused is quite different from that of the blockade. I want to discuss simply what has been done after the blockade was declared and what has been the treatment accorded to the Akalis. These matters have got nothing to do with the case of the accused persons.

**Mr. President :** Does the Honourable Member suggest that these questions are not connected with each other, and that he can discuss one without raising the other ?

**Bhai Man Singh :** Yes, Sir. I would suppose that the Government was right in declaring the blockade itself, but I want to discuss whether what has been done after that is right.....

**Mr. President :** It seems to me that the Honourable Member is trying to play Hamlet without the Prince of Denmark.

**Dr. H. S. Gour** (Nagpur Division : Non-Muhammadan) : Supposing there is a general commotion in the country or in any part of it, the fact that some of the agitators have been laid by their heels by the executive authorities and are awaiting their trial, does it prevent this House from discussing broad questions arising from the general commotion complained of by any Honourable Member ? I do not attempt to discuss the merits of the question raised by my friend, Bhai Man Singh, nor do I desire to enter into the controversy regarding the Guru Ka-Bagh affair. But jealous as I am of the privileges of this House I desire a ruling from the Chair, whether the mere fact that a case or two, or many cases, have been brought to the notice of the Courts prevents the Legislative Assembly from discussing the broad questions which have led to disturbance in any part of the country ?

**Mr. President** : It depends entirely on the issues involved in each particular case.

**The Honourable Sir Malcoom Hailey** : Perhaps it may aid you, Sir, in arriving at the ruling which you must give on this occasion if I recall the grounds on which my Honourable friend Sir William Vincent objected on a recent occasion to the motion of Bhai Man Singh. The whole of this dispute arises out of the fact,—shall I say it is a fact, or perhaps Bhai Man Singh would prefer that I should say it is an allegation, that a certain person is in lawful possession of a Bagh or garden attached to the shrine, and that certain other persons have attempted to oust him from that possession. Now, Sir, it is obviously a question for the Civil Court whether the possession is lawful on the one hand, and whether the attempt to regain possession is unlawful or lawful on the other. In the course of attempting to oust the present occupant from possession, a large number of persons have come in conflict with the police who are performing merely their ordinary duty of protecting the occupant of a property of which he is in possession. Their culpability, or otherwise, must be decided by the Criminal Courts. Therefore, it would be exceedingly difficult to discuss the question raised in the motion without trenching on the judicial inquiry. I do not wish in any way to burke discussion, but discussion would undoubtedly concern itself with first of all the civil question of the extent to which the occupation of the garden by the Mahant is effective and lawful and secondly with the questions which will now go before the Criminal Courts as to the liability of the persons before the criminal law who have sought by forcible means to obtain possession of the land in the occupation of the Mahant. And my Honourable friend raised on a previous occasion a further point which has not yet been touched upon this morning, namely, that the action has been taken by a Local Government, that the Local Government under the constitution is primarily responsible for law and order, and that a discussion of this nature should therefore more properly take place in the Provincial Council than in this Assembly. Those are the reasons for which my Honourable colleague objected on a recent occasion before this House, and I feel it my duty in his absence to repeat them on his behalf.

**Mr. B. Venkatapatiraju** (Ganjam cum Kistna : Non-Muhammadan Rural) : Sir, the point which the Honourable Bhai Man Singh raised



[Mr. B. Venkatapatiraju.]

was with reference to the treatment given by the police to the visitors to Guru Ka Bagh, and is not at all concerned with the persons who are accused or under trial or about the legality or otherwise of that action. The only question is whether the police are justified in giving the treatment which was accorded by them to the Akalis and others and which was published in the papers. That is the only point to which we should confine our attention and I think we can deal with it without either touching the rights or legality of the procedure, and even accepting and assuming that the police were right in preventing these people from going there. The only question before us is whether they are entitled to violence against inoffensive people, and this is the point which can be discussed in this House.

**The Honourable Sir Malcolm Hailey :** The word " inoffensive " begs the whole question.

**Rai J. N. Majumdar Bahadur** (Presidency Division : Non-Muhamadan Rural) : Sir, I do not agree with my friend Mr. Raju. If they had no right to go there.....

**Mr. President :** Order, order. The Honourable Member is discussing the merits of the question. If the Honourable Member wishes to put anything for or against the point of order raised either by Bhai Man Singh or the Honourable the Finance Member, he is entitled to do so.

**Rai J. N. Majumdar Bahadur :** Therefore, I say this question cannot be raised here without bringing in the question whether the Akalis had any right to go there, and whether they had any right and whether the police were exceeding their rights are questions for the Local Government to determine and not for this House.

**Mr. President :** The Honourable the Member from Bengal is a Daniel come to judgment and I am afraid I must bring the discussion to a close. The request for leave to move the Adjournment is not in order.

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## THE CANTONMENTS (HOUSE-ACCOMMODATION) AMENDMENT BILL.

**Mr. E. Burdon** (Army Secretary) : Sir, I present the Report of the Joint Committee appointed to consider and report on the Bill further to amend the Cantonments (House-Accommodation) Act, 1902, and, as the report is very brief and contains an *ad interim* recommendation for the consideration of this House, I beg leave to read it aloud :

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### " LEGISLATIVE DEPARTMENT.

We, the undersigned Members of the Joint Committee to which the Bill further to amend the Cantonments (House-Accommodation) Act, 1902, was referred, have considered the Bill generally and have decided to make certain recommendations which will involve considerable alterations and additions in the Bill. To incorporate these further amendments in the amending Bill would, in our opinion, render the

law on the subject extremely difficult of ascertainment and comprehension. Accordingly we have the honour to report that we have refrained at present from amending the Bill and that we unanimously recommend that the Bill be recommitteed to us with instructions to prepare a Bill consolidating with amendments the existing law.

SAIYID ZAHIR-UD-DIN.  
E. BURDON.  
EBRAHIM HAROON JAFFER.  
RAM SARAN DAS.  
TEK CHAND.  
W. M. HUSSANALLY.  
PEYARI LAL.  
JOGENDRA SINGH.

*Simla, the 9th September 1922."*

**Mr. President :** The question is that the Bill further to amend the Cantonments (House-Accommodation) Act, 1902, be recommended to the Joint Committee with instructions to prepare a Bill consolidating with amendments the existing law.

The motion was adopted.

## RESOLUTION RE THE WEEKLY REST DAY IN COMMERCIAL ESTABLISHMENTS.

**The Honourable Mr. C. A. Innes** (Commerce and Industries Member) : I beg to move, Sir :

"That this Assembly recommends to the Governor General in Council that, beyond forwarding a copy to Local Governments and Administrations for any action which they may consider desirable, no action need be taken on the recommendation concerning the application of the weekly rest day in commercial establishments adopted by the General Conference of the International Labour Organisation of the League of Nations convened at Geneva on the 25th October 1921."

The actual recommendation, Sir, which we are considering reads in substance as follows :

"That each member of the International Labour Organisation take measures to provide that the whole of the staff employed in any commercial establishment, public or private, or in any branch thereof, except as otherwise provided for by the following paragraphs, should enjoy in every period of seven days a period of rest comprising at least twenty-four consecutive hours.

It is further recommended that this period of rest should, wherever possible, be granted simultaneously to the whole of the staff of each establishment, and that it should, wherever possible, be fixed so as to coincide with the days already established by the traditions or customs of the country or district."

The first point I wish to emphasise, Sir, is that this recommendation has no application at all to industrial undertakings. Industrial undertakings are the subject of an entirely separate Draft Convention. This recommendation solely applies to commercial establishments, that is to say, to banks, business houses and to shops, large and small. Now, the attitude of the Government of India towards this recommendation may be expressed in a very few words. To some extent—in fact entirely—we welcome the recommendation. Everyone in this House, I am sure will agree in the principle of a weekly rest day for all classes of employees. We think that the mere fact that the International Labour Organisation has placed on record a recommendation of this kind may do good in India in tending to influence and educate public opinion in a very desirable direction. And, with that object in view, we propose, if the House will

[Mr. C. A. Innes.]

agree, to forward the recommendation to Local Governments and Administrations for any action which they may think desirable. In this connection, Sir, I may point out that there is a fundamental difference between factory legislation and legislation of the kind indicated in this recommendation. Factory legislation must be uniform for all India. Factories, producing factories, compete with one another in whatever province they are established. Therefore, any legislation of this kind, as applied to factories, must be undertaken by the Central Government because it must be uniform. But that does not apply at all to legislation affecting commercial establishments. Shops cater for local needs and there is no reason at all why any Local Government which thinks it necessary to take action on this recommendation should not do so and should not introduce in its own Council any legislation which it may think desirable. As far as the Government of India is concerned, we are quite satisfied that the time is not yet come for all-India legislation. We believe that legislation of this kind, passed in this Assembly, would be premature, that it would be in advance of public opinion throughout the country and I am quite sure that all will agree with me that there can be nothing more dangerous than social legislation which is far in advance of public opinion. And I may say—and I hope Mr. Joshi will notice this point—that Local Governments have already been consulted. They were consulted two years ago. They all were unanimous that there was no great need for any legislation of this kind and the majority of them protested against the Government of India attempting to legislate. The position in India is that, as regards the larger shops and business houses under European control, the existing practice is already in advance of that recommended in this Recommendation. They give a half-holiday on Saturday and a whole holiday on Sunday and the same, I think, is true of the larger shops and business establishments in Indian control, at any rate in the Ports. The legislation is not necessary as far as they are concerned, because the existing practice already goes beyond any legislation which we might introduce. The question is only of practical importance with regard to the smaller shops and the smaller business establishments belonging to Indians throughout the country. In these establishments at present no weekly rest day is recognised. Muhammadan shops close, I think, for the whole or part of Friday, and, in both Muhammadan and Hindu shops, the place of the weekly rest day is taken by fairly numerous religious holidays and by a certain laxity in regard to casual leave. Now, this may be a regrettable state of affairs but we do not think it advisable to alter it. Any legislation of this kind would be difficult to frame and even more difficult to enforce. It would be difficult to fix on the day to prescribe a weekly holiday. Should it be the Christian Sunday or the Muhammadan Friday or should we have separate days for Hindus and Muhammadans? And, then again, how are we to enforce the legislation? Are we to enforce it by the police? I am quite sure that the answer to that is "no". Or are we to have a special inspecting staff? The cost of that would fall upon the Local Governments. As I have said, Local Governments do not want legislation of this kind, and, therefore, I do not think we ought to pass it. For, if we pass it, we should impose upon them expenses which they think unnecessary.

We have far more important matters on hand than this. My own opinion is that the right course is to let the matter rest for some time longer. We have already imposed a weekly rest day in factory legislation and, as I have said, in the larger business houses, the weekly rest day is already recognised in commercial matters. As time goes on, I have no doubt the principle will be accepted by all shops, large and small, but I do not think that it is up to this Assembly to try and force the pace too much. I recommend my Resolution for acceptance, Sir.

**Mr. K. Ahmed** (Rajshahi Division : Muhammadan Rural) : Sir, I rise to oppose the Resolution moved by the Honourable Mr. Innes. I am sorry I did not come here prepared to oppose this Resolution, but from what has fallen from the mouth of my Honourable friend, it seems to me extraordinary that the members attending the League of Nations meeting held at Geneva on the 25th October 1921 were not aware that in India no such holiday is prescribed. If, Sir, gentlemen including some of my Honourable friends present here were attending a meeting ignorant of the position of the Government of India who had also sent their delegates to represent them in the meeting at Geneva, I am very sorry they will be rather weak in supporting the Resolution of my Honourable friend to-day. If a day's rest in the week suits labourers in the Western countries, I suppose the labourers working in India are also the same sort of human being and deserve the same weekly rest day. Sir, without inviting the opinion of the labour parties in India, without inviting the opinion of the labour unions that are springing up in all provinces nowadays, how is it that my Honourable friend is again putting the horse behind the cart ? I said in this very Assembly about 12 months ago on a similar Resolution of his that if the Government of India want to build a house, they build it without taking any opinion from the engineer, and then, after the house is constructed, they go and take the advice of the best expert engineer, whether the house has been built properly or not. That is the position of the Government of India, especially of the Department of my Honourable friend. Sir, I do not find much merit in what he has introduced in this Resolution. It will be advisable possibly for my friend to postpone the Resolution and to move himself for the postponement and invite the opinion of the labourers of India and their unions and then probably he will be in a position to judge for himself whether it is advisable for him to bring a Resolution of this description. With these few words, Sir, I oppose the Resolution.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : Sir, I beg to move the amendment which stands in my name and of which I have given notice.

**Dr. H. S. Gour** (Nagpur Division : Non-Muhammadan) : May I rise to a point of order, Sir ? Honourable Members of this House, a great many of them, feel very much inconvenienced that retrenchment has commenced with the Printing Department of the Legislative Assembly and that instead of our agenda being printed as heretofore, we are now being vouchsafed ill-multigraphed copies of the agenda to-day. I do not think that the Government would become bankrupt if it continued to print as it has been doing heretofore our agenda and the amendments thereon, and I ask you, Sir, to intervene on behalf of the Legislative Assembly and see that printing as before is adhered to.

**Mr. President :** I understand the Honourable Member is referring to the form in which Mr. Joshi's amendment is placed in the hands of Members.

**Dr. H. S. Gour :** I have not got a copy of it.

(Several Honourable Members : We have not got a copy of the amendment.)

**Mr. President :** That only makes the case worse against the Honourable Member on my right. He must have forgotten that the weekly rest day intervened after he handed in his amendment on Saturday.

**Dr. H. S. Gour :** We are giving a rest day to the Printing Department of the Legislative Assembly.

**Mr. President :** Why not ?

**Mr. N. M. Joshi :** I beg to move the following amendment :

" For the words in line 2 beginning with the words ' that, beyond ' and ending with the words ' need be taken on ' in line 3, substitute the words ' to place their proposals before this Assembly regarding ' ; "

and.....

**Mr. J. Chaudhuri** (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : Will Mr. Joshi read how his amended Resolution will stand ?

**Mr. N. M. Joshi :** I will read the amended Resolution afterwards :

" At the end of the Resolution add the words " after obtaining the opinions of Local Governments and Administrations and public bodies representing the employers and the employed on this question, with any modifications and limitations they may wish to suggest, such as (a) for confining the scope of the recommendation to cities with a population of one lakh and over, and (b) for excluding such business concerns, the application of the recommendation to which will be against general public interest."

The amended Resolution will read thus : •

" This Assembly recommends to the Governor General in Council to place their proposals before this Assembly regarding the Recommendation concerning the application of the weekly rest day in commercial establishments adopted by the General Conference of the International Labour Organisation of the League of Nations convened at Geneva on the 25th October 1921, after obtaining the opinions of Local Governments and Administrations and public bodies representing the employers and the employed on this question, with any modifications and limitations they may wish to suggest, such as (a) for confining the scope of the recommendation to cities with a population of one lakh and over, and (b) for excluding such business concerns, the application of the recommendation to which will be against general public interest."

Sir, my object in moving this amendment in the first place is that the Resolution, as it is worded, does very scant courtesy to the International Labour Organisation to which we send our delegates at an annual cost of about one lakh of rupees. We simply send a copy of the Recommendation to the Local Governments saying that they may do whatever they like, and that we are not much concerned in the matter. I do not think that is the right sort of treatment to be given to the body to which we send our delegates from here at a very great cost. Sir, the attitude of this Government towards the International Labour Conference only 18 months back was much different. They had shown great respect to the Resolutions passed by them. But somehow or other things have been changing—I do not know why. Considering that all the world over the attitude not only of employers but of Governments also after the war has been changing, I am not at all surprised at the changed attitude of

the Government of India. During the war they flattered labour because they wanted recruits from the labouring classes. The labourers have served their purpose, and now the Governments and the employers need not do much for them.

But, Sir, I do not wish to go into this general question very much. By my amendment I do not ask the Government of India to take any action definitely, but where they only send a copy of the Resolutions to the Local Governments, I ask the Government of India to circulate these Resolutions to the Local Governments and obtain their opinions on them and ask them what action they are prepared to take, and if they are not prepared to accept the recommendation as it is, ask them what modified action or what limited action they would take, and I also in my amendment make a suggestion in what respects the Local Governments may make their suggestions regarding modifications such as limiting the scope of the recommendation only to big cities having a population of a lakh and a half and also making provision for excluding certain trades the application to which of these recommendations would be against public interests. You will thus find, Sir, that my amendment is absolutely modest, it does not place any responsibility upon the Government of India to-day at all. There is very little difference between the Government of India and myself. The Government of India only send a copy to the Local Governments and leave the matter there. I simply say, send a copy to the Local Governments, request them to express their opinions and ask them what action they would take, what little action they would take and inform the Government of India. Sir, as a matter of fact, the International Labour Organisation cannot correspond with all the Local Governments in this matter. They ought to correspond and we should insist that they should correspond only with the Government of India and if they are to correspond with the Government of India it is the duty of the Government of India to obtain the opinions of the Local Governments and place them before the International Labour Organisation. The Government of India cannot leave that matter to the Local Governments. Therefore there would be great advantage in the suggestion which I have made, namely, that the opinions of the Local Governments should be sent to the Government of India and then the Government of India should, after consulting this Legislature, write to the International Labour Organisation what action they are prepared to take. Sir, it is thus clear that what I ask in my amendment is indeed a very small matter and will not cause any inconvenience to the Government of India. The proposal which the Government of India have made is indeed, as my friend Mr. Kabeeruddin, described, putting the cart before the horse.

Reference has been made by the Honourable Mover of this Resolution that this recommendation will apply to all shops large and small. But as I have said, the International Labour Organisation does not compel you to accept the whole recommendation. You may accept the recommendation in a modified form making your suggestions as regards modifications. You may modify the recommendation and say, we shall only apply the recommendation to big cities such as those cities which have a population of one lakh, or we may say we shall apply it only to Presidency Towns. But I do not understand that India is so backward to-day that we cannot pass any legislation of this kind at all, that we cannot apply it even to big cities like Bombay, Calcutta and Madras.

[Mr. N. M. Joshi.]

Sir, this legislation regarding the hours of rest as well as regulating the hours of work in shops is not a new one in the world. I admit that it is a new one to this country. In England the first Shops Act was passed as early as 1886. It is now more than 35 years since the first Act was passed. Since then the Shops Act of England has been improved, at least half a dozen times, and at present in England the law regulates the opening and closing hours of shops. It provides for midday rest for the shop assistants. It provides for seats being given to shop assistants, and it provides for a half-holiday on Saturday, and this recommendation also recommends to the English Government to give a holiday on Sunday. Of course, so far, there is no provision for weekly rest day in the English Act for the very good reason that in England hardly anybody keeps his shop open on Sunday. By custom all the shops are closed on Sundays, and therefore, in their law they have made provision for Saturday half-holiday. Then, Sir, the Honourable Mr. Innes said that there is a great fundamental difference between commerce and industry. I do not know very much what the difference is. Practically the principle on which factory legislation is based is this that where the employees are weak and cannot stand in the position of equality with their employers, the State should intervene and protect the employees. Take the question of commerce. In commerce the employees who are small clerks, not very much educated very often—can they stand in a position of equality with their employers? I hardly think. At least in big cities where there are big offices having hundreds of clerks, the clerks cannot stand against their employers in the position of equality. Therefore the principle of factory legislation holds good that the State should intervene to protect the interests of the employees. Then, Sir, the Honourable Mr. Innes referred to the necessity of uniform action. I do not advocate that all the action that should be taken on this should be uniform. Different provinces have got different bases of weekly rest, or let the different communities, if they can so arrange, have different days of weekly rest. I am not dogmatic on that point at all. As a matter of fact, in England the whole matter is left to the local authorities, but the law is national law while the actual fixing of the holiday, namely, which day should be a holiday is left to the local authorities. We can do the same thing. We can pass a national law that there should be a weekly rest day in particular commercial concerns, or in particular cities, and leave the matter of fixing the actual day to the local authorities as is done in England. Then, Sir, the Honourable Mr. Innes referred to the fact that the difficulty of enforcing this legislation would be very great. May I tell him for information that in England, as I said, the first legislation was passed in the year 1886. But I think till the year 1911 for 25 years there was no provision for enforcing the Act at all. It was only in the year 1911 that the local authorities were empowered to appoint inspectors, and in England even during those 25 years when there were no inspectors the Act was found to work very well and afforded at least some protection to the employees of the commercial establishments.

I do not say that the Government of India should follow this example.

12 NOON.

If the local bodies can appoint some inspectors, let them do so, but even if they do not appoint inspectors, the legislation is such that will do some good to the employees,



even without inspectors the employees of shops are somewhat educated, although they are not fully educated, and if they once know that there is a law which secures for them a weekly holiday, I think they will be enabled to secure that holiday for themselves. But, Sir, I do not wish to speak on the merits of the question very long, because I am not discussing the merits at all. What I want by my amendment is that Local Governments should be consulted and that, after consultation with the Local Governments, the Government of India should place their proposals before this Assembly. I hope, Sir, my amendment is very modest and will be accepted by this House.

**Mr. J. Chaudhuri :** Sir, I have much pleasure in supporting Mr. Joshi's amendment, and for this reason. I am deeply concerned in the welfare of that poor and hard-worked class who are called clerks. A lot has been done towards ameliorating the conditions of the labouring classes, but very little has been done for improving the fate of the clerks. Mr. Innes said that there is a great deal of difference between industrial concerns and commercial firms. But everyone who lives in a big city knows that these poor clerks are made to work long hours even in the evenings. I have seen late at night in banking establishments lights burning, and the clerks working very late at night. In big commercial firms also the clerks are sometimes made to attend on holidays. Over and above that, when these clerks work extra hours, they cannot insist upon getting extra wages, as the labourers do. Further, we know that wages have risen all-round in response to the rise of prices. But we know equally well that in the commercial firms the wages of the clerks have not risen proportionately. So there is a good deal of matter for inquiry with regard to the sweating of the clerks. Now, so far as shops are concerned, of course in the European shops they have regular hours of closing, and the assistants are not made to work long hours, and if they are made to work extra hours, they get extra pay ; and, so far as the Indian shops are concerned, the assistants in the Indian shops understand their own conveniences, and they would not forego leisure for even extra wages. They may transact business in the cool hours of the evening and sometimes settle accounts late at night, but they have a mid-day siesta ; so we need not trouble at all about the assistants in the Indian shops. It is the clerks who work in the big commercial offices and in the Banks who require a great deal of relief ; and therefore I entirely endorse the remarks that have fallen from my Honourable friend, Mr. Joshi, and also his amendment.

**Sir Deva Prasad Sarvadhikary** (Calcutta : Non-Muhammadan Urban) : Sir, however backward India may be in other matters, it is certainly not backward in the matter of holidays ; and the Members of the Assembly will bear testimony to that, they have put in their little representation before you, Sir, that their most important national holidays should not be interfered with by the Assembly continuing its sitting beyond the 22nd of this month : it remains to be seen how that comes to be dealt with. I am afraid, some of the last speakers have been talking beyond the issue altogether, including Mr. Joshi. He has not answered the major and the fundamental point raised by Mr. Innes that this is not a matter in which the Central Government can usefully or ought to legislate.

**Mr. N. M. Joshi :** Commerce is a central subject.



**Sir Deva Prasad Sarvadhikary :** But the Honourable Member might have improved the language of his Resolution a little from the point of view of courtesy Mr. Joshi has raised. He will be facing the loins soon and may be held to account,—a portion of the lakh of rupees he mentioned will now be available for his expenses. If Mr. Innes had said that he recommended that a copy of the Resolution in question be sent to the Local Governments for such action as they may think fit, would Mr. Joshi's point of view be answered? Nobody suggests that men engaged in commerce should not have rest. I am afraid at the present moment some of them have a little too much rest. There is one feature of the question that has not been quite considered from the commerce point of view. Factories which merely manufacture, by increasing or lowering their hours by intensive process can put in all the stock that the market may want. But the commercial houses have to do their retail business; they trade certainly, if not in the wholesale commercial business. If it was to be a Sunday closure it would not work. Sunday is the day on which the small shops do most of the business because others who have had rest do their shopping on that day and must. These are little intricate questions mostly local which the provinces have to adjust for themselves; and there is no reason to believe that the provinces will be so uncourteous as not to take note of what the League may have decided on. Of course it is a very good thing for our delegates to go to the League and to gather ideas and notions, but sometimes unsuitable notions and ideas come, and if people hesitate to accept them fully or to give effect to them, I do not think the charge of discourtesy can be levelled. We are out to gather opinions, to gather and digest them, and in time to do the best that we can in the light of what we have learnt. Sir, the Local Governments, as Mr. Innes has pointed out, have already been consulted, and nothing very formidable has come from them, and I do not see what good the Central Government could now do by asking them to consider the matter over again and report to it for action by it. It would entirely answer the requirements of the situation if, as the Government is bound to do, a copy of these deliberations is sent to them for such action as they individually, having regard to the local requirements, may think fit and possible to take.

For all these reasons I think, Sir, subject to any verbal amendments from the point of view I have mentioned, the spirit and the substance of the Resolution ought to be accepted by this House and not the amendment.

12 noon.

**Mr. N. B. Saklatvala** (Bombay Millowners' Association : Indian Commerce) : Sir, I beg to remind Mr. Joshi, who has moved this amendment, that he, along with me and others, was a member of the International Labour Conference from India, which met on the 25th of October last year. He will remember that on the agenda it was sought to pass a convention for a weekly rest day in commerce. About 40 nations were represented, some of them among the most advanced in civilization; but after a full discussion they all came to a unanimous conclusion that, instead of having a rigid convention, it would be much better to pass a recommendation. The recommendation simply means that the Resolution passed there may be passed on to the different Governments for such action as they think fit,

That shows that even the civilized nations of Europe think the convention premature ; much more in our case would it be premature. As the Honourable Mr. Innes has said, we are all aiming at a weekly rest day in commerce as well as in industry ; but we have not studied commercial conditions so much as we have studied industrial questions. It is very easy to see that there would be inconvenience to the public, and as regards the small shopkeepers there will be very great disorganization, and Government will have to employ a large number of commercial inspectors as they have to employ factory inspectors. I do not want to repeat all the arguments which the last speaker has brought forward—I say that the Local Governments are best fitted to deal with the question, which should be left to them for whatever action they think necessary.

**Rao Bahadur T. Rangachariar** (Madras City : Non-Muhammadian Urban) : Sir, I heartily endorse all that has been said just now. It appears to me that this is not a matter of pressing importance in this country. Conditions vary from province to province, from district to district and taluq to taluq. Here are a class of people who are well able to take care of themselves. I quite understand the State interfering in the case of people like labourers who work in big industrial establishments and other concerns, for whom perhaps protection is necessary ; but here we have to deal with a country where we have various sorts of holidays and where people have not complained at all. Where have we ever heard any complaint from any class of people that this want of a holiday is a hardship ? I think these are all counsels of perfection which perhaps cannot be accepted in this country ; there are more pressing things which require our attention, and I think this is a matter entirely for the Local Governments. I do not see what object will be gained by accepting the amendment of Mr. Joshi. Mr. Joshi says he agrees with us that conditions vary : he agrees that the Local Governments are the best judges of what should be done : but he wants to retain control in our hands, so that the matter may come back to us. Well, if it is necessary, if Central legislation is necessary, and if a Local Government considers that Central legislation is necessary, there is nothing to prevent us from taking up such legislation. Why keep this hold in our hands ? I do not see that any useful purpose will be served by the amendment proposed by Mr. Joshi. If the Government, for instance, had turned down the entire proposal and said no action need be taken, I would have supported such a motion. Mr. Joshi says also that we should refer it to Local Governments for such action as they may deem fit to take ; but that is in fact what the Government says, they say we forward this to Local Governments to take such action as they deem necessary. What is the difference between Mr. Joshi and the Government ? All that Mr. Joshi wants is to keep the matter pending in our own hands ; there is nothing in the course proposed by Government to prevent the Government of India from taking it up again. What is gained by this amendment ? Government do not say that they won't take any more action if it is needed. All that they ask us to say is that this is a matter for the Local Governments to take such action as they think fit. It is not a matter in which the Central Legislature can at present take any useful action, and I do not therefore see why we should accept Mr. Joshi's amendment.

**The Honourable Mr. C. A. Innes :** Sir, Mr. Rangachariar has expressed my point of view so clearly that I have little to add. But I must challenge at once, and with the greatest possible emphasis, Mr. Joshi's remarks that my putting up this Resolution before the Assembly is an act of disrespect towards the International Labour Organization and indicates a change of attitude on the part of the Government. How absurd that accusation is will be seen from the fact that in September last in this very House we passed no less than three Resolutions recommending that no action be taken on recommendations of the International Labour Organization. Was that an act of disrespect to the International Labour Organization ? Of course it was not. These recommendations are put in the form of recommendations in order that each member may decide for itself whether it is possible to take any action upon that recommendation ; and in coming to that decision each member has to take into account the conditions of the country concerned. Moreover, Sir, the action we are taking in this Resolution is strictly in accordance with the Peace Treaty. Article 405 of the Peace Treaty says that we are bound to bring such recommendations before the authority or authorities within whose competence the matter lies for the enactment of legislation or for action. In this particular case legislative action may be taken either in the Central Legislature or with the sanction of the Government of India in the Provincial Legislatures ; and our view is that, if any action is to be taken at all, it should be taken by the Local Governments concerned in their own Legislatures. That is why, strictly, as I said before, in accordance with Article 405 of the Peace Treaty, we proposed to this House that we should merely bring the recommendation before each Local Government to decide for itself whether there is any necessity to take action upon it.

Mr. Joshi again entirely misunderstood my point as to the difference between commercial and industrial legislation. As I pointed out, industries compete with one another from various provinces, and any legislation of that kind must therefore be taken in the Central Legislature in order that it may be fair for all provinces. Commercial establishments cater for local needs ; they do not compete with one another in different provinces ; therefore there is not the least necessity for us to take action upon this recommendation in this Legislature. In fact, in view of the reports that we have received from all Local Governments, it would be wrong for us to do so. It is perfectly true that those reports were received in December 1920 ; but I see no reason to suppose that the reformed Governments would not take precisely the same view as the pre-reformed Governments. The situation has changed in another material factor ; every Local Government in India at the present time is in a state of financial stringency. What is the good of passing legislation at this time if we are not going to make it effective ; Mr. Joshi does not state how he is going to give effect to it : whether he expects the Police to do it or that special Inspectors should be appointed. If special Inspectors are to be appointed, then I say, Sir, that those special Inspectors are required much more for the proper enforcement of the Factory Act. One of the difficulties of our legislation in regard to factories is that, owing to their financial difficulties, Local Governments are finding it difficult to provide for adequate inspection.

Then, Sir, Mr. Joshi in his statement said there was very little difference between him and me ; he was not asking the Local Government

to do very much : simply to take such action as they think fit. That is not his amendment. His amendment is that they have got to suggest such action as they think suitable, and they have got to suggest how the scope of the recommendations is to be defined : they have got to suggest what exclusions and exceptions are necessary. Mr. Joshi referred to the English practice. Now, Sir, England is a very different part from India. The Sunday holiday in England is a national institution, and it is a national institution because it has the very strongest religious sanction behind it.

For over a thousand years in England Sunday has been observed as a matter of course as a holiday ; and even so, in spite of what Mr. Joshi has said, the British Government has not been able to pass any legislation to enforce the closure of retail shops in England. I have here a report of Sir Montagu Barlow's speech. Sir Montagu Barlow was the British Government delegate to the Geneva Conference. This is what he said :

" There has been general legislation on this subject, dating, not from 1885, but for 250 years, in England. Further than that, in 1911, we definitely attempted to introduce further legislation to define more clearly by legal enactment this practice of the weekly rest day in retail trade which as I have said is already fully established in practice but the attempt at legislation broke down. The then Home Secretary had to withdraw the provisions on the subject ; the difficulties proved too great. The main difficulty was that of limiting and adjusting the necessary exceptions."

Now, Sir, that is the experience of a country where your weekly holiday is already a national institution, where the weekly holiday has a strong religious sanction behind it and where you have a homogeneous population, a population with no differences of caste and few differences of religion. Even so, owing to the difficulty of providing for the necessary exceptions and adjustments they have not been able to legislate to provide for the closure of the retail shops. Are we likely to be more successful in this country ? I need not go into the differences. In any case, would it be wise for us at this time to attempt to legislate on the subject ? Is it not better that each Local Government should tackle this question if it thinks fit to do so ? There would be no difficulty about Mr. Joshi's point. In forwarding this Resolution, if the House will accept it, to Local Governments, I will certainly ask them to let me know in due course what action they propose to take on the subject. But there is hardly any necessity to do that because if a Local Government does propose to legislate, the sanction of the Government of India will be required, and we shall then be able to make the necessary report to the League of Nations. I oppose the amendment.

The amendment\* was negatived.

**Mr. President :** In consequence, the second† part of the amendment falls to the ground.

The original Resolution‡ was adopted.

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\* " That for the words in line 2 beginning with the words ' that, beyond ' and ending with the words ' need be taken on ' in line 3 substitute the words ' to place their proposals before this Assembly regarding ' ;"

† " At the end of the Resolution add the words ' after obtaining the opinions of Local Governments and Administrations and public bodies representing the employers and the employed on this question, with any modifications and limitations they may wish to suggest, such as (a) for confining the scope of the recommendation to cities with a population of one lakh and over, and (b) for excluding such business concerns, the application of the recommendation to which will be against general public interest '."

‡ *Vide* page 361 of these Debates.

## RESOLUTION *RE* HOURS OF WORK IN INLAND NAVIGATION.

**The Honourable Mr. C. A. Innes** (Commerce and Industries Member) :  
Sir, I beg to move that :

“ This Assembly recommends to the Governor General in Council that no action be taken on the recommendation concerning the limitation on hours of work in inland navigation adopted by the General Conference of the International Labour Organisation of the League of Nations convened at Genoa on the 15th day of June 1920.”

The substance of this recommendation is that each member of the International Labour Organisation should, if it has not already done so, enact legislation limiting in the direction of an eight-hour day or a 48-hour week the hours of workers employed in inland navigation. It is noteworthy that in view of the inherent difficulties of the subject the Genoa Conference made no attempt to frame a draft Convention on this subject ; it contented itself with a recommendation, and that recommendation was so drafted as to leave each member discretion to prescribe such qualifications as might be necessary to meet climatic and other conditions. Now, Sir, we have already consulted all the Local Governments who are interested in maritime and inland navigation upon this recommendation, and on the receipt of their replies we were so impressed with the difficulties in the way of accepting the recommendation or of enforcing it if we did accept it, that we decided to take the full time allowed us by the Conference, namely, two years, before it was necessary for us to make any report of what action we propose to take on the recommendation ; and we decided as I said in my speech on the 26th September last in this House that we would make further inquiries before we placed the matter before the Assembly. Now, Sir, we have made those inquiries ; the inquiries have been directed to ascertaining whether other Governments have found it possible to give effect to the recommendation of the International Labour Organisation in regard to this matter ; and the result of those inquiries entirely confirms the view taken by the Government of India as to the difficulties in the way of accepting the recommendation and of taking action upon it. Some Governments have accepted it in principle ; but many of the more important members of the International Labour Organisation have not yet found it possible to take any action upon it. Great Britain has decided to postpone consideration of the subject. No action has yet been taken on the recommendation by Japan or Italy. Norway and Sweden have definitely decided not to give effect to the recommendation. In France the matter has been dealt with by a regulation prepared in consultation with employers and workers. In this regulation all attempt to regulate hours of work has been given up. Under the agreement the daily hours of duty, not work, are fixed on working days, not at eight hours a day, but at 9, 10 or 11 hours a day according to the season of the year, and in addition to that all kinds of exceptions are provided for, exceptions in respect of particular classes of workers, exceptions in cases of emergency and so forth. Germany again has just prepared a Bill to regulate the hours of labour in industries, but the hours of labour in inland navigation have been specially excepted from the purview of that Bill by the German Government.

I think I have said enough to show that in spite of more favourable conditions in Europe the most important European Governments have not found it possible to give effect to this recommendation. The difficulties are of course obvious. To begin with the whole character of work on board ship differs from work in a factory. In a factory work is intensive and continuous. On a ship, except perhaps in the engine room, it is neither hard nor continuous. Rather it consists of being at hand to do such jobs as may be necessary from time to time. It is dependent on conditions of weather, water, on times of arrival and stopping places, and spells of labour alternate with long periods of cessation of work. There are occasions again when the whole crew has to turn out irrespective of whether the men are on duty or not, as when the ship runs aground as is not infrequently the case in the Sunderbuns and other Indian rivers. Apart from these obvious difficulties, how are we to enforce any rule or regulation which we might introduce? We might of course prescribe logs and registers; but we shall have no guarantee that they are correctly prepared. Even if we did this, French experience shows that we shall have to provide all kinds of exceptions and exemptions.

Inland navigation is a provincial subject; that is to say, Local Governments will have to bear the cost of providing the machinery necessary to enforce and carry out any legislation that we might pass. All the Local Governments who are directly concerned with inland navigation are entirely opposed to legislation on the subject.

They say there is no demand for it, that it is unnecessary and that it is inadvisable. If we introduce any limitation of hours of work at all, it will probably be in the direction of 60 hours a week. The Local Governments' Reports show that 60 hours are never worked, and from that point of view perhaps there will be no bar to legislation, but I am opposed on principle to legislation which is unnecessary and which we could not enforce except without an expensive machinery totally disproportionate to the end in view. I think, Sir, that in this case again we should accept the views of the Local Governments concerned, and I hope that the House will accept my Resolution.

**Mr. N. M. Joshi** (Nominated: Labour Interests): Sir, while speaking on this Resolution, I should like, first to get some information from the Government of India. This recommendation concerns the employees working in Inland Navigation as much as it concerns the employers as well as the Governments. I should like to know, therefore, from the Government of India whether any of the employees concerned or their organizations have been consulted in this matter. Sir, even the International Labour Organization and its Constitution shows very clearly that these matters should be decided not by one party, but by all the parties concerned, namely, the Government, employers and the employees, and this will be definitely clear from the words of this recommendation itself which I would read just now:

"That each member of the Internal Labour Organization should, if it has not already done so, enact legislation limiting in the direction of the above declaration in the Treaty of Peace the hours of work of the workers employed in inland navigation, with such special provisions as may be necessary to meet the climatic and industrial conditions peculiar to inland navigation in each country and after consultation with the organizations of employers and the organizations of workers concerned."

[Mr. N. M. Joshi.]

The Governments are not expected to take any action or come to any decision in the matter without consulting the organizations of employers and the employees. I would therefore like to know from the Government of India, whether the employees working in Inland Navigation or the employers have been consulted. From reading the opinion sent by the Government of Bengal I find that they had consulted a number of people, most of whom were employers, and perhaps some were Government officers, but no organizations of the seamen or the seamen themselves were consulted. Sir, I know that some Local Governments hesitate to recognise the organizations of the working classes till that recognition is forced upon them by circumstances. It may be that the practice of the Local Governments is not to consult these organizations, but it is the duty of the Local Governments and of the Government of India, if the Local Governments don't do it, to consult the employees themselves. They must devise some method by which the wishes of the employees will be consulted ; as a matter of fact, it is not difficult. When Government wants to ascertain the opinion of the people in villages if they think that such opinion will be useful for their political purposes, they do ascertain the views of these ignorant people. There are many Aman Sabhas in the villages which declare their opinions on many political questions. It is not therefore difficult for the employers of this trade or industry to declare what the employees think about this recommendation. I therefore feel that the Bengal Government, which is chiefly concerned in this matter, has failed in its duty. Take the second Government which is concerned in this matter, namely, the Government of Burma. They also do not seem to have consulted any of the employees concerned nor their organizations, and the Government of India accept the recommendations of the Local Governments without caring to inquire whether the wishes of the employees have at all been consulted. I think it is absolutely wrong for this Assembly to decide this question in one way or the other before they ascertain the views of the employees concerned or the views of their organizations. I therefore make a motion that the consideration of this question be postponed till the opinions of the employees concerned or of their organizations are obtained and placed before this Assembly.

**Mr. President :** The question is that the further consideration of this Resolution be postponed till the opinions of the Labour Organizations concerned are duly ascertained.

**Dr. H. S. Gour** (Nagpur Division : Non-Muhammadan) : Sir, my Honourable friend who represents labour in this House has addressed a very long argument on one short point, namely, that the employees have not been consulted by the Governments of Bengal and Burma before submitting their recommendations to the Government of India, but he had not addressed himself to the main question raised by the Honourable Mover of this Resolution. That question was, with the uncertainty of hours of work and the fact that this labour is for the most part a labour which does not actively work, but is only ready at the beck and call of the serang, are points which Mr. Joshi cannot deny. If these facts are admitted, it is perfectly obvious that the Resolution



which the Honourable Mr. Innes has moved must be passed by this House without reference to the fact that the employees have not been consulted. I do not know whether the employees have or have not been consulted and what organizations the inland seamen in Bengal and Burma possess. On that point the Honourable Member for Commerce and Industry will enlighten us, but I think, whether they have been consulted or not, no case whatever has been made out for postponing this Resolution, and I therefore commend it to the House and move that it should be passed.

**The Honourable Mr. C. A. Innes :** Sir, whatever force there may be in the point raised by the Honourable Mr. Joshi, at any rate it is not the fault of the Government of India. The Government of India are well aware of the recommendation of the International Labour Organization, that in these matters organizations for work people and employees should invariably be consulted, and, when we consulted Local Governments about this matter, we specially said that, in regard to this question of inland navigation, in dealing with the questions raised, organizations of work people should be consulted, where they exist, as well as employers. The only trouble is, Sir, as far as I can understand, that organizations of the work people of these inland steam navigation companies do not exist. At any rate, I do not know the names of any of them and the Bengal Government expressly stated that they were unable to consult any representative organizations of work people. That, Sir, is the explanation of the difficulty. It is for the work people themselves to organise themselves and then we shall be happy in every case to consult them. As my Honourable friend, Dr. Gour, has pointed out, Mr. Joshi has not addressed himself to my main point, namely, that experience all over Europe has shown that legislation of this kind, regulations of this kind are particularly difficult, not only to pass but also to enforce, owing to the very nature and conditions of inland navigation. And I may just refer to one point which appeared in the telegrams to-day. In to-day's telegrams, I notice that all foreign nations, with the exception of France, have definitely refused to take any action upon the suggestion that an 8 hour day should be enforced on sea-going ships.

With these words, I oppose Mr. Joshi's motion.

The motion was negatived.

**Mr. President :** The question is :

"That this Assembly recommends to the Governor General in Council that no action be taken on the recommendation concerning the limitation on hours of work in inland navigation adopted by the General Conference of the International Labour Organisation of the League of Nations convened at Genoa on the 15th day of June 1920."

The motion was adopted.



## RESOLUTION *RE* EMPLOYMENT OF YOUNG PERSONS AS TRIMMERS AND STOKERS.

**The Honourable Mr. C. A. Innes** (Commerce and Industries Member) : Sir, I beg to move :

“ That this Assembly recommends to the Governor General in Council that he should ratify the Draft Conventions adopted by the General Conference of the International Labour Organisation of the League of Nations convened at Geneva on the 25th day of October 1921 :

- (1) Fixing the minimum age for the admission of young persons to employment as trimmers or stokers ;
- (2) Concerning the compulsory medical examination of children and young persons employed at sea.”

The Draft Convention regarding trimmers and stokers prescribes that young persons under the age of eighteen years shall not be employed on work on vessels as trimmers or stokers, but this does not apply to persons of not less than sixteen years of age, who, if found physically fit after medical examination, may be employed as trimmers or stokers on vessels exclusively engaged in the coastal trade of India and of Japan, and the Draft Convention regarding compulsory medical examination of children and young persons employed at sea says that the employment of any child or young person under 18 years of age on any vessel, other than vessels upon which only members of the same family are employed, shall be conditional on the production of a medical certificate. We propose, Sir, if the House agrees, that both these Draft Conventions should be ratified. The Draft Convention regarding trimmers and stokers merely confirms the existing practice of the Government of India, a practice which has been in force ever since 1911. It is, of course, true that it is difficult for us to prescribe any particular age below which young men may not be employed as trimmers and stokers because these lascars do not carry birth certificates, but our orders are that shipping masters in all maritime provinces must pay the most particular attention to the physique of the lascars seeking employment and, where such candidates appear to be physically unfit by reason of their youth, they should offer or refuse employment, as they think fit. Well, Sir, as the Draft Convention confirms our existing practice, I think the House will agree that it should be ratified.

As regards the encouragement of compulsory medical examination of children, this Draft Convention is a corollary to the Convention which was ratified by the House last year. We ratified the Draft Convention passed at Genoa fixing the minimum age for the admission of children, subject to the reservation that it should apply only to foreign going ships and home trade ships of not less than 300 tons. Having done that, Sir, we entirely agree with the League of Nations that we must complete it by prescribing compulsory medical examination.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : Sir, having ascertained the general attitude of this House towards labour questions in spite of the existence of the so-called Democratic Party, I do not propose to move any amendment or any motion, but I do say this, that I do not approve of the distinction which has been made in this Convention between the young boys of this country and the young boys of other

countries. The Convention that has been adopted for the non-Asiatic world fixes the minimum age at 18 but at the suggestion of the Government of India and the Japanese Government, the minimum age for the employment of boys as trimmers and stokers in these two countries has been fixed at 16. The Government of India believes that boys of 16 in India are as strong, if not stronger, than the boys of 18 in Europe. I wonder whether the Government of India hold such a high opinion of the physical fitness and stamina and strength of Indians. They regard Indians as being physically better or superior to the young boys of Europe. Or is it that the Government of India regards the boys of this country as being of inferior physique? I do not know how it seems to the Government of India but I make it quite clear that, although I am not moving any amendment or making any motion, I do not approve of this distinction made between an Indian boy and a non-Indian boy.

The motion was adopted.

#### RESOLUTION *RE* EMIGRATION FOR THE PURPOSE OF UNSKILLED WORK TO MALAYA AND CEYLON, ETC.

**Mr. J. Hullah** (Revenue and Agriculture Secretary): I am sorry, Sir, that I am not able to move the Resolution\* regarding Malaya and Ceylon which stands in my name. The Resolution asks the Assembly to approve certain draft notifications. We have found it necessary at the last moment to enter into further negotiations with the two Governments concerned and therefore, with your permission, Sir, I should like to abstain from moving the Resolution. Indeed, it might be out of order, I suggest, if I attempted to move it, since it proposes an impossibility—the notifications not being ready.

**Mr. President**: I am not very clear as to the position in which the Honourable Member wishes to leave these proposals as regards the rest of the Session. If he thinks he will be in a position to bring forward these proposals before the end of next March, I suggest to him to move the Resolution and then move for leave to adjourn further discussion.

**Mr. J. Hullah**: I am not sure, Sir, whether the course that you suggest is the right one. If I move the Resolution now, shall I not be barred from proposing the same Resolution for another year?

**Mr. President**: The Honourable Member really wishes to reserve to himself the liberty to move a Resolution raising substantially the same question though in a different form. I do not want to bar the possibility of discussion any more than he does.

**Rao Bahadur T. Rangachariar** (Madras City : Non-Muhammadan Urban): May I point out, Sir, that if he does not move it now, it would not bar him? He does not withdraw the Resolution. He simply does not move it. That is all.

**Mr. President**: The Honourable Member from Madras is right.

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\* "This Assembly approves the draft notifications which have been laid in draft before the Chamber specifying the terms and conditions on which emigration for the purpose of unskilled work shall be lawful to Ceylon, the Straits Settlements, the Federated Malay States of Perak, Selangor, Negri, Sembilan, and Pahang and to the Unfederated Malay States of Kedah, Perlis, Johore, Kalantan, Trengganu and Brunei, and recommends to the Governor General in Council that the notifications be published in the Gazette of India."

## RESOLUTION RE RECRUITMENT TO THE INDIAN FOREST SERVICE.

**Mr. J. Hullah** (Revenue and Agriculture Secretary) : I move, Sir, that :

“ This Assembly recommends to the Governor General in Council that recruitment to the Indian Forest Service be by selection, in England and India, of recruits who have already undergone a preliminary education in Forestry followed by training for one year, in England and Europe, of all recruits together at a Central Institution, as recommended by the Inter-departmental Committee on Imperial Forestry Education in their Report of February 1921.”

In respect of the conservation and management of her forests, Sir, India is far ahead of any part of the British Empire, and no part of the Empire has anything which can compare in size and completeness with what we call the Indian Forest Service. I do not think it is necessary for me to dilate at any length on the importance of her forests to India. It is sufficient to say that they cover an area of almost a quarter of the whole of British India, that in the last 45 years the net profit from them has risen from Rs. 15 lakhs to Rs. 2½ crores, that Indian timbers excel in their number and variety the timbers of any other country in the world and that, thanks to the efforts which we are making by advertisement and exhibition in England, we hope that the reputation of those timbers, especially the kinds that are little known at present, will also be unsurpassed. Our forests are of the greatest value to the agricultural life of India. They are most important as a source of fodder supply ; their influence on climate, on drainage and on conserving the water supply of our rivers and canals is immense, and last but not least, they have in them enormous potentialities for the commercial and industrial development of India. It is therefore obvious that the question of training the officers who have to administer this valuable property is of great importance.

For some reason, up to the present, the Indian has shown little or no inclination to enter the Indian Forest Service ; you can count at present on the fingers of one hand the number of Indians who have been directly recruited to the Imperial Branch of the Service. We have done already a good deal to remedy this and we have sent to England a certain number of probationers. The year before last we sent 4 ; last year we sent 22 ; this year we are sending 10. They are on their way to England now, and the percentages of the numbers sent in the last two years are, as a matter of fact, slightly in excess of the percentage of Indians laid down by the Secretary of State for recruitment to the Forest Department. I do not know what is the reason for the reluctance of Indians to enter this branch of the Service. I know there are some, or were some, who were under the misapprehension that there was some bar against the admission of Indians to the Service. There never has been any bar whatsoever. The regulations have always left it open to the Indian as much as to the European to enter the Service and there was no obstacle whatever to the recruitment of even 100 per cent. Indians if so many had been found qualified and had gone to England and competed and proved their fitness to that extent. Nor again can I believe that it is due to the reluctance of the Indian to go to England for training. He has not been

reluctant to go in considerable numbers to England to compete for the Indian Civil Service or for the Indian Medical Service. But the facts being as they are—and we have had considerable difficulty even in obtaining the probationers whom we have sent to England in the last two years—we should now see how we can best stimulate recruitment, especially by providing adequate facilities for training.

This matter has a somewhat long history. The Public Services Commission recommended that there should be established in India an institution for training in Forestry up to the very highest standard, and they recommended that this institution should be at Dehra Dun, where we have at present a college for training Indians for the Provincial branch of the Service. The Local Governments for various reasons, which it would take me too long to detail now, were almost unanimously against this proposal, that is, to train all recruits, British and Indian, in India at Dehra Dun. In deference to this opinion the Government of India, who formerly had been in favour of the training of recruits at Dehra Dun, went back on their opinion and recommended to the Secretary of State that recruitment should be in England and India and that training should be in England. The Secretary of State was not prepared to accept that solution, but since the whole question of training was coming before the Imperial Forestry Conference in England, he agreed to postpone the matter, and he asked the Government of India to obtain as much opinion as possible on the subject, laying special emphasis on the need for obtaining Indian opinion.

The Government of India again consulted the Local Governments and each and every Member of the Assembly has, I think, been supplied with this bundle of papers which contains a good deal of past correspondence and the opinions of the Local Governments in full.

There are three methods of training. The first is to continue the present system ; that is to say, University graduates, whether British or Indian, are sent to England for special training in forestry for two years. That is a cheap system and has given, it must be acknowledged, very good results as regards the British recruits ; as regards the Indian recruits we do not yet know what the results will be, but I am glad to tell the Assembly that the reports that we have from England regarding the Indian probationers who have been sent there and are now under training are excellent. The second scheme is what might be called the Secretary of State's scheme, that is, of training both British and Indian probationers at Dehra Dun. A good deal of opinion has been received in favour of this scheme, but less than for the third scheme which forms the subject of my Resolution. The Local Governments are not unanimous, but a majority is in favour of the scheme which I am about to support. The strongest opposition comes from the Government of Burma which is averse to any training of Burmese recruits in India, and I may say at once that if any scheme of training at Dehra Dun should finally be adopted the Government of India do not propose to press on the Government of Burma that they should come into the scheme if they on further consideration still do not desire to do so. An all-Dehra Dun scheme will be an extremely expensive one. We shall have to introduce an entirely new course of training. We shall have to put up expensive

[Mr. J. Hullah.]

buildings and pay stipends to the British recruits if they are brought out for training. Having paid stipends to the British recruits I do not see how we can refuse them to the Indian recruits as well. The cost of the scheme is put down in these papers at no less than Rs. 50,292 for each British recruit and Rs. 44,412 for each Indian recruit, as compared with the present cost of Rs. 11,000 and odd for the British recruit and nearly Rs. 14,000 for the Indian. A good deal of the cost per recruit is represented by the interest on capital outlay and I admit that it might be possible to reduce the cost by adopting a more modest scale of buildings than has at present been contemplated, but I reckon that, even if we had no new buildings at all, the cost of a British recruit would be Rs. 36,000 and that of an Indian Rs. 30,000. And here we come to a point which I think is often overlooked when Indianisation is discussed and when the very laudable ambition is put forward of making India self-contained in the matter of training institutions for the public services. In England generations of pious benefactors have endowed the ancient universities and colleges, with the result that young men can be obtained, either for England or for the Colonies or for India, with no cost whatever to the State,—certainly no cost to India except what is spent on their probationary period if one is fixed. In India, unless similar pious benefactors come forward in considerable numbers and very munificently, it will fall, I think, on the State to establish and maintain the institutions that will be necessary to train recruits for the services up to the high standard which, I suppose, India will demand, with the result that every recruit will, before he begins to work at all, cost a great deal of money. It is even possible that this initial expenditure may approach the extra expenditure which is paid to the European as salary in the form of overseas allowance. However, I take it that India wants Indianisation and also wishes to provide herself with properly equipped training institutions and is ready to bear the cost if it is not excessive.

The third scheme is the result of the Inter-Departmental Committee which considered the subject of forestry education in England in February 1921. Their report is among the papers and it will be seen that they recommended the establishment of a central institution in forestry at Oxford. They also made an important proposal, in fact an innovation, that probationers admitted to that institution should be men who had already obtained a degree or diploma in forestry and should come to the central institution for what might be described as a finishing course. It is contemplated that the probationer will be a man who has taken up forestry as a vocational subject and that up to the point when he is admitted to the central institution he shall have paid for the expenses of his own education in forestry. The advantage here is obvious. We get young men who not only know something of forestry but also have stuck to the subject sufficiently long to prove that they have a real interest in it. At present the only recommendation that our probationers can show, whether they be British or Indian, is that they are possessors of a university degree. Whether they have any real leaning towards forestry or any interest in the subject remains in doubt. Now, this initial vocational education in forestry is available already at the British Universities of Oxford, Cambridge, and Edinburgh. There will, therefore, be no

difficulty, we anticipate, in obtaining probationers who have already gone through a forestry course. With Indians the case is different. The Provincial Service course at present in force in Dehra Dun does not train up to a sufficiently high standard and we must therefore improve the education at Dehra Dun by expanding the course and raising it to a higher standard, so that the Indian recruits also may have received an adequate vocational training in forestry before they enter the central institution.

To do this, it will be necessary to expand the Provincial service course, and our proposal contemplates that all  
 1 P.M. students at Dehra Dun will in the first instance enter the College there, go through the training in forestry, and that at the end of the course, those who are the best and most successful will be selected as probationers for the Imperial Branch of the Service and sent to the proposed central institution in England. We claim for this proposal certain advantages. We claim that it gives all Indians a fair chance of obtaining a high training in forestry in their own country, not far from their homes, and within reach of parental supervision at an impressionable period of their lives. We claim that it enables the State to secure the best Indian and British talent available, and, what is more, that the students whom we select will, as I have said before, be men who have already shown some aptitude and some inclination for the life of a forest officer. So far as the British recruits are concerned, we avoid the danger of removing them from the benefits of a University training. It provides for joint training—a matter, the importance of which, as Honourable Members will see from the papers in their hands, is recognized by nearly everybody who has written on this subject. Further, it gives the recruits the benefit of an acquaintance with the best methods of forest management. Now here we come to a somewhat vexed question. The possibility of training in India depends to a large extent on the facilities for observation which are given by the Indian forests. It must be admitted that the Indian forests, although very extensive and very valuable, can show at present practically no examples—there are two or three exceptions—practically no examples of systematic management over a long series of years. It takes anything up to a hundred years to grow a tree which is fit for timber : and it is only in the forests of the continent that it is possible to see the results of systematic management over a very long series of years. There you can see the age gradations of the forest so arranged as to give a continuous supply of matured timber over a long series of years. No such examples can be found in India. The scheme that we put forward will give at any rate the Indian recruits the benefit of seeing Indian forests while they are at Dehra Dun, while the extra year in England will give them the opportunity of seeing the forests of the continent and the visits to the continental forests, which hitherto have always formed part of the training of our forest probationers, are regarded as perhaps the most important part of that training. Again, we claim that our scheme meets public opinion and sentiment ; that is to say, the ambition of providing in India itself a high course of forestry training. Lastly—and at the present time this is of great importance—the scheme is far cheaper than that of having all training, British or

[Mr. J. Hullah.]

Indian, at Dehra Dun. For the British recruit we shall have to pay nothing, except a stipend for one year and the cost of his passage to India, and we estimate that each British recruit will cost only Rs. 8,100. The Indian recruits, it is estimated, will cost in all Rs. 17,559. The reason for the comparatively high cost of the Indian recruit is the fact that he will have been at Dehra Dun for three years going through a joint course, from which we propose to take both the Provincial and the Imperial recruits, and the actual extra cost which will be entailed by sending him to England for training will be in the neighbourhood of about Rs. 10,000, because that part of the course which he undergoes before he leaves for England will cost only about Rs. 7,000.

It has been necessary for me to mention the subject of Indianization, but I hope that the consideration of this Resolution will not drift into a discussion of the rate at which the Service should be Indianized, for this Resolution is entirely independent of the question of the rate of Indianization, and even if it should be decided at any time that the whole of the Imperial Service shall be Indianized, that Indians shall form 100 per cent. of that Service ~~shall be decided at any time that the~~ one which we should advocate. Finally, it remains for me to say that whatever scheme is adopted will of course depend on financial considerations. I cannot commit the Government of India at present to putting any scheme that may be decided upon into immediate force. We may have to wait until the financial position improves, and meanwhile the present system of recruitment and training, which is, after all, a very good and a cheap one, will have to continue. I now commend, Sir, my Resolution to the Assembly.

**Mr. President :** Resolution moved :

" This Assembly recommends to the Governor General in Council that recruitment to the Indian Forest Service be by selection, in England and India, of recruits who have already undergone a preliminary education in Forestry followed by training for one year, in England and Europe, of all recruits together at a Central Institution, as recommended by the Inter-departmental Committee on Imperial Forestry Education in their Report of February 1921."

**Mr. K. C. Neogy** (Dacca Division : Non-Muhammadan Rural) : Sir, I beg to move the following amendment :

" that all the words after the words ' Governor General in Council ' be omitted, and the following be substituted in place thereof : ' that all recruits for the Indian Forest Service should be trained at Dehra Dun as soon as the necessary arrangements recommended in that behalf by the Public Services Commission in 1916 could be made, and that pending such arrangements the present method of recruitment should continue '."

Sir, I think that it is purely an accident that we are discussing this Resolution to-day. Mr. Hullah gave a brief history of the whole question, but I will try to relate the history of the case at some greater length and show what I mean. As has been said, the Public Services Commission recommended in 1916 that recruits for the Indian Forest Service should be trained at a central institute to be established at Dehra Dun. There was of course, Sir Frank Sly's note of dissent, in which he thought that all the recruits should be trained not at Dehra Dun but at a central institute in England. That was in 1916. The



next stage is reached in October 1918, when we find that the Government of India decide to give effect to the recommendation of the majority of the Public Services Commission. Now, in September 1919, about a year after that, the Government of India appear to be endorsing Sir Frank Sly's scheme, while thinking that the Dehra Dun scheme should be kept in view for future development. The next stage is reached when the Secretary of State after consideration of the facilities available for training in India, gives his final approval to the proposal as contained in the Public Services Commission report, and he states that immediate effect should be given to this decision. The Honourable Members will find, on referring to the papers that have been supplied to us, that the Secretary of State in his Despatch, dated 20th February 1920, stated thus :

"I am entirely in accord with the opinion that the joint training of European and Indian recruits at one centre is essential ; but the practical difficulty of securing this in England are so great that I see no alternative to the immediate selection of Dehra Dun as the training centre."

Then again, he says :

"I have decided that probationers for the Indian Forest Service will ordinarily be trained at Dehra Dun in future, and I desire that Your Excellency's Government will now take steps to give effect to this decision at the earliest possible date."

Now, Sir, it seems that the Departmental authorities were not quite satisfied with this decision of the Secretary of State ; and the then Inspector General of Forests, Sir George Hart, in a note suggests that the whole question should be re-opened in view of the Imperial Forest Conference which was to be held some time later. It is interesting to see that he actually dictates to the Government of India as to what they should write to the Secretary of State in requesting him to re-open the whole question. He says :

"I would like the Government of India to add that, so fully convinced of this are they, that they are willing to bear their share of the cost of the institution and maintenance of such a College, and, in the event of its establishment, to abandon definitely the proposal to train recruits for the Imperial Forest Service at Dehra Dun ; also that, in the event of the establishment of such a College proving to be impossible, they would be glad if they could be furnished with an estimate of the cost of establishing in England, either in connection with one of the Universities or elsewhere a Forestry College for India analogous to Coopers Hill ; they would prefer such a College to be affiliated to one of the Universities, preferably the University of Oxford at which they believe the School of Forestry to be better organized....."

and so on. So, in obedience to that request or mandate, whatever it may be called, of the Inspector General of Forests, the Government of India sent a telegram to the Secretary of State on the 24th June 1920, suggesting that the whole question should be re-opened. Now, the Secretary of State in a very brief, but very firm, telegram, states that :

"I have carefully considered arguments you have advanced but adhere to decision in Despatch No. 14 of 12th February 1920. I have informed delegates to the Forestry Conference that this decision is final."

Now, Sir, the Secretary of State accordingly informs the delegates of the Government of India to the Imperial Forest Conference that his decision in regard to the Dehra Dun scheme must be treated as final and that in any discussion which may arise with regard to the question



[Mr. K. C. Neogy.]

tion of a central institute in England they must proceed on the assumption that this decision is final. The Government of India on the other hand, it appears, give permission to their delegates to the Conference to express their own opinions on the question without committing the Government in any way. As ill-luck would have it, the Secretary of State's instructions miscarry ; they do not reach in time, that is at least what we are given to understand. And, as I have said, it is on account of this accident that we are discussing this question to-day. Otherwise the Secretary of State's decision would have been the final word on this matter and there would have been no option left to the Government of India but to give effect to it.

Now, Sir, India, along with the other members of the Imperial Forest Conference came unanimously to the conclusion that a central institution should be established in England. It is very interesting to find from the report of the Inter-Departmental Committee that the gentlemen who represented India on that occasion did not take care to state that they did not commit their Government to this view ; although we find that the gentlemen who represented the Colonial Office took care to do so on behalf of the Colonies and Protectorates. So much, therefore, for the compliance accorded to the instructions of the Government of India to their delegates not to commit their Government to any proposal.

Then, Sir, the Secretary of State, on being apprised of how his decision had been got round, wrote to the Government of India suggesting that Indian opinion should be ascertained through the Local Governments, and the whole matter discussed in the Imperial Legislative Council as it then was. This is why the matter has been placed before us to-day.

Now, let us proceed to consider what our objects are in regard to this matter. First of all, it is quite clear that we want the Indian Forest Service to be Indianized as early as possible, as recommended by the Public Services Commission. The second object is that we should make provision for a complete training in India for all scientific subjects as far as possible. I understand this was also the recommendation of the earlier Public Services Commission which came out about 1886. Now, Sir, under the present arrangement, 40 per cent. of the recruits for the Indian Forest Service are recruited in India and 60 per cent. in England. It goes without saying that we all want this proportion of Indian recruits to be increased. But as Mr. Hullah has said, this question is not quite relevant to the present issue, and I leave it at that. As we are agreed as to the necessity of hastening the process of Indianization of this Service, we must consider which scheme is likely to be conducive to the attainment of our object, and in this connection I will refer the House to the very lucid and exhaustive opinion which has been expressed by the Government of Bombay. They say :

" If an earnest attempt is to be made to Indianize the Forest Service the establishment of a fully equipped Research Institute in India is an absolute necessity, and the initial expenditure, heavy though it may be, must be faced. Such an Institution is not only wanted to turn out the required number of Forest officers, but even more in the higher interests of the country as a whole for developing its

vast unexploited forest wealth and promoting industries dependent on forests for their raw materials. These objects it is felt can never be achieved by any Institution in Europe, however advanced."

They say that it is not possible to obtain suitable Indian recruits in sufficient numbers under any other than the Secretary of State's scheme. Under the existing system it is very doubtful if Indians with the required qualifications will be available to the extent of 40 per cent. Mr. Hullah has complained that Indians have not apparently taken kindly to the forest service. Here, I agree with the opinion from Bombay. No scheme which does not provide for instruction in India will appeal to them, particularly in this branch of the service. As the Bombay Government say, those with first-class degrees in science subjects are far more likely to be attracted to the other Imperial Services for which recruitment is now to be made in India; and unless you provide facilities for the training of forest candidates in India you cannot possibly expect them to proceed to England at an early age in order to qualify themselves for this service, while perhaps by remaining in this country they will be in a position to enter the other services, the conditions of which are not so onerous as in the Forest Department. Now, Sir, I submit that the question of cost should not detain us very long in considering this question. As Mr. Hullah has pointed out, the revenue from forests has increased from Rs. 50 lakhs to Rs. 2½ crores in 45 years. He also referred to the enormous possibilities of the Indian forests. In view of this, should we, on the consideration of finance, be deterred from giving effect to what the Secretary of State decided at one time, a scheme for the establishment of a high grade institute at Dehra Dun which will suffice for India's requirements and give instruction to the Indian candidates in the best and most approved scientific manner?

Now, Sir, Mr. Hullah has referred to the fact that the majority of the provinces are in favour of his scheme. I submit, Sir, that this is not a question which should be decided by a majority of the Local Governments. We have here Bombay taking a very pronounced view in favour of the Secretary of State's scheme, and we also find that Bengal has adhered to this view even after a reference from the Government of India upon the whole question being reopened. In the United Provinces, it is interesting to note that a Resolution was unanimously carried in the Legislative Council asking for very much the same thing. Now, Sir, this is the Resolution which they passed:

"That this Council requests the Local Government to recommend to the Government of India that recruits selected in India and in England should be trained in England and India respectively and that instead of establishing a central institution for the teaching of forestry in England an institution for imparting a high degree of training in forestry should, as recommended by the Public Services Commission, be established in India."

And the Government of the United Provinces referred to the strong feeling among all Indians that the highest scientific and technical education should be procurable in India. It is interesting to find that the Punjab Government, summing up the non-official opinions, say that the Dehra Dun scheme generally commends itself to the non-official Indian opinion, and that the inter-departmental scheme, that advocated by Mr. Hullah, is supported only by officials and ex-officials. I will leave Mr. Hullah to

[Mr. K. C. Neogy.]

attach whatever importance he likes to the views of the so-called majority of the provinces after this.

As I said, the financial bogey need not deter us from doing the right thing at the present moment. Mr. Hullah has said that whatever course we decide upon to-day Government are not going to give effect to any particular scheme until the finances improve. Now, if that be so, why bring forward this Resolution now, and ask us to endorse the particular scheme which the Government of India have for the time being been supporting? My amendment asks for a continuance of the present method of recruitment and training till such time as we can make arrangements for the due educational facilities for recruits for the Indian Forest Service at Dehra Dun. I find that there is another amendment tabled for discussion to-day, in the name of my Honourable friend, Mr. Subrahmanayam. I do not know whether he is going to press it, and if so I would like to point out to this House the danger of it. I think, however, that Mr. Subrahmanayam is not going to move his amendment and therefore I do not intend to refer to it.

With these words I commend my amendment to this House

**Mr. President :** I think there is a general desire to carry on the debate ; we might perhaps adjourn now and resume at 2-30.

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

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The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. President was in the Chair.

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**Sir Deva Prasad Sarvadhikary** (Calcutta : Non-Muhammadan Urban) : Sir, I have been following very carefully the speech of the Honourable Mr. Hullah, and have not been able to discover why this Resolution has been brought up now and I regret it has been brought up. We shall not be able to take any action on it possibly for a long while to come as Mr. Hullah admits. In the meantime, the proposed Central Institution which is bound to come for the benefit of others will have come and then we shall be able to see how it works and what can be done with regard to it from our point of view. A very important element is lacking in the Honourable Mr. Hullah's speech, namely, what will be the cost of this Central Institution, what will be our share, whenever we come to participate in it and who are going to participate in it. The general impression is that that is coming and has to come for the benefit of the whole of the Empire, and as an important part of the Empire we may have to fall into line with it later on on proper conditions. But the reason to commit us now without any necessity whatever to this scheme is what I have not been able to understand so far. The Assembly is grateful to the Honourable Member in charge of the Department and to the Secretary for placing at our disposal the correspondence on this very important question, and the net result of that correspondence is that what is tried now to be forced upon us is an absolutely depart-

mental thing with which neither the country, nor the Public Services Commission, nor the Secretary of State at the time when the question was decided by him, was ever in sympathy. I thought, Sir, from the opening remarks of the Honourable Mr. Hullah that he was going to make out a very strong case for full Forestry training in India for we have all the requirements and resources here. Now what is this Dehra Dun Institution? It is more than a provincial institution for the training of people for the Provincial Services. In reply to a question, (an unstarred question that I put some time ago—I am sorry it was unstarred but I wanted not to inconvenience the department,)—a very important piece of information has been placed at the disposal of the Assembly. It has not been published yet, it will be published in the proceedings. I find that although the Research Institute is quite in its infancy it is doing very important work, I won't call it remarkable, but the beginning is exceedingly good and hopeful, and then on the teaching side for the Provincial Services it is fairly good. Other Provinces, Bengal for example, may have in time their own local institutions in places like Darjeeling. I don't think, Sir, that the Central institution here need be as costly as is apprehended. We have been frankly told that the cost when it is worked out, whether it is Rs. 50,000 or Rs. 44,000 per unit, is largely due to the question of interest on the capital outlay. In this Assembly we have voiced the necessity of keeping down costs of that kind as far as possible, and I believe the cost can be kept down. If you have in the same place an Institution with important teaching departments and a very promising research department, and if in time you have good Provincial Institutions elsewhere it will not require very much more to add and make Dehra Dun a self-contained Forestry Institute fairly up to date and reasonably complete for all purposes. I ought to make clear one particular matter so far as I am concerned. I do believe that it is desirable, nay necessary, for the forest officer to go and have a good look at European forests at some late stage, but it does not follow that there should or need be a Central Institution abroad for training together, as is the essence of the present scheme. We have not had any central institution so far, and we have not suffered. Therefore, the whole question is how far the training shall and can go on here and how much of it will be obtained abroad and where. If at the end of the training here a young man goes to a foreign country and looks round forests, it is all the better for him, after he is admitted but that need not involve the elaborate machinery of a Central Institute in Oxford and he should not be made to take risks.

Then, Sir, if the matter were closely examined, I am afraid there are institutions in England, and when I say England I mean greater England, which would question the right of Oxford to have the Central Institute. I have heard it openly challenged whether Oxford can give instruction in forestry as well as Edinburgh. Some people have been quite emphatic that they could do quite as well, nay better, in Edinburgh, and if that is so, from the point of view of the Indian student, that will certainly be a better and cheaper place which has a few forests near about it as compared to Oxford and Cambridge which have only museums and no forest laboratory at all. The tragedy of the whole thing is that we have to go to places where forests are absolutely non-existent; if we

[Sir Deva Prasad Sarvadhikary.]

have got to go to France or Germany, why not then prefer India so far as the bulk of the training is concerned, though scientific conservation there is not quite as old.

There is another reason, Sir, why I deplore the bringing up of this Resolution at this particular moment.

I am not at liberty to speak on what has transpired in the Lytton Committee, where this question was very carefully examined. That Committee has made a unanimous report, and, although this was not one of the direct issues before it, it will throw considerable light upon it, which I am sure the Members of this Assembly will appreciate in coming to a conclusion in regard to a matter of this kind. The amendment, among other things, says that it would be wholly wise to let things go on as they are doing at present, for ourselves to develop on our own lines and to wait and see how the Central Institution shapes itself without our committing ourselves to it. We can also decide at what stage and for what period, our students, who will have received their full training, or nearly full training, ought to go over to England for absolutely the final and the finishing stage. I do not think I need go into the details, but there is just a matter that Mr. Hullah has mentioned which is another difficulty in the way. One of the ideas in the central scheme is, I believe, that students should take a degree in forestry. I certainly think that would be preferable if possible. So far as the Indian student is concerned, I am not aware of any university that has a degree in forestry yet. Of course, the time may come when we shall have the Forestry Degree in our Universities and I hope we shall soon have. For the present, we are confined to Botany and other scientific subjects. We have no degree in forestry in the Indian universities. England undoubtedly has that advantage. And so far Indian students will be at a disadvantage for the present. That is to say, in order to get their degrees, in the first instance, they will have to go to England not for a year but for some years, and that rules out the advantage of low cost to the Indian student which Mr. Hullah thinks is a point in favour of the Central Institution training. Unless, indeed, the idea is that the Dehra Dun institution should be at liberty to give degrees in forestry without having a university status the Indian student will be at a great disadvantage. That I do not think will work. Of course, it can be so arranged that, without taking a degree, as we are told is the idea, the training in the Dehra Dun Institute will be allowed to operate as a degree in forestry. But that will not be satisfactory either.

However, these are complications that need not arise yet. What we ought to do—and I hope the Honourable Member will do all he can to help us in regard to pushing on the Dehra Dun scheme as fast as he can and equip it as thoroughly as he can without incurring prohibitive costs. Between the teaching side and the research side, *plus* supplemental co-ordination, I think we shall get all that we want in India, so far as initial work is concerned, and right at the end, at the finishing stage, the young men can go to Europe and look round for a short period, which need not involve the establishment of a Central Institution for we have the choice of three Universities.

For all these reasons, Sir, I think we ought not to support the motion of Mr. Hullah and for the time being the amendment is the only reasonable compromise, subject to the Secretary of State's scheme being pushed on with necessary modification.

**Mr. B. S. Kamat** (Bombay Central Division : Non-Muhammadan Rural) : Sir, like my predecessor, Sir Deva Prasad Sarvadhikary, I am also inclined to support Mr. Neogy's amendment in favour of the Secretary of State's scheme, rather than the scheme which is now put forward by Mr. Hullah. The Secretary of State's scheme is also supported by the Bombay Government in a very masterly minute, and the Bombay Government in dealing with this subject have answered many of the objections raised by Mr. Hullah in a very satisfactory and unanswerable way. My friend, Mr. Neogy has already alluded in his very able and painstaking speech to the arguments of the Bombay Government, but I shall only dilate on one or two more points therein which I think require some further explanation. The Bombay Government's views are entitled to our consideration for one particular reason. I believe amongst all the other Local Governments, Forestry is a transferred subject only in Bombay and, as it is the desire of the Secretary of State and the Government of India to have Indian views, the Bombay Government's view, which is the transferred department's view, is entitled to a great deal of our consideration. Now, the Bombay Government in their Minute have gone over practically most of the ground covered by Mr. Hullah. The whole question, it seems to me has to be looked at from two points of view, first with reference to the general policy of the good of the country, and secondly, with reference to the technical side with reference to the subject of forestry. Now, taking the first aspect, what is necessary and desirable in the general interests of the country ? I believe the Bombay Government have made out a very strong case indeed. They point out in the first place, the Industrial Commission in their report have emphatically stated that a Central Institute is absolutely necessary to be located in India. Furthermore, the Public Services Commission also have endorsed the same view. Then again, thirdly, the then Secretary of State, after weighing the considerations on both sides, had also come to the same conclusion, and now the Bombay Government, where Forestry is a transferred subject, has emphatically come to the same conclusion. All these three weighty Indian opinions, supported by the opinion of the Secretary of State, are entitled, I believe, to our serious consideration in favour of the scheme of the Secretary of State.

Now, looking at it from the technical point of view, I must own that probably this Assembly amidst the variety of technical opinions, cannot pass a judgment regarding the technicalities of forest training. Even then, there are general grounds on which we can decide this question. Thus, Mr. Hullah made a great point of the fact that, supposing there were a training institute at Dehra Dun, there are no developed forests in India of educational value. So far as the study of forestry questions is concerned there are no forests in India he says which are worth visiting by students of forestry. But here again, if we refer to what the Secretary of State has said in his Minute, we shall see the difficulties on the other hand regarding the question of forests in England and on the Continent.

[Mr. B. S. Kamat.]

The Secretary of State has definitely stated that, so far as he could see, for many years to come even after the War, it would not be possible, for instance, to utilise the German forests as a training ground for students from the Central Institute which is to be located in England. As regards the other forests, there are no forests in the United Kingdom, so of course students will have to go to France or other countries. There would be difficulties about Germany, so there only remain France and Switzerland. With reference to Switzerland, the Secretary says there are no forests suitable for the more advanced students, and the forests in France are less useful as training grounds for Indians. So, that disposes of the strongest points which Mr. Hullah made regarding the Indian Forests in the country. Now, on the other hand, if the training has to be given for India, it appears to me it would be desirable that tropical forestry should be the first consideration of the probationers here. Personally, I think if they are given an opportunity to study tropical forestry, with reference to Indian conditions, first by a two or three years' training here, they would then be able to utilise their continental visit better by what they have learned here, to a far greater extent than if they began their whole study in the European forests. This again is a view which is supported by the Secretary of State in his Despatch. Well, the Secretary of State says that, after these probationers enter the service, in fact after they have obtained practical experience of forestry with reference to Indian forests, they could be sent to England on study leave and there they could be taken round the continental forests with a view to completing their knowledge. So, I believe there is greater advantage in giving training in India first and then sending the probationers to England, after they know something of the subject. This is, so far as the question of Indian forests *versus* continental is concerned. And be it observed I am speaking on the authority of the Secretary of State himself.

Now, the second point, Mr. Hullah made, was about the age at which these students should be taken up. He thought 19 was an appropriate age. I believe students at that age are more or less undeveloped in their general outlook on life, and I don't think they would be able to profit by their course of training in the same degree as when they are taken up after they obtain some degree, either in science or in arts. So, even there, Mr. Hullah's scheme is defective. The Secretary of State has suggested that probationers should be taken up with a degree either of science or in arts, and then their course should commence. This will also help the Indian interests. Mr. Hullah was wondering why after all more recruits were not coming forward to join the Forest Department. The difficulty is, of course, I must admit that Indian students are not prone to an outdoor life. But we must make a beginning somewhere, and even this prejudice will be got over by the method of training them here in the first instance. So, here again this disposes of Mr. Hullah's difficulty also, if the Secretary of State's scheme were to be approved by us.

Now, I come to the question of comparative costs. Here again, I fall back upon the arguments of the Bombay Government. The Bombay Government have suggested a very good alternative to reduce the cost. In the first place, when it is claimed by Mr. Hullah that the cost according to the



Secretary of State's scheme will be very prohibitive, they put the query whether that higher cost per student on which Mr. Hullah bases his objection includes the contribution to the Central Institute at Oxford. If that is so, probably it is natural that the whole cost will be swollen. The higher cost per student to which Mr. Hullah referred should not be based on the contribution which India may have to pay to the Institute in England.

Then again, the Bombay Government suggest further alternatives to reduce the costs. They say as regards the cost it could be considerably reduced if the following expedients were followed. First, by making the candidates pay boarding and lodging charges and tuition fees. The greater cost to which Mr. Hullah refers is due to the fact that stipends have to be paid and everything has to be provided for the probationers. The Bombay Government suggest that so far, at any rate, as Indian students are concerned, I take it there is no reason why Government should find everything for them. Secondly, they say that the training provided should include provision for the Provincial Service men also in the same Institute. That would help to reduce the cost. Thirdly, the Bombay Government think that if forest men are to be trained for the Indian States, contributions could be levied from the bigger Indian States at any rate, so as to reduce the whole cost. And fourthly, they suggest the ultimate development of this Forest Central Institute at Dehra Dun into a bigger Polytechnic Institute for India because, after all, sooner or later, if not now at least in the course of 10, 15 or 20 years, India will have to provide a general Polytechnic Institute. The Forest Institute to be provided at Dehra Dun could form the nucleus of a bigger Polytechnic Institute. If we are now to lay the foundations of a Central Forest Institute at Dehra Dun, we can kill two birds with one stone and we can provide the foundations for a bigger Polytechnic Institute and make it self-contained in the interest of India. All the Colonies have their own institutions for the training of their youths and I do not know why India should not be self-contained in respect of training in all the different branches, for which we have to make provision sooner or later.

I now come to the question of hardship to the British recruits. I admit perhaps that the British recruit who may have to stay at Dehra Dun will be inconvenienced as compared with Oxford. But, on the other hand, it is a great hardship for the Indian recruit to go all the way to England. It is not an equally great hardship for the British recruit to come out to India. He does not break up his tradition ; he does not break up his religion ; he does not break up his caste principles ; and parents in England are more willing to send out their boys into the world than parents in India. So, if the British recruits are brought out to the Central Institute at Dehra Dun, it would be less inconvenience and less hardship to the British recruits, whereas if the Indian recruits are to go to England, it would be a greater hardship and inconvenience to them.

As regards the *esprit de corps* of the Service, after all, even supposing there is a Central Institute at Dehra Dun, the Bombay Government's and the Secretary of State's schemes do provide that there should be a supplementary course of, say, one year in the forests in England and on the continent. There, when obviously British recruits and the Indian



[Mr. B. S. Kamat.]

probationers will join together, they will have ample opportunities of mixing together and forming friendly associations and also to form an *esprit de corps*. After all, under either scheme, we have to send students to the continental forests and the study leave or the supplementary course or the post-graduate course—if you may call it so—will provide ample opportunities for association between the two wings of the Service.

Lastly, as regards the qualifications to start with I believe under our scheme there is greater advantage in starting this Forest course with a degree, rather than starting a boy of 19 years with no preliminary training at all. As regards vocational training to which Mr. Hullah referred, the Bombay Government get over the difficulty by suggesting that the Indian Universities in the various Provinces should be asked from now to provide in their science colleges or in their engineering colleges a forest diploma or a forest course, so that those students who want to go for the Imperial Forest Service can from the beginning join the forest diploma course in the Indian college and come prepared with some necessary vocational training before they take up the higher training at Dehra Dun.

On all these grounds, Sir, I support the Secretary of State's scheme. I fear I must oppose Mr. Hullah's scheme; at the same time I must thank him and the Government of India and also the Secretary of State for having given this House this opportunity of expressing Indian opinion and the Indian point of view on this question.

**The Honourable Mr. B. N. Sarma** (Revenue and Agriculture Member): Sir, if I intervene in the debate at the present juncture it is because I notice from the speeches of the two Honourable Members who have just preceded me certain grave misapprehensions as to the nature of the scheme, the objects to be achieved by it and its supposed defects as compared with the Secretary of State's original scheme providing for the training of British as well as Indian recruits at Dehra Dun, at the same time together. I must apologise to the House for not having been here this morning, but I was engaged in another place, and I labour under the disadvantage of not knowing exactly what has been urged by the Honourable Mr. Neogy in support of his amendment and what has been said in exact terms by Mr. Hullah although I know generally the lines on which the Government intend to proceed. But at the outset let me give the solemn warning to the House that if they propose to adopt Mr. Neogy's amendment, the objects which as far as I have been able to understand have been actuating Indian politicians in the past, would not be realised for a very much longer period of time than would be rendered possible by the acceptance of the Government Resolution. I should like also, before I proceed to the main theme, to correct one or two misapprehensions as to the exact nature of the course of instruction that is provided for here, what is proposed to be done in England, and why we have hit upon this intermediate scheme with the object of facilitating what I always understood the Indian members to be keen about, namely, the providing of facilities at as early a date as possible for Indians being recruited in India, so that, the process of Indianization which I take it is in their heart of hearts, may, if possible, be facilitated

provided there was justification for it in practical experience from the results of the training that we give here. A good deal of misunderstanding seems to have prevailed as regards the nature of instruction in Forestry, that we intend to provide in Dehra Dun under this scheme that it is going to be an inferior kind of training with the object of perpetuating the existing state of things or which may have the effect of turning out an inferior kind of product as compared with the product which we may hope to get should a complete scheme be put into force immediately. No such thing. We propose under this scheme to give the same instruction, the same quality of instruction, the same kind of instruction, as far as circumstances permit, as is being obtained at the British Universities of the higher standard, at present training our forest recruits.

The training that we propose to give here will not be one whit improved by the postponement of the scheme under any circumstances whatsoever. The object of the instruction to be provided in the United Kingdom is two-fold ; firstly, to bring the Indian and English recruits together, that is one object, and the other is, to give the Indians trained in India in relation to Indian forest conditions a training in Europe and in other countries if possible, so that they may have the advantage of seeing forests managed for centuries on a scientific system and of understanding the methods on which forests ought to be scientifically developed in India regard being had to Indian conditions. Whether you train Indians and Europeans together at Dehra Dun or Indians alone at Dehra Dun, to my mind it seems to follow as a natural corollary that inasmuch as we have not scientifically managed forests to the same extent as in Germany and France we shall have to send our youths to Europe and if necessary to America also for a course of training accompanying the inspection of the continental forests. That is what is sought to be provided here. The institute--the Central Institute--is to attain two objects, firstly, to provide for research of a high order and secondly, the training of students in continental forests and giving them further and if possible a superior training for a few months in England. A year's course is provided for and the student will have to study continental forests for six months or even more. Some director of studies there must be in England in order to accompany the students to the continental forests and that director of studies will take charge of the students whether they are British or Indian and put them to a further course so that the best training which English conditions would permit may be tacked on to the training that may be given in India, and that is the object with which this Central Institute is provided for in the scheme. It is not certain yet whether the Central Institute is going to be actually brought into existence--there are doubts felt about it, but whether the Central Institute is brought into existence or not, it is clear under our scheme, as far as we can see, the students trained in Dehra Dun must be given the advantage of continental training, and to a certain extent they must be brought together into contact with Oxford, Edinburgh, or whatever higher forestry training obtainable in the United Kingdom may give. A good deal of misapprehension has arisen as regards the cost also. Honourable Members have not been furnished with the details,

[Mr. B. N. Sarma.]

but I am sure that all that is provided for under that scheme for the Central Institute it is only £150 per student. It is only 20 students which we contemplate at present as the number which would be necessary for recruitment, and  $20 \times £150$  is £3,000, or Rs. 45,000 would be the expenditure under this head. That is all the contribution which the scheme contemplates to the Central Institute. It is not lakhs, it is not a very large sum of money. We do not provide any funds at all for anything else, and this sum is included in the expenditure which brings it to about Rs. 50,000 for each recruit if you have to train the British and Indians together. At present we pay for 17 recruits about Rs. 17,000—the cost of maintaining a director of studies. So from Rs. 17,000 you may perhaps have to go up to Rs. 45,000. Therefore, Honourable Members will see that the Government of India are not going to be over-generous in contributing largely to the cost of maintaining an establishment in England for the benefit of students either from here or there. (*Mr. B. S. Kamat* : “Rs. 45,000 per annum ?”) £150 per annum per student, or Rs. 45,000 in all. So much for education. I shall not go into the details of the merits of training in India as contrasted with the training in Europe. It is not necessary under the scheme formulated by the Government to go into the merits of that controversy but we may readily see that there are various advantages which can be obtained by students being trained in Indian tropical forests. (Hear, hear.) We recognise that. We also perceive that those forests however good they may be will not furnish that training which is desirable inasmuch as many of those forests however ancient they may have been have not been managed on scientific lines and that sort of training can be provided for only in Europe. So this couples the advantages of the two schemes together. Then Honourable Members may ask, why should not the British recruits also be brought here immediately for training ? It is here that I warn the House against the danger from various standpoints of view of endorsing that proposal. In the first place, I take it that Members, at least the Indian Members of the House are desirous of starting and equipping this institution at as early a date as possible, partly because we want to equip our institution, on the most efficient scale possible so that we may be independent of institutions outside India. That, as I have already said, is going to be provided for here. Now, if the British recruits are also going to be trained here, I will take up the disadvantages first. We shall have to provide a college which would cost between 40 and 60 lakhs of rupees. We shall have to maintain those British students here paying their stipends for three years during their period of training here. (*Sir Deva Prasad Sarvadhikary* : “We do not want it.”) That is what Mr. Montagu's scheme which you are supporting contemplated. Perhaps you are not aware of that. Mr. Montagu contemplated that British recruits should be sent over here and treated as if in service and paid for at the rate of £300 or so during the period of their training here and consequently you will have to pay the British recruits. You are endorsing Mr. Montagu's scheme because naturally and I can appreciate it there is a certain amount of distrust whenever a scheme propounded by Mr. Montagu is modified, inasmuch as we all regard without any

exception that he is one of our best friends. But I may tell you that that scheme contemplated this and the figures that were quoted to you contemplate its payment, and you will not be able to get any Britisher under any other conditions. You know the financial condition of this country, I had that in mind. I do not know what the Retrenchment Committee may recommend. We are gravely convinced about that. Assuming for a moment that the Retrenchment Committee recommend and the Government of India will be able to provide adequate funds not merely for the maintenance of the institution as it at present stands but also for its development—I am speaking from the educational aspect—on the lines you suggest, assuming that they are all possible, then you will have to spend another 40 or 50 lakhs before you can start training on the lines suggested in the amendment and even if the Government of India can borrow or otherwise provide that money the Public Works Department will not be able to furnish the buildings for another five or six years after the Secretary of State gives sanction and you provide the funds. Therefore, in the first place your object of starting at an early date an institution for the training of Indians would be indefinitely postponed by your accepting this amendment. Again I am doubtful as to whether the Government of India would be justified in equipping a new college at a cost of 40 to 60 lakhs of rupees when they can attain the desired object with less expenditure of money. Even as it is, we have to contemplate an expenditure of about 16 lakhs,—13 lakhs for removing some branches of the Research Institute into a new building and 3 lakhs for providing hostels for the students. But I hope that in some way we will be able to make a start by providing temporary buildings for these Indian students—I am not quite sure whether that is possible, but at any rate, we hope to make a start as early as possible provided the scheme is a little more humble than the one you contemplate.

So my first position is that it is an excessively costly scheme to bring the Britisher here? In the second place, I would say that it is the Provincial Governments that will have to pay. Honourable Members must have seen already that the Madras Government are doubtful as to whether they will be able to provide the funds necessary under the Government Scheme and, that the present, the existing arrangements should continue. I know that the vast bulk of public opinion, the opinion of gentlemen who have been consulted and of the Local Governments are in favour of the scheme which we put before you; and, you will find that the Local Governments will have to think twice as to whether they will agree to a scheme which will increase the cost per student from about Rs. 13,000 to Rs. 50,000 and odd; and from the point of view of cost, therefore, you will be throwing the whole thing into the melting pot; we shall have to consult the Local Governments again that will take an indefinitely long period, then we will have to determine our policy, and go to the Secretary of State. I therefore suppose that that would be defeating the object you have at heart, namely, the starting of the institution as early as possible, secure for the purpose of training Indians and giving them the best education, available now abroad, an institution which can be run economically and financial advantages in the future. You want to get the best recruits in India, which you will be able to do only by a competitive examination held for the purpose of entrance into the College. You do not want to send them

[Mr. B. N. Sarma.]

abroad at an impressionable age, and you want to be self-dependent. These objects would be attained by your starting a first-class institution, as we propose to do. Now you want the British students to come here, it may be, simply because in some Honourable Member's minds the process of Indianization may be rendered more rapid inasmuch as they may not come here in sufficient numbers. Well, in the first place, I do not think that Honourable Members, any appreciable number of them, will be actuated by such a motive at all, or are guided by such a consideration, but one is apt to draw such a conclusion because it is possible for people to say, that when Indians have been contending for simultaneous examinations and that the object of holding examinations only in England, in the educational centres in the United Kingdom was really to prevent Indian recruitment ; the same charge may be levelled against them if you insist upon Britishers being compelled to come to India at an impressionable age, when they would be debarred from the advantage of a University career. Then, again, you have the proportions fixed by the Secretary of State,—60 and 40 per cent. We will have to provide for the 60 per cent. British recruits. The process of Indianization will be facilitated only by your starting an institution here and training young Indians and showing that the Indian product is just as good and fitted for actual field work as in point of training as the British product ; and so your object would be facilitated in that way rather than by compelling the British youth to come here. And then there is another disadvantage. What is the object of the British recruitment at all ? It is to obtain for the service of India the best Britisher we can get, and I venture to submit to the House that you will get the best British recruit for this country only when he imbibes the best traditions of University life, which he can only if he continues to get his training at Oxford, Edinburgh or some other well equipped University. But why do you debar the British youth from having a University career and also from having a different kind of training ? After all, variety is the best thing one should wish for. Let us have Indians trained in India in the best Indian methods and in relation to forest conditions obtaining here and supplement that training, that knowledge, that ability which may be acquired here by a training in England on somewhat different lines, the British boy trained in the United Kingdom. Therefore, you will have the brain power developed along different lines, knowledge inculcated on different lines, and, the Department would be enriched by a variety in the training of its officers, it will be all the better than if all the entrants were brought in a rigid type of recruitment. Now that you cannot get over those percentages, you must recruit a certain number of Indians and Britishers. If you bring the Britisher here, you will get only an inferior product, you will have to pay for him even during his training, and, after all, it may be difficult to get the required number of suitable recruits. It is also considered in responsible quarters that it is not desirable to bring out callow British youths of the ages of 18 or 19 to this country with its hard climatic conditions, to bring them out at an age when they are not properly developed, away from their domestic and social surroundings and I put it to you, when you have been complaining so insistently against the disadvantages to which Indians are put by their being transported across 6,000 miles to a foreign country, whether you should not bear that in mind when you ask the British youth to come

here. That is however a side issue, and I do not lay much stress upon that. My main point is that there is no necessity for it in the first place. The Forest Department would be the richer for the kind of training which we provide for here, it will get you the best Indian recruits and the best British recruits, it will secure them speedily, it will be more economical, and it will enable the Legislative Assembly to vote the necessary funds with more alacrity than when a more ambitious scheme is put before them, and you will not be indirectly contributing to perpetuating the existing state of things. It may even be difficult for the Secretary of State to sanction any scheme; he might say, "all right, the Legislative Assembly has asked that the present state of things should be perpetuated, the changes they ask for cannot take place for another ten years, we have no alternative but to continue what we are doing." That may be the net result. And there is some doubt felt, as to whether inferior education is not going to be imparted to our boys, and I have answered it already.

The Honourable Mr. Kamat said that the Bombay Government has suggested various methods for reducing the cost of the all Dehra scheme. I have gone through that as well as all the papers and opinions expressed and given my best attention to the subject and I have found that many of them, not being really apprised of all the fact which should be taken into consideration, have taken that view. The Forest Research Institute is an Indian institution. We do not want to whittle down the importance or impair the usefulness of the Forest Research Institute in any way whatsoever. Whether the educational scheme be started or not, we want to make it into the best Forest Research Institute in the world, provided we can find the funds. Therefore, the educational scheme has nothing to do with it, except to the extent that the Forest Research Institute will be able to find you the professors who will be able to impart a better training than if there were no forest institute. Then the Indian States take 2 or 3 men, and the contribution is not likely to be considerable. But we do take it that the Indian States also would come in for their share just as the Provincial Governments have to. Then the training together both for the Provincial service and the Imperial service brings down the cost to the present estimate; whereas if you bring the Britishers over here and train them along with Indian recruits, you will not be able to train the Imperial and the Provincial Services together for various reasons which I need not go into, and consequently the advantage of reducing the cost by training the two together would not be obtained by the scheme propounded in the amendment.

Then it was suggested that Forests is a transferred subject; it is so only in one province. But that does not seem to have any bearing. We do not want to teach the students free if they can be made to pay, but you may rest assured that any contribution which they may make by providing for their own food and lodging and tuition fees will not go very far towards reducing the cost. I therefore hope that Honourable Members will see that in the interests of the rapid advancement of higher educational institutions which all of us have at heart, the scheme placed by the Government of India before you should hold the field.

**Rao Bahadur C. S. Subrahmanayam** (Madras ceded districts and Chittoor : Non-Muhammadian Rural) : The real and the only question now before the House is whether this country is to have an institution

[Rao Bahadur C. S. Subrahmanayam.]

where all entrants to the Indian Forest Service should receive as complete a training as possible here, or should lads go out to foreign countries and there study and qualify themselves for service in this country. That is the simple question on which I would ask the House to give its opinion. Now, it is said that the present Forest Training Institutions are not up to the required standard. Well, we will grant that we must improve the standard, and in improving the standard it will be a case of having to spend a large sum of money—it is estimated at 50 lakhs and I will accept that figure for the sake of argument. Therefore, I repeat once more, this House has to decide now whether it affirms solemnly the principle that so far as forest training is concerned, it ought to be completely provided for for the youths of this land in this country. That is the main question, and then, as an ancillary one, when we have asserted that right, there is our obligation to provide the required amount of money ; which is another matter on which we also ought to affirm solemnly and strongly and with our eyes open. Therefore, I would ask the House to decide upon these two points before we discuss the details. We want an institution here and we are ready to find the money as quickly and as early as we can, because we have been warned that in the financial stress in which this country now is, it may not be possible to provide an institution which gives the necessary amount of training in forestry. That we have heard from the Mover of the Resolution, and in a manner from the Honourable Member who is in charge of this Department. Well, on that we must be clear, because any Resolution we pass to-day will be a Resolution which will lay our successors under an obligation to vote the necessary amount required. I understand, as far as I have been able to consult my friends on these two points, that they are whole-heartedly in favour of this position.

Well, in regard to this Forest Service, some years ago, the Commission which sat on the Public Services in India said, at page 144, Volume I, paragraph 4 :

“ The time has now arrived when in our opinion a beginning should be made with the system of direct recruitment to the Imperial Branch in India. We would make use of the facilities which have been recently established at Dehra Dun for giving higher instruction in forestry subjects. We recommend that a Training College be established at Dehra Dun up to the highest European standard.”

Then they go on referring to methods of recruitment and other details. They further say :

“ We also recommend that in order that the Dehra Dun advanced courses may from the first attract a good class of students that not less than half the recruits required for the Imperial Branch will be chosen from among Statutory Natives of India.”

Then, having mentioned that half the number should be recruited as above, they go on to say :

“ We do not wish that the Government of India should be content with this minimum. Efforts should be made to discover and recruit qualified men otherwise available, and that it should be possible to meet the whole of the normal requirements of the Imperial Branch in India within a reasonable period.”

Well, those are words which were written by a Commission which examined this matter as thoroughly as it could be examined, and that was



nearly six or seven years ago. What do we find now? When the Government wants to get behind a recommendation like this by a competent authority, it has its usual method of sending round this recommendation to all the circumlocutory offices in the country. Well, that is a method which has been practically successfully adopted in this matter. I will not go through the details because my time is limited; but I would refer to one matter in the Secretary of State's letter sent to the Government of India in reply to their telegram trying to get round his original recommendations. The last paragraph of the Secretary of State's letter says:

"I am specially anxious that before communicating your views you should ascertain how the whole question is regarded by Indians themselves. It has been assumed, perhaps without sufficient justification, that Indian opinion would strongly favour training in England; but this view has been challenged: I suggest that in addition to obtaining non-official opinions through Local Governments, you should endeavour to arrange that the matter might be discussed in the Imperial Legislative Council after publication."

Mark the words "Non-official and Indian opinions through Local Governments," and what has been actually done? We have a mass of literature which contains the majority of opinions of Forest officers, of officials and so on. That was not the instruction which the Secretary of State sent out to this country. He said "get non-official opinion and place the matter before the Imperial Legislative Council and give me your opinion". But instead of that, the thing has gone all over the country and a variety of opinions has been collected. I do not blame any one. Any specialist or expert in any particular branch of learning thinks only of what is required in the way of efficiency. He does not think of other things; but Governments are not conducted, countries are not administered, simply on those grounds. On page 14 of this book, in addition to what Mr. Neogy has quoted of Sir George Hart's note, it appears that he was not satisfied with the scheme proposed; he wanted it to be whittled down, if not to be practically wiped out. He says, in paragraph 8:

"I would venture to suggest that before proceeding to draw up the detailed scheme asked for by the Secretary of State, we should make a final effort to obtain reconsideration of the orders passed."

Well, these two things show that, without giving effect to the solemn recommendation of the Public Services Commission or to the Despatch of the Secretary of State, the thing has been going round and round, and we have now got something which is not satisfactory in our opinion.

Then, Sir, the whole question whether a sufficient number of British recruits would enter the service or would have facilities to enter the service is not a question that ought to be kept prominently before us. The question should be whether this service should not be manned by Indians after receiving a sufficiently high standard of education in this country. Whether British youths would find it convenient to enter the service, whether any arrangements we might make in the interests of our forests and in the interests of our economic wealth would deter, would throw obstacles, would handicap British youths entering that service, is, I consider, a thoroughly unjustified, unstatesmanlike and not a fair way of considering this matter.



[Rao Bahadur C. S. Subrahmanayam.]

Now, one matter which seemed to have loomed large in the consideration of this question by certain officials is the fraternisation of British youths with Indian youths. Much as I should like and love that kind of fraternisation, much as I desire that there should be this feeling between Europeans and Indians in India, I do not think primarily that except on the ground of intellectual comradeship and mental and moral worth, and comradeship based on those higher natures of man, I do not believe that mere ordinary social considerations would really have any effect. If there are Indians eminent in the science of forestry and also Europeans eminent in the same line, they would naturally fraternise ; but simply putting together boys in one room or in one block or in one hall for two years or three years is not the right way of bringing about that fraternisation ; and after all, why should you, why should the Government as a Government, be anxious for that social fraternisation ? I do not see that at all. Do we not see Indians sitting on the Government benches ? What opportunities of social fraternisation had these Indians, men who are now at the head of Government departments ? What is the social fraternisation which my Honourable friend, Mr. Sarma, had, or Dr. Sapru ? They are all Indian products, trained in India, obtained their education in India and rose to eminence, each in his own walk of life, in this country by the means provided by this country ; and therefore I say it is a side issue which should not have been taken. No paper and ink should have been spent on this question as these forest youths who are not going to be crowded into one office like the Secretariat here, but who are going to work each in his own forest, far away from each other ; why should we be anxious for the fraternisation of these youths ? It is these side issues that have clouded the real question arising out of this Resolution.

With great deference to my Honourable friend, Mr. Sarma, I must say that he seemed to labour the point, what would become of the service if British youths were handicapped by any arrangements that may be made for the training of entrants into the Forest Service ? I think that that hardly requires an answer ; that is not the point and that ought not to have been laboured ; and the more you labour that point the less are the chances of your getting any assent from this Assembly.

Well, Sir, I gave notice of this amendment and I find that, after consulting my friends, I had better drop it and accept Mr. Neogy's amendment with these words inserted therein after the word "arrangements" where it occurs for the second time, "which are recommended to be taken at a very early date by this Assembly."

**Mr. K. C. Neogy :** May I say, Sir, that I accept the amendment suggested by my Honourable friend, Mr. Subrahmanayam ?

**Rao Bahadur C. S. Subrahmanayam :** The amendment would then run :

"that all recruits for the Indian Forest Service should be trained at Dehra Dun as soon as the necessary arrangements recommended in that behalf by the Public Services Commission in 1916 could be made, and that pending such arrangements, which are recommended to be taken at a very early date by this Assembly, the present method of recruitment should continue."

That, Sir, is the amendment which I desire to make. I have only one more word to say and that is this : after all I do not think—without any offence to any one in this House—that the details of the scheme of training could really be discussed here across the floor of the House, even the major details. The only points on which we could give our opinion and on which I beg Honourable Members to concentrate their attention and mass their resources are the two points that I have mentioned. As for the minor details and major details, how the proportion should be worked out, what rate of percentage there should be, 40, 60, or 30 and 20 and so on, all these are details which my Honourable friend, Mr. Sarma, could easily work out and I do not think on those details we should quarrel with him very much. Therefore the amendment which has been moved by Mr. Neogy with the few words which I have added meets the requirements of the situation and I place it before the House for its acceptance.

**Mr. Jamnadas Dwarkadas** (Bombay City : Non-Muhammadan Urban) : Sir, there is only a slight amendment that I should like my Honourable friend, Mr. Neogy, to accept along with the amendment of my Honourable friend, Mr. Subrahmanayam, namely, the addition of the words " with necessary modifications " that would be more acceptable to us for this reason.....

**Dr. H. S. Gour** : Where ?

**Mr. Jamnadas Dwarkadas** : At the end ; at the end of Mr. Subrahmanayam's amendment. I will explain what I mean. I take it that, if the amendment was taken in its present form, it would be interpreted to mean that we are in favour of Mr. Montagu's scheme without any modification.

I believe that Mr. Montagu's scheme needs a good deal of revision. There are some points urged by my Honourable friend, Mr. Sarma, which do require consideration, namely, for instance, whether it is advisable to bring British youths to India and make them spend a period of three years in training to qualify themselves for posts in this country. I think there is an opinion expressed in certain quarters that it is not desirable to bring the British youth here and make him spend all the three years in training in India. We may allow the British youth to spend a few years in training in one of the Universities in England, and then after that period is completed, he might be made to put in a period of probation in India, say, for a year or six months. So also the Indian youth might be trained in the Institution here, and after his training is over, if he is selected, he can go to England and put in a period of probation in one of the existing Universities. Now, Mr. Montagu's scheme provides that it is necessary for a British youth to come and spend all the three years in training here. Therefore I say that it would be safer if we could add the words " with necessary modifications."

**Mr. President** : Do I understand the Honourable Member to move a further amendment ?

**Mr. Jamnadas Dwarkadas** : Yes, Sir. May I say exactly the words which I suggest ? I want to add " with necessary modifications as to conditions of training."

**Mr. President :** The original question was that all the words after the words " Governor General in Council " be omitted, and the following be substituted in place thereof :

" that all recruits for the Indian Forest Service should be trained at Dehra Dun as soon as the necessary arrangements recommended in that behalf by the Public Services Commission in 1916 could be made, and that pending such arrangements the present method of recruitment should continue."

Since which a further amendment has been moved to insert after the word " arrangements," where it occurs for the second time, the words " with necessary modifications as to conditions of training."

The question is that that amendment be made.

The motion was adopted.

Further amendment moved :

" That after the word ' training ' as amended, the words ' which this Assembly recommends to be taken at a very early date ' be inserted."

The question I have to put is that that amendment be made.

**Dr. Nand Lal** (West Punjab : Non-Muhammadan) : Sir, speaking to the motion I am afraid I feel opposed both to the phraseology as well as to the spirit of the motion for a number of reasons and on various grounds. In the first place, I find that in the Resolution the word " selection " occurs. If the Honourable Mover by the word ' selection ' means by competition then I have no quarrel with him so far as the use of that word is concerned, but if he means to say that selection does not include competition, then I am opposed to the use of that word. Sir, to my mind, the system of selection has gone a long way to violate the purity of the administration. Selection more or less means exercise of choice and not the selection of candidates by merits. In India every post should be conferred, with reference to the merits, after an examination, and not with reference to a choice, made by officers. In the second place, it seems anomalous that while the appointments will be made in India, candidates are to be asked to go to England and qualify themselves for posts which they have to hold in India. The grounds which have been advanced in favour of that suggestion are that there is a Central Institution in England, which has been in existence for the last so many years, and it is further suggested, that if we have to found an institution of the same character in India it will prove very costly. In reply to that my submission is, that after all, we are not going to depend, for ever, on the Central Institution in England. Eventually we shall have to found a Central Institution in India. After all, we shall have to spend money. No doubt it may be argued on behalf of the Government benches that the present financial condition is not so favourable as it might be in the future, but we cannot depend on that hypothetical case. When we want a thing we must spend money on it, and more or less it can be considered as a sort of investment, so far as the education in Forestry is concerned. The argument advanced on the ground of cost could be met by another suggestion, and it is this. Does the Honourable Member, when telling us that the Central Institution will prove a very costly affair, mean to say that we should try to save

money for the present ? The author of the Resolution perhaps means to suggest that if we want to educate our children wishing them to acquire knowledge in a certain branch of science, and if an institution which can give training in that particular branch is not to be found in our own country then students should be sent to other countries to learn it instead of such institutions being founded in the former (India). There is no force in the argument that on the ground of cost we may force our students to go to England. We would have asked them to go to England, but the unfortunate thing is this, that it seems that Indians are not rich enough to proceed to England. The Government have very kindly tried to see that Indian students may go to England for Forestry, but they (Indian students) feel very reluctant to proceed to that country (England), and this point has been acceded to by the Honourable Mover too. Therefore, we feel constrained to ask the Government to accept this suggestion that a Central Institution may be established in India. The Honourable Mr. Sarma exhorted us to believe that both Indian and European students will sit together, they will exchange their views and that it will promote brotherhood. May I ask, if students of both nationalities study together in India, will it make any difference ? To my mind, since they have got to look after Indian forests, it would be better if the Central Institution were established in India at an early date.

Another point very enthusiastically put forward by the Honourable Mr. Sarma is this—that if we press the amendment, which has been moved before this House, then we shall not be doing justice to the Indian cause. I beg to differ. I think we should claim that the Central Institute should be established here in India and I may be allowed to point out that many of us are of this opinion that it will serve the Indian purpose and the Indian cause, if we succeed in having a central institution founded at Dehra Dun. The crux of the whole thing is—and I think it should be put forward very frankly to this House that Indian students are not prone to go to England and if the Central Institute is not located at Dehra Dun, then the Indian element will be comparatively much less in the Forest Service. The regret, on the part of the Government of India, “that it is a pity that Indian students are not seeming inclined to get themselves qualified so far as forest training in England is concerned,” will, perhaps, become greater if this amendment, which has been so ably put before this House, is not accepted. Mr. Neogy, the author of the amendment, has made reference to various citations of opinions, as for instance the opinion of the Bombay Government, and Madras and the United Provinces. I, therefore, need not reiterate the same arguments but I may say at once that I am in full agreement with them (arguments). I whole-heartedly support his amendment. I myself had submitted an amendment but since an amendment of a similar character has been proposed by my friend, Mr. Subrahmanayam, and has been allowed to be made, I thus do not press the amendment, which I gave notice of. With these remarks, I submit that I am in full accord with the amendment of Mr. Neogy as amended by the amendment of Mr. Subrahmanayam and I appeal to the House that it may be accepted unanimously.

**Mr. S. C. Shahani** (Sind Jagirdars and Zamindars : Landholders) : Sir, I rise to support the amendment that has been proposed by my

[Mr. S. C. Shahani.]

Honourable friend, Mr. Neogy. I am really surprised to see that so much detailed consideration has been lavished upon the Resolution moved by the Honourable Mr. Hullah, who in reality should not have been enabled to make bold to come forward with a Resolution of this character. The attitude of the Assembly in a matter such as this will be noticed most carefully in the country. What is the main point involved in the Resolution? It is to create a central institution for forestry teaching in England. Such a proposal should not be entertained even for one moment. We must have central educational institutions here in India and in India alone. Even if it comes to this that our Forest Service for some time does not come to be recruited rightly, we should not mind it. No other country will ever endure a Resolution of the type under consideration; and I earnestly trust that my Honourable friends in this House will consider the Resolution most carefully, and make up their minds to throw it out, so that hereafter similar Resolutions may not be brought forward. It has been stated that over 50 lakhs of rupees would be required to set up an institution such as would be required for superior forest education here in India. I am doubtful if such a large outlay would be needed. I am myself engaged in the development of education in my own province, and I find that, whereas in other parts Government have spent as much as 7 or 8 lakhs of rupees on the development of a particular laboratory, we have found it easy to secure similar development with much smaller sums of money, with but Rs. 30 or 40 thousand, utilizing, of course, buildings already in existence but not put to the use of which they are capable. There is a method of doing things. However, this may appear boastful and even wrong. I therefore merely state that things can be managed more economically here in India than has been hitherto supposed. But, even if it comes to incurring large outlays, we should incur them. Any proposal to the effect that a Central Forest Institute should for any considerations be created in England and not in India should be rejected, and summarily too, so that hereafter no such Resolutions may be brought forward.

**Mr. J. Hullah :** Sir, I wish particularly to correct one misapprehension which still seems to exist, and that is that the training that we propose to give at Dehra Dun will be a second-rate one. Dr. Sarvadhikary has observed that the Indian universities do not give degrees in forestry, and Honourable Members will see that the inter-departmental committee recommended that the possession of a degree should be a qualification for admission to the Central Institute. We propose to expand the provincial forest course at Dehra Dun so as to make it a diploma course—a diploma which will be accepted by the Central Institution, and therefore the course of training which we propose to give at Dehra Dun must be and will be as good as any that is now obtainable in the Empire. The Imperial Forestry Conference itself said that the need for still higher training than any now available in the Empire was apparent; that is to say, they did not regard even the Oxford training as sufficient in itself. We propose to raise the diploma course at Dehra Dun to the level of the Oxford standard. That will be as high as any standard at present attained in the Empire.

On the whole the criticisms that we have received—though mostly opposed to us—have been given in a spirit which I am glad to

acknowledge as very friendly, but, when I heard Mr. Subrahmanayam, I felt inclined to say with Autolycus "Though I am not naturally honest, I am so sometimes by chance." We have done our best to obtain non-official opinion. We have not been dishonest, nor have the Local Governments. The Local Governments obtained a great deal of non-official opinion. If Honourable Members will look at the summary of non-official opinion at the end of the papers before them they will see how many opinions have been received. Further, we published in the Gazette of India the whole of the papers that we have laid before Honourable Members, and some Local Governments, I know, did the same. I know that everybody in the country does not buy and read the Gazette as he may a daily paper, but still publication in the Gazette is almost as good a means of publicity as we can attain, and this publication did attract attention, for several newspapers set forth and criticised the scheme. If any non-official who was not consulted by his Government wished to do so, he could have written to us direct, and, indeed, we did receive some opinions in this way. And therefore, since Mr. Neogy has criticised me for only mentioning that the majority of Local Governments are in favour of our scheme, may I say that, if he had taken the trouble to look through the summary of opinions at the end of the papers which we have distributed, he would have found that the number of non-official opinions in favour of our scheme is 50 per cent. higher than that in favour of the scheme for all training at Dehra Dun. It was largely on account of the wide support of non-official opinion to our scheme that the Government of India decided to give it preference. I have only to say now, Sir, that on behalf of Government I have to oppose the amendments.

**Mr. President :** Further amendment moved :

"That after the word 'training', as amended, the following words be inserted namely :

'which this Assembly recommends to be taken at a very early date'."

The question I have to put is that that amendment be made.

The motion was adopted.

**Mr. President :** The original question was :

"That this Assembly recommends to the Governor General in Council that recruitment to the Indian Forest Service be by selection, in England and India, of recruits who have already undergone a preliminary education in Forestry followed by training for one year, in England and Europe, of all recruits together at a Central Institution, as recommended by the Inter-departmental Committee on Imperial Forestry Education in their Report of February 1921."

Since which an amendment has been moved :

"That all the words after 'Governor General in Council' be omitted and that the following be substituted in place thereof :

'That all recruits for the Indian Forest Service should be trained at Dehra Dun as soon as the necessary arrangements recommended in that behalf by the Public Services Commission in 1916 could be made, and that pending such arrangements with necessary modifications as to conditions of training, which this Assembly recommends to be taken at a very early date, the present method of recruitment should continue'."

The question I have to put is that that amendment be made.

The motion was adopted.

**Mr. President :** The question is that the following Resolution, as amended, be accepted :

*" This Assembly recommends to the Governor General in Council that all recruits for the Indian Forest Service should be trained at Dehra Dun as soon as the necessary arrangements recommended in that behalf by the Public Services Commission in 1916 could be made, and that pending such arrangements with necessary modifications as to conditions of training which this Assembly recommends to be taken at a very early date, the present method of recruitment should continue."*

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 12th September, 1922.

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